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October 13, 2011

_____ date of confidentiality
_____ by _____

_____ by OPC

For ID# 06775-11 which
is in confidential status, I have been
authorized to view it by ID#-CLK

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

RE: Docket No. 110318-EI ¹³⁸

Dear Ms. Cole:

Enclosed is an original and seven copies of Gulf Power Company's Amended Request for Confidential Classification pertaining to Commission Staff's Sixth Request for Production of Documents (Nos. 20-23), Seventh Request for Production of Documents (Nos. 24-34) and Seventh Set of Interrogatories to Gulf Power (Nos. 91-108). This amended request is intended to replace the original confidentiality request that was filed on September 20, 2011 (Document No. 06774-11). Also included is a CD-ROM of Gulf Power's Amended Request for Confidential Classification and Exhibit B in Microsoft Word format as prepared on a Windows XP operating system.

Sincerely,

Susan D. Ritenour

COM _____
APA _____
ECR _____
GCL _____
RAD _____
SRC _____
ADM _____
OPC _____
CLK _____

nbm
252 CD's also Forwarded.
Enclosures

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

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DOCUMENT NUMBER - DATE
07571 OCT 14 =
FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition for increase in rates
by Gulf Power Company

Docket No.: 110138-EI
Date: October 13, 2011

AMENDED 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 its amended request that the Florida Public Service Commission enter an order protecting from public disclosure certain information produced in response to Commission Staff's Sixth Request for Production of Documents (Nos. 20-23) ("Sixth Document Request") and Seventh Request for Production of Documents (Nos. 24-34) ("Seventh Document Request") and Seventh Interrogatories to Gulf Power (Nos. 91-108) (collectively, the "Discovery Requests"). As grounds for this request, the Company states:

1. On August 17, 2011, Commission Staff served Gulf Power with the Discovery Requests.
2. On September 20, 2011, Gulf Power served its responses to the Discovery Requests along with a Request for Confidential Classification regarding portions of Gulf's responses to the Discovery Requests. (Document No. 06774-11)
3. In order to further clarify the confidential nature of certain portions of the confidential data, Gulf now files this amended request which is intended to replace the original request.
4. A portion of Gulf's responses to the Discovery Requests contains proprietary confidential business information as defined pursuant to section 366.093(3), Florida Statutes. The files containing confidential information have been segregated and transferred to a separate DVD which is being submitted as Exhibit "A" to this Request for Confidential Classification.

Exhibit "A" should be treated as confidential pending a ruling on this request. Excepting situations where a file is confidential in its entirety, confidential information has been highlighted in yellow.

Staff's Sixth Document Request

5. A portion of the information provided in response to Document Request No. 20 and Document Request No. 21 constitutes proprietary confidential business information as defined pursuant to section 366.093(3)(a) and (e), Florida Statutes. Specifically, the confidential information consists of a functioning electronic version of the model used to develop Gulf Power's cost of service study in this proceeding. While the outputs of the cost of service study are not themselves confidential, the functioning model and its underlying formulae are.¹ The Southern Company and its affiliates have expended significant resources in developing the model for use in the course of business. The model has not been publicly disclosed, is of value to Gulf Power's and its affiliates' business and would provide an economic advantage to Gulf Power's competitors in the event of public disclosure. Public utilities within the State of Florida and across the United States regularly conduct cost of service studies in the course of business. In order to conduct such studies, utilities can develop their own cost of service model, purchase a model on the open market, or retain the services of third party. Each alternative comes at significant cost. If Gulf Power's functioning model was publicly disclosed, competing utilities and third party vendors could utilize the model in their own businesses, resulting in significant cost savings at Gulf Power's expense. Moreover, the model not only determines the rates of return for the retail jurisdiction and retail tariffs, it also determines the rate of return for Gulf's wholesale customers. Disclosure of the model to Gulf's wholesale customers would impact Gulf Power's ability to conduct effective wholesale contract pricing. Enabling potential wholesale

¹ Attached as Exhibit "C" to this request is a DVD containing a pdf copy of the outputs of Gulf's cost of service model. This DVD is not considered confidential and can be made available for public inspection.

customers to employ the model to estimate Gulf's possible offer positions could weaken Gulf's competitive capability. It is for these reasons that Gulf's model is protected by copyright laws and international treaty provisions.

