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ORIGINAL



October 19, 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

Dear Ms. Bayo:

RE: Docket No. 040001-EI

Enclosed is Gulf Power Company's Notice of Intent to Request Confidential Classification to interrogatory number 5 of Commission Staff's Second Set of Interrogatories, Nos. 5-10.

Sincerely,

db

Enclosure

- CMP \_\_\_\_\_
- COM \_\_\_\_\_
- CTR \_\_\_\_\_
- ECR 1
- GCL \_\_\_\_\_
- OPC \_\_\_\_\_
- MMS \_\_\_\_\_
- RCA \_\_\_\_\_
- SCR \_\_\_\_\_
- SEC 1
- OTH 1 conf records

cc: Beggs and Lane  
Jeffrey A. Stone, Esquire

This docketed notice of intent was filed with Confidential Document No. 1128804. The document has been placed in confidential storage pending timely receipt of a request for confidentiality.

DOCUMENT NUMBER-DATE

11287 OCT 20 04

FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Fuel and Purchased Power	)	Docket No.	040001-EI
Cost Recovery Clauses and Generating	)	Date:	October 19, 2004
Performance Incentive Factor	)		
	)		
	)		

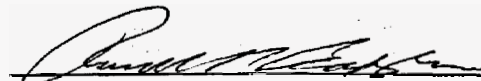
**NOTICE OF INTENT TO REQUEST CONFIDENTIAL CLASSIFICATION**

GULF POWER COMPANY ["Gulf Power", "Gulf", or "the Company"], by and through its undersigned attorney and pursuant to Rule 25-22.006, Florida Administrative Code, hereby gives notice that it intends to request confidential classification for response to interrogatory number 5 of Commission Staff's Second Set of Interrogatories to Gulf Power Company (Nos. 5-10). A copy of the response is attached hereto as exhibit "A".

The information requested is entitled to confidential classification pursuant to Section 366.093(3)(d) and (e). The Company's response to the staff information request contains proprietary confidential business information regarding contractual matters which would cause irreparable harm to Gulf Power Company and the entities with whom it has entered into contracts if such information is disclosed to the general public. In addition, the responses contain information relating to competitive interests in fuel markets which would cause irreparable harm to Gulf Power Company and the entity with whom it has contracted if such information is disclosed to the general public. The information for which confidential classification is sought is intended to be and is treated by Gulf Power Company and the entities with whom it has or intends to contract with as private. A formal request for confidential classification will be filed within the time period specified in Rule 25-22.006(3)(a), Florida Administrative Code, if the Staff determines that the information will be retained by the Commission and not returned to the Companies within the specified time period. In the event the Staff determines that it will retain

this document, the Company requests to be notified, through the undersigned counsel, prior to the expiration of the period specified in Rule 25-22.006(3)(a).

Respectfully submitted this 19<sup>th</sup> day of October 2004,



**JEFFREY A. STONE**

Florida Bar No. 325953

**RUSSELL A. BADDERS**

Florida Bar No. 007455

**Beggs & Lane**

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(850) 432-2451

**Attorneys for Gulf Power Company**

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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 19th day of October 2004 on the following:

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