

Susan D. Ritenour
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DEC 13 AM 10:38



December 8, 2004

~~CONFIDENTIAL~~

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: Notice of Intent to Request Confidential Classification
The Southern Company - Filing of Quarterly Report of Form U-9C-3 to the
Securities and Exchange Commission (SEC)

Enclosed for filing in the matter referred to above is the Notice of Intent to Request
Confidential Classification by Gulf Power Company. This request covers information for
the quarter ending September 30, 2004.

If you or your staff have any questions regarding this filing, please contact me.

Please mark the enclosed extra copy of this letter with the date and time the material was
accepted in your office for filing and return same to the undersigned.

A copy is also being provided to Cindy Miller pursuant to her request. Gulf Power requests
to be notified within 21 days through its counsel whether the Commission Staff will retain
this document.

Sincerely,

Susan D Ritenour

This docketed notice of intent was filed with
Confidential Document No. 13112-04. The
document has been placed in confidential storage
pending timely receipt of a request for
confidentiality.

lw

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on

Enclosures

FPSC-BUREAU OF RECORDS

cc: Beggs and Lane
Russell A. Badders, Esquire
Florida Public Service Commission
Cindy Miller, Esquire

- CMP _____
- COM _____
- CTR _____
- ECR 1
- GCL _____
- OPC _____
- MMS _____
- RCA _____
- SCR _____
- SEC 1

OTH / *conf records*

DOCUMENT NUMBER-DATE

13111 DEC 13 04

ORIGINAL

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: The Southern Company
Form U-9C-3 under Rule 104
with the Securities and Exchange
Commission (SEC) for the period
ending September 30, 2004

Docket No.:
Date:

Undocketed
December 8, 2004

NOTICE OF INTENT TO REQUEST CONFIDENTIAL CLASSIFICATION

The Southern Company and Gulf Power Company, by and through their undersigned attorney and pursuant to Rule 25-22.006, Florida Administrative Code, hereby gives notice that they intend to request confidential classification for Form U-9C-3 for the period ending September 30, 2004, submitted to the Florida Public Service Commission Staff pursuant to Securities and Exchange Commission Rule 104. A copy of Form U-9C-3 for the period ending September 30, 2004, is attached hereto as exhibit "A". Rule 104 requires that every registered holding company submit certain specified categories of filings to each state commission in which the affiliates of the registered holding company operate. Gulf Power Company is an affiliate of the Southern Company, a registered holding company.

Form U-9C-3 for the period ending September 30, 2004, contains proprietary and commercially sensitive information regarding the Southern Company and certain of its unregulated, non-utility, businesses and investments which would cause irreparable harm to the Southern Company if disclosed to the general public. 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 at such time the Staff determines that the information will be retained by the Commission and not returned to the Southern Company. In the event the Staff determines


DOCUMENT NUMBER - DATE

13111 DEC 13 2004

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that it will retain this document, the Company request to be notified, through the undersigned counsel, prior to the expiration of the period specified in Rule 25-22.006(3)(a). Form U-9C-3 for the period ending September 30, 2004, is the subject of a claim of confidentiality under the Freedom of Information Act.

Respectfully submitted,



JEFFREY A. STONE

Florida Bar No. 325953

RUSSELL A. BADDERS

Florida Bar No. 007455

Beggs & Lane

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Pensacola, FL 32591

(850) 432-2451

Attorneys for Gulf Power Company

STATE OF FLORIDA

COMMISSIONERS:
BRAULIO L. BAEZ, CHAIRMAN
J. TERRY DEASON
LILA A. JABER
RUDOLPH "RUDY" BRADLEY
CHARLES M. DAVIDSON



DIVISION OF THE COMMISSION CLERK &
ADMINISTRATIVE SERVICES
BLANCA S. BAYÓ
DIRECTOR
(850) 413-6770 (CLERK)
(850) 413-6330 (ADMIN)

Public Service Commission

ACKNOWLEDGMENT

DATE: 12-18-04

TO: Gregory R. Pitarca

FROM: Theresa, Division of the Commission Clerk and
Administrative Services

RE: Acknowledgment of Receipt of Confidential Filing

13112-04

This will acknowledge receipt of a CONFIDENTIAL DOCUMENT filed in Docket No.

13112-04 or (if filed in an undocketed matter) concerning _____

Frankly report 11-90-3 (7/12/04), and

filed on behalf of Gregory R. Pitarca. The

document will be maintained in locked storage.

Any questions regarding this matter should be directed to Kay Flynn at (850) 413-6770.

PSC/CCA019-C (Rev 01/04)

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