6. Gulf's original Request for Confidential Classification sought confidential treatment for a portion of the information provided in response to Document Request No. 23. Specifically, the confidential information consisted of six documents which set forth Gulf Power's and the Southern Company's internal standards and specifications for underground distribution construction, overhead distribution construction, voltage flicker control and use/operation of the Southern Company Engineering Toolkit (SOCKET). Subsequent to the filing of Gulf's original request, Commission Staff notified Gulf Power that Staff would be returning these confidential documents to the Company. Consequently, there is no need to address these documents in this amended request.

Staff's Seventh Document Request

7. A portion of the information provided in response to Document Request No. 29 constitutes proprietary confidential business information as defined pursuant to section 366.093(3)(d)-(e), Florida Statutes. Two files, labeled as "Attachment B" and "Attachment C" contain contractual pricing data for fuel purchases by Gulf Power. Gulf Power and the counterparties involved in these transactions consider this information to be confidential. Disclosure of this information would impair the efforts of Gulf Power to contract for goods and services on favorable terms. Disclosure of this information would negatively impact Gulf's ability to negotiate pricing favorable to its customers in the future. In addition, potential counterparties may refuse to enter into future contracts with Gulf, or may charge higher prices, if the information was made public.

8. A portion of the information provided in response to Document Request No. 30 constitutes proprietary confidential business information as defined pursuant to section 366.093(3)(a) and (e), Florida Statutes. Specifically, the confidential information consists of a document titled Southern Company Services, Inc. Fuel Services Natural Gas and Fuel Oil Policy. This policy document reflects Gulf Power's and the Southern Company's fuel procurement strategy and internal operating procedures for purchasing, storing, handling and transportation of natural gas and fuel oil. The document is considered proprietary by Gulf Power and represents the Company's best practices for procuring, storing, handling and transporting natural gas and fuel oil. Public disclosure of this information will provide Gulf's competitors with access to the Company's internal procedures and the specifications of its facilities. Gulf's competitors could use this information to optimize their own practices at Gulf Power's expense. Similar Gulf Power documents were granted confidential classification in Order No. PSC-06-0427-CFO-EI and Order No. PSC-08-0048-CFO-EI.

9. A portion of the information provided in response to Document Request No. 33 constitutes proprietary confidential business information as defined pursuant to section 366.093(3)(d) and (e), Florida Statutes. This response includes copies of coal purchase orders between Gulf Power, Mississippi Power and various counterparties. These purchase orders contain pricing terms, quality specifications, banking information and contact information which are considered confidential by Gulf Power, Mississippi Power and the counterparties. Disclosure of this information would negatively impact Gulf's ability to negotiate pricing favorable to its customers in the future. In addition, potential counterparties may refuse to enter into future contracts with Gulf, or may charge higher prices, if the confidential information contained in the purchase orders is publicly disclosed.

Staff's Seventh Interrogatories

10. A portion of the information provided in response to Interrogatory No. 98 constitutes proprietary confidential business information as defined pursuant to section 366.093(3)(d) and (e), Florida Statutes. Specifically, this response includes pricing for coal under Gulf Power's 2012 coal supply agreements. Disclosure of this information would impair the efforts of Gulf Power to contract for goods and services on favorable terms. Gulf Power and the counterparties involved in these transactions consider the pricing information to be confidential. Disclosure of this information would negatively impact Gulf's ability to negotiate pricing favorable to its customers in the future. In addition, potential counterparties may refuse to enter into future contracts with Gulf, or may charge higher prices, if the pricing terms are made public.

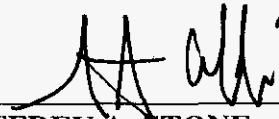
11. The information filed pursuant to this request is intended to be, and is treated as, confidential by Gulf Power and, to this attorney's knowledge, has not been otherwise publicly disclosed.

12. Attached as Exhibit "B" to this request is a line-by-line/field-by-field justification for Gulf's Request for Confidential Classification.

13. As stated in Footnote 1 above, attached as Exhibit "C" to this request is DVD containing a pdf version of the outputs of Gulf's cost of service model. Exhibit "C" is not considered confidential and can be made available for public inspection.

WHEREFORE, Gulf Power Company respectfully requests that the Commission enter an order protecting the information contained in Exhibit "A" from public disclosure as proprietary confidential business information.

Respectfully submitted this 13th day of October, 2011.



