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September 10, 2010

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

Re: Docket 090042-EI

Dear Ms. Cole:

Enclosed is Gulf Power's Request to Extend Confidential Classification of information produced in connection with a Review of Electric Customers' Property Damage Claims (PA-08-08-003).

Sincerely,

Susan D. Ritenour (dw)

vm

Enclosures

cc w/encl.: Beggs & Lane
Jeffrey A. Stone, Esq.
Public Service Commission
Mr. Lynn Fisher
C. S. Boyett

COM _____
APA I
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____ CLAIM OF CONFIDENTIALITY
____ NOTICE OF INTENT
 REQUEST FOR CONFIDENTIALITY | Extension
____ FILED BY OPC
FOR DN 00273-09, WHICH IS IN LOCKED STORAGE. YOU MUST BE AUTHORIZED TO VIEW THIS DN. - CLK

DOCUMENT NUMBER DATE

07660 SEP 14 2010

FPSC-COMMUNICATIONS

RECEIVED-FPSC
10 SEP 14 AM 10:49
COMMISSION CLERK
JULIAN CENTER
SEP 13 AM 10:53

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Review of Electric Customers'
Property Damage Claims
_____)

Docket No.: 090042-EI
Date: September 10, 2010

REQUEST FOR EXTENDED 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 extending the confidential classification for certain documents and information produced by Commission Staff and Gulf Power in connection with a Review of Electric Customers' Property Damage Claims (PA-08-08-003) (the "Review"). As grounds for this request, the Company states:

1. On January 12, 2009, Gulf Power filed its initial request for confidential classification of certain documents and information produced by Commission Staff and Gulf Power in connection with the Review. (See, Document No. 00272-09).

2. On March 20, 2009, the Commission entered an order granting Gulf Power's request for confidential classification. See, Order No. PSC-09-0162-CFO-EI (Document No. 02429-09).

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.

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5. The confidential documents are entitled to continued confidential classification for the same reasons they were initially classified. In each case, the sensitive nature of the confidential documents remains high, despite the passage of 18 months. As described in Gulf's initial request for confidential classification, portions of the information submitted by Gulf Power in response to Commission Data Requests, information contained in Staff's work papers, and contained in Staff's draft audit report constitute "proprietary confidential business information" as defined by section 366.093(3), Florida Statutes.

6. A portion of information contained in Staff's draft audit report relates directly to findings and results of an internal audit pertaining to customer property damage claims. Consequently, this information is confidential pursuant to section 366.093(3)(b), Florida Statutes.

7. In response to questions contained in Staff's Data Request ("DR") 1, Gulf produced a single CD-ROM containing, in part, confidential information.¹ Specifically, information submitted in response to DR-1.3(a)-(b) and DR-1.10. The information submitted in response to DR-1.3(a)-(b) consists of summaries of customer claims information, including customer names and payment amounts. Personally identifiable information, such as customer names, is not specifically enumerated in section 366.093(3) as "proprietary confidential business information." Nevertheless, the listing in section 366.093(3)(a)-(f) is not exclusive. Gulf believes that such personally identifiable information is protected insofar as customers submitting claims to Gulf Power have a reasonable expectation that such information will not become a matter of public record. Additionally, the amounts paid by Gulf Power to settle customer claims are protected under section 366.093(3)(e) as "information relating to competitive interests." Each customer's claim is viewed on its own merits and on the totality of

¹ Gulf is not attaching a second copy of the CD-ROM to this request.

the circumstances. Public disclosure of this information would necessarily reveal attorney work-product and interfere with the efficient and effective administration of customer claims.

The information submitted in response to DR-1.10 consists of excerpts from an internal audit pertaining to customer property damage claims. This information is confidential pursuant to section 366.093(3)(b), Florida Statutes.

8. A portion of Gulf Power's comments regarding Staff's draft audit report, which was filed concurrently with Gulf's initial request for confidential classification, address the findings and results of an internal audit pertaining to customer property damage claims. This information is confidential pursuant to section 366.093(3)(b), Florida Statutes.

9. Also included in the initial request was a section of Staff's work papers which recites findings of an internal audit pertaining to customer property damage claims. This information is confidential pursuant to section 366.093(3)(b), Florida Statutes.

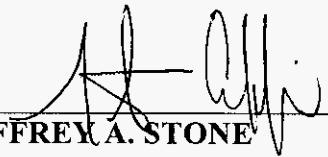
10. Finally, Gulf seeks extended confidential treatment for a Corrective Action Plan prepared in response to an internal audit pertaining to customer property damage claims. The Corrective Action Plan was submitted in response to DR-2.2. This information is confidential pursuant to section 366.093(3)(b), Florida Statutes.

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

12. The confidential materials were attached to Gulf's initial confidentiality request as Exhibit "A" and are identified with Document No. 00273-09. Also attached to Gulf's initial request as Exhibit "C" and identified as Document No. 00275-09 was a line-by-line, field-by-field justification for confidential classification.

WHEREFORE, Gulf Power Company respectfully requests that the Commission enter an order protecting the information highlighted on Document No 00273-09 and delineated in Document No. 00275-09 from public disclosure for an additional period of eighteen (18) months.

Respectfully submitted this 10th day of September, 2010.



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