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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: Docket No. 050007-EI

Enclosed are an original and fifteen copies of Gulf Power's Request for Confidential Classification regarding Gulf's response to Staff's Third Request for Production of Documents, No. 5, to be filed in the above referenced docket.

Sincerely,

*Susan D. Ritenour*

lw

cc: Beggs and Lane  
Jeffrey A. Stone, Esquire

DOCUMENT NUMBER-DATE

10267 OCT 21 13

FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Environmental Cost Recovery )  
Clause )  
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\_\_\_\_\_ )

Docket No. 050007-EI  
Date: October 20, 2005

**REQUEST FOR 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 files a request that the Florida Public Service Commission enter an order protecting from public disclosure Gulf Power Company's response to number 5 of Staff's Third Request for Production of Documents to Gulf Power Company. As grounds for this request, Gulf Power Company states:

1. The response was submitted to the Commission's staff under a Notice of Intent to Request Confidential Classification on October 5, 2005 and to the Office of Public Counsel under a Motion for a Temporary Protective Order. The Commission Staff has notified Gulf that this response may be used at the hearing in the above referenced docket.

2. The information requested by Staff is entitled to confidential classification pursuant to Section 366.093(3)(e), Florida Statutes. Specifically, request number 5 of Staff's Third Request for Production of Documents to Gulf Power Company contains confidential proprietary business information relating to Gulf's environmental strategy, including detailed information on the timing and need for SO<sub>2</sub> allowances and certain environmental control technologies at one or more of Gulf's generating plants. Disclosure of this information would

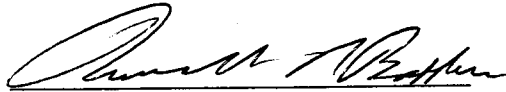
adversely affect Gulf's ability to operate its system to the benefit of its customers and would impair the competitive business of Gulf. Other market participants could use the information to negatively impact the prices and quantity of SO<sub>2</sub> allowances that Gulf is able to obtain for the benefit of its customers. In addition, giving Gulf's competitors knowledge of the timing of the installation of environmental controls on Gulf's generating units could harm Gulf's competitive position in energy and capacity markets as a buyer and/or seller of energy or capacity.

3. The material for which confidential classification is requested is intended to be, and is treated as, confidential by Gulf Power Company and, to the best of the undersigned attorney's knowledge has not been otherwise publicly disclosed.

4. Submitted as Exhibit "A" is a copy of the response, on which is highlighted the information for which confidential classification is requested. Exhibit "A" should be treated as confidential pending a ruling on this request. Attached as Exhibit "B" are two (2) edited copies of the response, which may be made available for public review and inspection. Attached as Exhibit "C" to this request, is a line-by-line/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 highlighted on Exhibit "A" from public disclosure as proprietary confidential business information.

Respectfully submitted this 20<sup>th</sup> day of October 2005,



**JEFFREY A. STONE**

Florida Bar No. 325953

**RUSSELL A. BADDERS**

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**STEVEN R. GRIFFIN**

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**Attorneys for Gulf Power Company**

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Environmental Cost Recovery )  
Clause )  
\_\_\_\_\_ )

Docket No. 050007-EI  
Date: October 20, 2005

**REQUEST FOR CONFIDENTIAL CLASSIFICATION**

**EXHIBIT "A"**

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

EXHIBIT "B"

Staff's Fourth Request for Production  
of Documents  
Docket No. 050007-EI  
GULF POWER COMPANY  
October 5, 2005  
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Please provide any documentation existing prior to September 8, 2005, aside from correspondence between Gulf and DEP, that demonstrates that Gulf must install SO2 controls at Plant Crist in order for the State of Florida to meet its SO2 emission limit under CAIR Phase I.

ANSWER:

See attached pages.

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[REDACTED]

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[REDACTED]

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[REDACTED]

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Staff's Fourth Request for  
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EXHIBIT C

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

**Line(s)/Field(s)**

**Justification**

Page 2 of 4  
Lines 1 – 20, including the flowchart and associated text

Page 3 of 4  
Entire page, including the chart and associated text.

Page 4 of 4  
Entire page, including the chart and associated text.

This information is entitled to confidential classification pursuant to §366.093(3)e), Florida Statutes. The basis for this information being designated as confidential is more fully set forth in paragraph 2.

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Environmental Cost Recovery )  
Clause )  
\_\_\_\_\_ )

Docket No. 050007-EI

Certificate of Service

I HEREBY CERTIFY that a copy of the foregoing has been furnished  
this 20th day of October 2005 by U.S. Mail or hand delivery to the following:

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