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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition for increase in rates
by Gulf Power Company

Docket No.: 110138-EI
Date: October 13, 2011

REQUEST FOR CONFIDENTIAL CLASSIFICATION

EXHIBIT "A"

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

EXHIBIT "B"

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

Line(s)/Field(s)

Justification

Staff's Sixth Document Request

Request Number 20

Within the file titled
"STAFF POD 20 With MDS COSS conf"
the tab titled, "STUDY" is confidential
in its entirety.

Within the file titled
"STAFF POD 20 WITHOUT MDS COSS conf"
the tab titled, "STUDY" is confidential
in its entirety.

As noted in paragraph 5 above, these files contain functioning versions of Gulf Power's and the Southern Company's cost of service study model. While the outputs of the model are not themselves confidential, the functioning model and its underlying formulae are. Gulf Power and the Southern Company have invested substantial resources in developing the model and have taken care to ensure that it has not been publicly disclosed. If publicly disclosed, competing utilities and third party vendors could utilize this model in their own business at significant cost savings and at the expense of the Companies. This model is competitively sensitive and constitutes a trade secret. For those reasons, the model is entitled to confidential classification pursuant to §366.093(3)(a) and (e), Florida Statutes.

Request Number 21

Within the file titled
“STAFF POD 21 COSS Without MDS conf”
The tab titled, “STUDY” is confidential
in its entirety.

As noted in paragraph 5 above, this file contains a functioning version of Gulf Power’s and the Southern Company’s cost of service study model. While the outputs of the model are not themselves confidential, the functioning model and its underlying formulae are. Gulf Power and the Southern Company have invested substantial resources in developing the model and have taken care to ensure that it has not been publicly disclosed. If publicly disclosed, competing utilities and third party vendors could utilize this model in their own business at significant cost savings and at the expense of the Companies. This model is competitively sensitive and constitutes a trade secret. For those reasons, the model is entitled to confidential classification pursuant to §366.093(3)(a) and (e), Florida Statutes

Staff’s Seventh Document Request

Request Number 29

File titled “POD 29 Attachment B”
Tab titled-- “2012 purchases.”
Column G, lines 9-33, 42-101,
111-125 and 134-145.
Column K, lines 9-34, 42-102,
111-126, 134-146.
Column L, lines 9-34, 42-102,
111-126, 134-146.
Column V, lines 9-20

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 7.

File titled "POD 29 Attachment C"
Tab titled "Purchase (ton)"
Column M, lines 17-515
Columns P-AD, lines 17-515
Columns AE-AF, lines 130-189,
312-336, 370-381, 473-487

File titled "POD 29 Attachment C"
Tab titled "Coal Summary"
Column M, lines 10-69, 73-87,
91-102 and 106-130.
Columns P-AD, lines 10-69, 73-87,
91-102 and 106-130.
Columns AE-AF, lines 10-70,
73-88, 91-103, 106-131.

Request Number 30

File titled "Staff POD 30," document
titled "Natural Gas and Fuel Oil Policy"
(**Confidential in its entirety**)

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 8.

Request Number 33

File titled "STAFF POD ATTACHMENT 33"
Page 33-1, lines 1-5
Page 33-2, lines 1-8
Page 33-3, lines 1-5
Page 33-4, lines 1-5
Page 33-5, lines 1-7
Page 33-6, lines 1-4
Page 33-7, lines 1-9
Page 33-9, lines 1-3
Page 33-10, lines 1-7
Page 33-11, lines 1-5
Page 33-12, lines 1-7
Page 33-13, lines 1-4
Page 33-14, lines 1-6
Page 33-15, lines 1-3
Page 33-16, lines 1-7
Page 33-17, lines 1-6

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 9.

Staff's Seventh Interrogatories

Interrogatory Number 98

File titled "Staff ROG 98 highlighted"
Page 3, column titled "price per ton,"
lines 1-12.

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 10.

EXHIBIT "C"

This exhibit consists of a DVD labeled Exhibit "C" which contains a pdf copy of the non-confidential outputs of Gulf's cost of service model. This information may be made available for public inspection.

[CLKnote: CD Forwarded
to ECR.]

RM/mean



BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Petition for Increase in Rates)
by Gulf Power Company)
)
)
_____)

Docket No. 110138-EI

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing was furnished by overnight delivery the 13th day of October, 2011, on the following:

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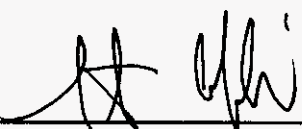
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