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**ORIGINAL**



May 1, 2007

Ms. Ann Cole, Commission Clerk  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee FL 32399-0850

Dear Ms. Cole:

Re: Docket No. 070001-EI

Enclosed are an original and fifteen copies of Gulf Power Company's Request for Extended Confidential Classification in regard to Gulf's Power's response to requests numbered 5, 7, 8 and 12 of Commission Staff's First Request for Production of Documents (1-12) issued to Gulf Power on October 6, 2005 in Docket 050001-EI, to be filed in the above referenced docket.

Sincerely,

*Susan D. Ritenour*  
*bh*

Enclosures

cc: Beggs & Lane  
Jeffrey A. Stone, Esq.

DOCUMENT NUMBER-DATE

03697 MAY-25

FPSC-COMMISSION CLERK

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COM \_\_\_\_\_  
CTR \_\_\_\_\_  
ECR 1 \_\_\_\_\_  
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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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

Docket No.: 070001-EI  
Date: May 1, 2007

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**REQUEST FOR EXTENDED 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 extending the confidential classification for documents produced in response to requests numbered 5, 7, 8 and 12 of Commission Staff’s First Request for Production of Documents (1-12) issued to Gulf Power on October 6, 2005 in Docket 050001-EI (the “confidential documents”). As grounds for this request, the Company states:

1. On October 20, 2005, Gulf filed its initial Request for Confidential Classification of certain documents produced in response to requests numbered 5, 7, 8 and 12 of Commission Staff’s First Request for Production of Documents (1-12) issued to Gulf Power on October 6, 2005 in Docket 050001-EI.

2. On November 2, 2005, the Commission entered an order granting Gulf Power’s request. See, PSC-05-1072-CFO-EI.

3. As provided in Section 366.093(4), Florida Statutes and by the Commission’s Order, the confidential documents will be made public after a period of 18 months unless Gulf or another affected party shows, and the Commission finds, that the confidential documents continue to contain proprietary confidential business information.

4. Gulf hereby requests that the Commission enter an order extending the confidential classification of the confidential documents for an additional 18-month period.

DOCUMENT NUMBER-DATE

03697 MAY-25

FPSC-COMMISSION CLERK

5. The confidential documents are entitled to continued confidential classification for the same reasons they were initially classified. In each case, the competitively sensitive nature of the confidential documents remains high, despite the passage of 18 months. As stated in Gulf's initial Request, the confidential documents contain proprietary and commercially sensitive information regarding competitive interests, trade secrets and contractual matters of Gulf Power, which if disclosed to the general public, would cause irreparable harm to Gulf Power and its customers. This information is entitled to continued confidential classification pursuant to §366.093(3)(a),(d) and (e), Florida Statutes.

6. The information provided in response to request numbered 5 of Commission Staff's First Request for Production of Documents (1-12) is entitled to confidential classification pursuant to Section 366.093(3)(a) and (e). The Company's response to request numbered 5 contains proprietary confidential business information regarding Gulf's competitive interests and contains trade secrets held confidential by Gulf Power Company. Specifically, the response contains the business plans for Gulf's generating plants. These business plans provide detailed information about financial, business and operational strategies for each of Gulf's generating plants. Disclosure of this information would give Gulf's competitors an unfair advantage when competing against Gulf in energy and capacity markets. This would undermine the market position of Gulf and its customers in nearly every market in which Gulf participates. In addition, information on Gulf's maintenance philosophy and financial goals are provided in the information. Gulf considers its maintenance philosophy and its overall financial, business and operational strategies to be trade secrets gained through years of experience in the electric utility business. Disclosure of this information would unfairly give Gulf's competitors the benefit of Gulf's experience and efforts.

