Susan D. Ritenour Secretary and Treasurer and Regulatory Manager One Energy Place Pensacola, Florida 32520-0781

Tel 850.444.6231 Fax 850.444.6026 SDRITENO@southernco.com 960835-EI



October 20, 2005

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 Certificate of Notification to the Securities and

Exchange Commission (SEC), File No. 70-9727

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 June 30, 2005.

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.

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#### BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: The Southern Company

Certificate of Notification File Nos. 70-9727

for the quarter ending June 30, 2005

Docket No.:

Undocketed

Date:

October 20, 2005

### NOTICE OF INTENT TO REQUEST CONFIDENTIAL CLASSIFICATION

The Southern Company, the parent of Gulf Power 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 the Certificate of Notification in File Nos. 70-9727 for the quarter ending June 30, 2005, hereafter the Certificate, submitted to the Florida Public Service Commission Staff pursuant to Securities and Exchange Commission Rule 53(a)(4), C.F.R. §250.53(a)(4). A copy of the Certificate is attached hereto as exhibit "A". Rule 53 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 is an affiliate of the Southern Company, a registered holding company.

The Certificate 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 and Gulf Power 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 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 Companies request to be notified, through the undersigned counsel, prior to the

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expiration of the period specified in Rule 25-22.006(3)(a). This Certificate 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

P. O. Box 12950

(501 Commendencia Street)

Pensacola, FL 32591

(850) 432-2451

**Attorneys for Gulf Power Company** 

## EXHIBIT A

### STATE OF FLORIDA

COMMISSIONERS: BRAULIO L. BAEZ, CHAIRMAN J. TERRY DEASON RUDOLPH "RUDY" BRADLEY LISA POLAK EDGAR



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

# **Hublic Service Commission**

ACKNOWLEDGMENT

ACKNOWLEDGMENT							
TO: RITENOUR GPC							
TO: KITENOUR / GPC							
FROM: M. SANDERS , Division of the Commission Clerk and Administrative Services							
RE: Acknowledgment of Receipt of Confidential Filing							
10262-05							
This will acknowledge receipt of a CONFIDENTIAL DOCUMENT filed in Docket No.							
or (if filed in an undocketed matter) concerning							
SEC FILE No. 70-9727, and							
filed on behalf of 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 07/05)							