Linda G. Malone Assistant Secretary and Assistant Treasurer One Energy Place Pensacola, Florida 32520-0786

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March 31, 2004

Ms. Blanca S. Bayo, Director Division of the Commission Clerk and Administrative Services Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee FL 32399-0870 RECEIVED-FPSC 04 APR - 1 AM IO: 44 COMMISSION

Dear Ms. Bayo:

RE: Docket No. 040001-EI

Enclosed are an original and ten copies of Gulf Power Company's Request for Confidential Classification regarding Gulf's Risk Management Plan for Fuel Procurement.

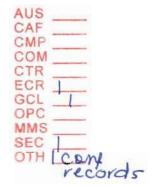
Sincerely,

van D. Riterous

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Enclosures

cc: Beggs and Lane Jeffrey A. Stone, Esquire



DOCUMENT NUMBER-DATE



FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Fuel and purchased power cost recovery clause and generating performance incentive factor

Docket No.:040001-EUDate Filed:April 1, 2004

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REQUEST FOR CONFIDENTIAL CLASSIFICATION

1. Notices and communications with respect to this Notice should be

addressed to:

Jeffrey A. Stone, Esquire Russell A. Badders, Esquire Beggs & Lane P. O. Box 12950 Pensacola, FL 32591 Susan D. Ritenour Secretary and Treasurer Gulf Power Company One Energy Place Pensacola, FL 32520-0780

2. Gulf Power Company ["Gulf Power", "Gulf", or "the Company"], by and through its undersigned attorney's and pursuant to Rule 25-22.006, Florida Administrative Code, hereby files a request that the Florida Public Service Commission enter an order protecting from public disclosure Gulf Powers's Risk Management Plan for Fuel Procurement. A copy of the Gulf Powers's Risk Management Plan for Fuel Procurement is attached hereto as exhibit "A".

3. Gulf Powers's Risk Management Plan for Fuel Procurement is entitled to confidential classification pursuant to section 366.093(3)(a) and (e), Florida Statutes, as information, the public disclosure of which would cause irreparable harm to the competitive interests of Gulf Power Company and the ability of Gulf to enter into contracts on terms favorable to it and its ratepayers. The information for which confidential classification is sought is intended to be and is treated by Gulf Power Company as private and is not otherwise publically available.

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4. Gulf Power Company's Risk Management Plan for Fuel Procurement contains proprietary and commercially sensitive information regarding Gulf Power Company which if disclosed to the general public would cause irreparable harm to Gulf Power. Specifically, the Risk Management Plan for Fuel Procurement contains, in a single resource, detailed information about Gulf's fuel procurement for the near term and into the future. This information is entitled to confidential classification pursuant to section 366.093(3)(a) and (e), Florida Statutes. Gulf Power and other members of the market in which it competes for fuel, fuel transportation and fuel storage consider this type of information to be trade secret and competitively sensitive. This information discusses how Gulf manages its fuel procurement with specific details regarding Gulf's fuel needs, market position and trends it sees in those markets in which it addresses its fuel needs. In addition, the strategy employed by Gulf or on its behalf in the procurement of fuel is discussed in detail. Similar information is not made public by other market participants which would give these other market participants an advantage over Gulf in the fuel markets. This would result in a detriment to Gulf's ratepayers as it would prevent Gulf from managing its fuel procurement in a manner that secures the best price and terms for its customers' fuel needs.

5. The Commission has granted confidential classification for Gulf Power Company's Risk Management Plan for Fuel Procurement in the past. <u>See</u> Florida Public Service Commission Order No. PSC-03-0032-CFO-EI.

6. The information filed pursuant to this request is intended to be, and is treated as, confidential by Gulf and has not been otherwise publically disclosed.

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7. Submitted as Exhibit "A" is a copy of the Risk Management Plan for Fuel Procurement, on which the confidential portions are identified. Exhibit "A" should be treated as confidential pending a ruling on this request. Attached as Exhibit "B" are two edited copies of the Risk Management Plan for Fuel Procurement, which may be made available for public review. Attached as Exhibit "C" to this request is a field-by-field justification for the request for confidential classification.

WHEREFORE, Gulf Power Company respectfully requests that the Commission enter an order protecting the information identified as confidential on Exhibit "A" from public disclosure as proprietary confidential business information.

Respectfully submitted this $\int_{-\infty}^{-\infty} day$ of April 2004,

JEFFREY A. STONE Florida Bar No. 325953 RUSSELL A. BADDERS Florida Bar No. 007455 Beggs & Lane P. O. Box 12950 Pensacola, FL 32591 (850) 432-2451 Attorneys for Gulf Power Company

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Fuel and purchased power cost recovery clause and generating performance incentive factor

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Docket No.: 040001-EI Date: April 1, 2004

REQUEST FOR CONFIDENTIAL CLASSIFICATION

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EXHIBIT "A"

Provided to the Division of Records and Reporting under separate cover as confidential information

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EXHIBIT "B"

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Gulf Power Company's Risk Management Plan for Fuel Procurement

Pages 1 - 77 in their entirety including all graphs, diagrams, charts, text and appendix are considers confidential and are the subject of this request for confidential classification.

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EXHIBIT C

Line-by-Line/Field-by-Field Justification

Line(s)/Field(s)

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Gulf Power Company's Risk Management Plan for Fuel Procurement

Pages 1 - 77 including but not limited to all tables, notations, graphs and text.

Justification

This information is entitled to confidential classification pursuant to §366.093(3)(a) and (e), Florida Statutes. The information presents details about fuel procurement which are not complied in a similar document that is publically available. Disclosure of the types of information that are a part of Gulf's Risk Management Plan for Fuel Procurement is itself confidential. This document sets forth Gulf's strategy with regard to fuel procurement. The basis for this information being designated as confidential is more fully set forth in paragraphs 3 and 4.

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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IN RE: Fuel and Purchased Power Cost Recovery Clause with Generating Performance Incentive Factor

Docket No. 040001-EI

Certificate of Service

I HEREBY CERTIFY that a true copy of the foregoing was furnished by hand delivery or the U. S. Mail this <u>3181</u> day of March 2004 on the following:

Wm. Cochran Keating, Esquire FL Public Service Commission 2540 Shumard Oak Boulevard Tallahassee FL 32399-0863

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