7. The information provided in response to request numbered 7 of Commission Staff's First Request for Production of Documents (1-12) is entitled to confidential classification pursuant to Section 366.093(3)(a), (d) and (e). The Company's response to request numbered 7 contains proprietary confidential business information regarding Gulf's competitive interests, contractual matters and trade secrets held confidential by Gulf Power Company. Specifically, the response contains three items 1) maintenance practices from Gulf's internal guide for maintenance and operation of its generating units, 2) a portion of a contract detailing maintenance activities for one of Gulf's generating units and 3) a portion of Gulf's Business Plan related to the maintenance of its generating units. The first item is an excerpt from Gulf's internal maintenance and operation guide. This information is entitled to confidential classification as a trade secret and its disclosure would harm Gulf's competitive interests. The internal practices related to maintenance and operation of a utility's generating units is gained and refined throughout time. Gulf has in the past and continues to expend resources to develop and fine-tune its maintenance practices on its generating units in an effort to provide reliable and cost-effective electricity to its customers. The knowledge gained by Gulf is considered a trade secret. Gulf competes in energy and capacity markets for the benefit of its customers. Disclosure of this information would impair Gulf's ability to effectively compete in these markets since it would give Gulf's competitors detailed insight into how Gulf operates and maintains its generating units. The second item, the Long Term Services Agreement with General Electric International, is entitled to confidential classification as contractual data, the disclosure of which would impair the efforts of Gulf Power to contract for future services agreements with equipment vendors, manufacturers and installers. The information provided is a portion of the actual contract language from a specific contract. This contract is still in effect today. Gulf and the

party with whom it has entered into the contract consider the terms of this contract to be confidential. The third item is an excerpt from one of the business plans already provided in the response to request numbered 5 and discussed in paragraph 6 above. This information is entitled to confidential classification for the reasons stated in paragraph 6 above.

8. The information provided by Gulf in response to request numbered 8 of Commission Staff's First Request for Production of Documents (1-12) is entitled to confidential classification pursuant to Section 366.093(3)(d) and (e). The Company's response to request numbered 8 contains proprietary confidential business information regarding Gulf's competitive interests and is contractual data held confidential by Gulf Power Company. Specifically, the response contains three contracts entered into by Gulf for the supply of natural gas. The disclosure of these contracts would impair the efforts of Gulf Power to contract for future natural gas supply. Both Gulf and the gas suppliers regard this information as confidential. If Gulf is required to disclose this information publicly, gas suppliers may decide not to contract with Gulf in the future because the terms of the agreement would be made public. In addition, public disclosure of the terms and pricing stated in this contract would undermine Gulf's competitive position in fuel markets.

9. The information provided in response to request numbered 12 of Commission Staff's First Request for Production of Documents (1-12) is entitled to confidential classification pursuant to Section 366.093(3)(d) and (e). The Company's response to request numbered 12 contains proprietary confidential business information regarding Gulf's competitive interests and is bid/contractual data held confidential by Gulf Power Company. Specifically, the response contains the actual request for bids for natural gas supply and the responses to that request received by Gulf. The disclosure of this bid information would impair the efforts of Gulf Power

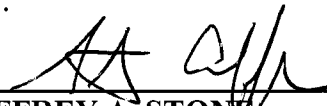
to contract for future natural gas supply. Both Gulf and the gas suppliers regard this information as confidential. If Gulf is required to disclose this information publicly, gas suppliers may decide not to contract with Gulf in the future because the details of their bids and associated contractual terms would be made public.

10. The information filed pursuant to this Request is intended to be, and is treated as, confidential by the Gulf Power and has not been otherwise publicly disclosed.

11. Submitted as Exhibit "A" are copies of the confidential documents. Exhibit "A" should be treated as confidential pending a ruling on this request. Attached as Exhibit "B" are two (2) edited copies of the confidential documents 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 1<sup>st</sup> day of May, 2007.

  
**JEFFREY A. STONE**  
Florida Bar No. 325953  
**RUSSELL A. BADDERS**  
Florida Bar No. 007455  
**STEVEN R. GRIFFIN**  
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**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.: 070001-EI  
Date: May 1, 2007

**REQUEST FOR CONFIDENTIAL CLASSIFICATION**

**EXHIBIT "A"**

Provided to the Commission Clerk

under separate cover as confidential information

EXHIBIT "B"



Staff's First Request for Production Of Documents  
Docket No.: 050001-EI  
GULF POWER COMPANY  
October 06, 2005  
Item No. 5  
Page 1 of 129

5. Please provide any document which memorializes budget and performance objectives for the following Southern Company plants for 2005 and 2006: Daniel; Scholtz; Crist; Smith; and Scherer.

ANSWER:

Attached are the Plant Business Plans for each plant outlining financial and business goals.

