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October 15, 2009

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

RECEIVED-FPSC
09 OCT 16 PM 12:21
COMMISSION
CLERK

Dear Ms. Cole:

RE: Docket No. 090001-EI

Enclosed are an original and fifteen copies of Gulf Power Company's Request for Confidential Classification pertaining to Commission Staff's Second Request for Production of Documents (Nos. 7-8).

Sincerely,

Susan D. Ritenour (lu)

COM _____
ECR _____
GCL 2 Enclosures
OPC _____
RCP _____ cc: Beggs & Lane
SSC _____ Jeffrey A. Stone, Esq.
SGA _____
ADM _____
CLK 1

DOCUMENT NUMBER DATE

10624 OCT 16 09

FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: **Fuel and Purchased Power Cost**)
Recovery Clause with Generating)
Performance Incentive Factor)

Docket No.: 090001-EI

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing was furnished by U. S. mail this 15th day of October, 2009, on the following:

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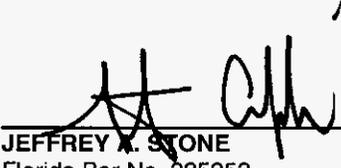
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Attorneys for Gulf Power Company

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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

Docket No.: 090001-EI
Date: October 15, 2009

REQUEST FOR CONFIDENTIAL CLASSIFICATION

GULF POWER COMPANY ["Gulf Power", "Gulf", or the "Company"], by and through its undersigned attorneys 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 certain information submitted by Gulf Power in response to Commission Staff's Second Request for Production of Documents to Gulf Power Company (Nos. 7-8). As grounds for this request, the Company states:

1. Document Request 7.B. seeks a complete copy of Gulf Power's agreement with the third-party sub-contractor who has been contracted to design, build and operate the proposed Perdido Landfill Gas to Energy Facility on behalf of Gulf Power. This agreement constitutes proprietary confidential business information concerning bids or other contractual data the disclosure of which would impair the efforts of Gulf Power to contract for goods and/or services on favorable terms. The agreement was negotiated over the course of several months and contains detailed and proprietary information, methods and procedures concerning all aspects of the design, construction, operation and maintenance of the Perdido facility. This information is regarded by Gulf and the counterparty as competitively sensitive. The agreement contains a confidentiality provision (Section 19.12.1) and is entitled to confidential classification pursuant to section 366.093(3) (d) and (e), Florida Statutes.

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

3. Submitted as Exhibit "A" is one un-redacted copy of the subject agreement.

DOCUMENT NUMBER-DATE

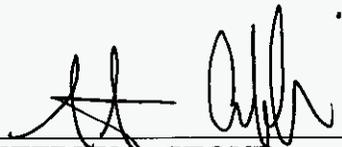
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FPSC-COMMISSION CLERK

Exhibit "A" should be treated as confidential pending a ruling on this request. Attached as Exhibit "B" is a cover page reflecting the fact that the agreement is confidential in its entirety. Exhibit "B" 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 agreement attached as Exhibit "A" from public disclosure as proprietary confidential business information.

Respectfully submitted this 15th day of October, 2009.



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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.: 090001-EI
Date: October 15, 2009

_____)

REQUEST FOR CONFIDENTIAL CLASSIFICATION

EXHIBIT "A"

Provided to the Commission Clerk
under separate cover as confidential information.

EXHIBIT "B"

The agreement between Gulf Power Company and the third-party sub-contractor is confidential in its entirety.

EXHIBIT "C"

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

Line(s)/Field(s)

Response to Request # 7.B

Confidential in its entirety.

Justification

This information is entitled to confidential classification pursuant to §366.093(3) (d) and (e), Florida Statutes. The basis for this information being designated as confidential is more fully set forth in paragraph 1.

STATE OF FLORIDA

COMMISSIONERS:
MATTHEW M. CARTER II, CHAIRMAN
LISA POLAK EDGAR
NANCY ARGENZIANO
NATHAN A. SKOP



OFFICE OF COMMISSION CLERK
ANN COLE
COMMISSION CLERK
(850) 413-6770

Public Service Commission

ACKNOWLEDGEMENT

DATE: October 16, 2009

TO: Susan Ritenour, Gulf Power Company

FROM: Ruth Nettles, Office of Commission Clerk

RE: Acknowledgement of Receipt of Confidential Filing

This will acknowledge receipt of a CONFIDENTIAL DOCUMENT filed in Docket Number 090001 or, if filed in an undocketed matter, concerning staff's 2nd Reques for PODs, Nos. 7-8, and filed on behalf of Gulf Power Company. The document will be maintained in locked storage.

If you have any questions regarding this document, please contact Marguerite Lockard, Deputy Clerk, at (850) 413-6770.

DOCUMENT NUMBER - DATE
10625 OCT 16 09
OFFICE OF CLERK

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