

**Diamond Williams**

090169-EI

**From:** Marchman, Vickie L. [VLMARCHM@southernco.com]  
**Sent:** Wednesday, October 27, 2010 2:22 PM  
**To:** Filings@psc.state.fl.us  
**Subject:** Gulf Power's Request for Extended Confidential Class regarding certain information contained in a purchased power agreement  
**Attachments:** Req for Extended Conf Class in a purchased power agreement 10-27-10.pdf

- A. s/Susan D. Ritenour  
Gulf Power Company  
One Energy Place  
Pensacola FL 32520  
850.444.6231  
[Sdriteno@southernco.com](mailto:Sdriteno@southernco.com)
- B. Docket No. 090169-EI
- C. Gulf Power Company
- D. Document consists of 5 pages.
- E. The attached is Gulf Power's Request for Extended Confidential Class regarding certain information contained in a purchased power agreement

**Vickie Marchman**

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 APA \_\_\_  
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 GCL   1    
 RAD   1    
 SSC \_\_\_  
 ADM \_\_\_  
 OPC \_\_\_  
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\_\_\_ CLAIM OF CONFIDENTIALITY  
 \_\_\_ NOTICE OF INTENT  
  Extended   REQUEST FOR CONFIDENTIALITY  
 \_\_\_ FILED BY OPC

FOR DN 03002-09, WHICH  
 IS IN LOCKED STORAGE. YOU MUST BE  
 AUTHORIZED TO VIEW THIS DN. - CLK

DOCUMENT NUMBER-DATE

08957 OCT 27 09

FPSC-COMMISSION CLERK

10/27/2010

**Susan D. Ritenour**  
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and Regulatory Manager

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October 27, 2010

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

Dear Ms. Cole:

RE: Docket No. 090169-EI

Enclosed is Gulf Power Company's Request for Extended Confidential Classification regarding certain information contained in a purchased power agreement in the above-referenced docket.

Sincerely,



vm

Enclosures

cc w/encl.: Beggs & Lane  
Jeffrey A. Stone, Esq.

DOCUMENT NUMBER-DATE

08957 OCT 27 2010

FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Petition for Approval of Purchased Power )  
Agreement between Gulf Power Company )  
And Shell Energy North America (U.S.) LP )

Docket No.: 090169 - EI  
October 27, 2010

**CERTIFICATE OF SERVICE**

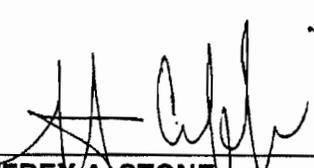
I HEREBY CERTIFY that a true copy of the foregoing was furnished by electronic mail this 27<sup>th</sup> day of October, 2010, on the following:

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**Attorneys for Gulf Power Company**

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

**In re: Petition for Approval of Purchased  
Power Agreement between Gulf Power  
Company and Shell Energy North America  
(US), L.P., dated March 16, 2009**

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**Docket No.: 090169-EI  
Date: October 27, 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 granting extended confidential classification for certain information contained in a purchased power agreement between Shell Energy North America (US), L.P. (“Shell”) and Gulf Power. As grounds for this request, the Company states:

1. On April 6, 2009, Gulf Power filed its initial request for confidential classification of certain information contained in a purchased power agreement between Shell and Gulf Power. (Document No. 03001-09)
2. On May 1, 2009, the Commission entered an order granting Gulf Power’s request. See, PSC-09-0294-CFO-EI (the “Order”).
3. As provided in section 366.093(4), Florida Statutes, and by the Commission’s Order, the confidential information will be made public after a period of 18 months unless Gulf or another affected party shows, and the Commission finds, that the confidential information warrants extended confidential treatment. The 18-month period expires on November 1, 2010.
4. Gulf hereby requests that the Commission enter an order extending the confidential classification of the information described in Exhibit “A” to the Commission’s Order for an additional 18-month period.

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5. The Shell/Gulf Power PPA is still in effect and the specified portions of the PPA are entitled to continued confidential classification for the same reasons they were initially classified. As stated in Gulf's initial confidentiality request, portions of information contained in the PPA constitute proprietary confidential business information in the form of (i) 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, and (ii) information relating to competitive interests, the disclosure of which would impair the business of the provider of the information. The confidential information is entitled to confidential classification pursuant to section 366.093(3)(d) and (e), Florida Statutes. The confidential information can generally be broken down into the following categories:

- (a) pricing and/or payment terms;
- (b) logistical, operational and/or maintenance data or procedures;
- (c) equipment characteristics/specifications; and
- (d) financial data.

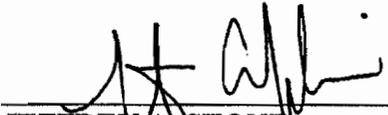
Disclosure of this information would impair ability of Gulf Power, Shell and/or the Owner to compete in the marketplace, and could negatively impact Gulf Power's ability to negotiate contract terms favorable to its customers in the future.

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

7. The confidential information was attached as Exhibit "A" to Gulf's initial request for confidential classification and is identified as Document No. 03002-09.

**WHEREFORE**, Gulf Power Company respectfully requests that the Commission enter an order protecting the information highlighted on Exhibit "A" (Document No. 03002-09) from public disclosure for an additional period of eighteen (18) months.

Respectfully submitted this 27th day of October, 2010.



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