The attachments provided in response  
to this request have been submitted pursuant  
to a Request for Confidential Classification

Staff's First Request for Production of Documents  
Docket No.: 050001-EI  
GULF POWER COMPANY  
October 06, 2005  
Item No. 7  
Page 1 of 18

7. Please provide any document which Gulf Power relies upon for guidance regarding the timing and frequency of repairing and/or replacing equipment as part of a planned outage.

**ANSWER:**

Long Term Services Agreement with General Electric International Inc. which outlines the Scope of Inspections and Frequency of Inspections for Combined Cycle Unit. Other maintenance practices are outlined in Chapter VI Section B of the Playbook. Page 15 of the Plant Business Plans provided for Item No. 6 include timing and frequency of major equipment repair and inspection.

The attachments provided in response  
to this request have been submitted pursuant  
to a Request for Confidential Classification

Staff's First Request for Production of Documents  
Docket No.: 050001-EI  
GULF POWER COMPANY  
October 06, 2005  
Item No. 8  
Page 1 of 78

8. Please provide all contracts for natural gas supply that Gulf Power has entered into since December 15, 2004 to satisfy its natural gas 2006 requirements.

ANSWER:

Natural gas supply is contracted by Southern Company Services, Inc. as agent for Gulf Power as well as the other Southern Company operating companies. Since December 15, 2004, SCS has added three gas supply contracts that could be used for Gulf Power's generation needs as well as delivery to other plants. These contracts are attached.

The attachments provided in response  
to this request have been submitted pursuant  
to a Request for Confidential Classification

Staff's First Request for Production of Documents  
Docket No.: 050001-EI  
GULF POWER COMPANY  
October 06, 2005  
Item No. 12  
Page 1 of 4

12. Please provide the requests for proposals that Gulf Power has issued, and the responses received, that resulted in Gulf Power entering into the contracts referenced in Request for Production of Documents Nos. 8-11.

ANSWER:

1  
2  
3  
4  
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EXHIBIT C

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

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

**Justification**

Item Number 5  
Pages 2 through 129, including all text, tables,  
charts and graphs.

This information is entitled to confidential classification pursuant to §366.093(3) (a) and (e), Florida Statutes. The basis for this information being designated as confidential is more fully set forth in paragraph 6.

Item Number 7  
Pages 2 through 18, including all text, tables,  
charts and graphs.

This information is entitled to confidential classification pursuant to § 366.093(a),(d) and (e), Florida Statutes. The basis for this information being designated as confidential is more fully set forth in paragraph 7.

Item Number 8  
Pages 2 through 78, including all text, tables  
charts and graphs.

This information is entitled to confidential classification pursuant to § 366.093 (d) and (e), Florida Statutes. The basis for this information being designated as confidential is more fully set out in paragraph 8.

Item Number 12  
Page 1, lines 1-8  
Pages 2 through 4, including all text, tables,  
charts and graphs.

This information is entitled to confidential classification pursuant to § 366.093 (d) and (e), Florida Statutes. The basis for this information being Designated as confidential is more fully set out in paragraph 9.



**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing was furnished by U. S mail this   /   day of May, 2007, on the following:

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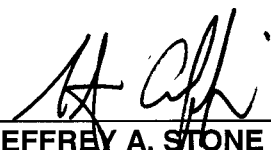
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**Attorneys for Gulf Power Company**

State of Florida



# Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD  
TALLAHASSEE, FLORIDA 32399-0850

**-M-E-M-O-R-A-N-D-U-M-**

DATE: 5.2.07  
 TO: Susan D. Ritner  
 FROM: T. Henry, Division of the Commission Clerk &  
 Administrative Services  
 RE: **Acknowledgment of Receipt of Confidential Filing**

03698-07

This will acknowledge receipt of a **CONFIDENTIAL DOCUMENT** filed in Docket No. 070001-E1 or (if filed in an undocketed matter) concerning RCC (extended) to responses 5, 7, 8 & 12 of FPSC <sup>Staff</sup>, and filed on behalf of Gulf Power / Ritner. The document will be maintained in locked storage.

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

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PSC/CCA019-C(Rev 12/06)

DOCUMENT NUMBER - DATE

03698 MAY-25

FPSC-COMMISSION CLERK