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COMMISSION  
CLERK



October 28, 2011

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

claim of confidentiality  
 notice of intent  
 request for confidentiality  
 filed by OPC

For DN 08018-11, which  
is in locked storage. You must be  
authorized to view this DN.-CLK

11 OCT 31 12:11:00  
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RE: Docket No. 110138-EI

Dear Ms. Cole:

Enclosed are an original and seven copies of Gulf Power Company's Request for Confidential Classification pertaining to certain portions of Gulf's response to Staff's Thirteenth Request for Production of Documents (Nos. 48-50) in the above referenced docket. Also included are Compact Disks of the following:

- Gulf Power's Request for Confidential Classification in Microsoft Word format as prepared on a Windows XP operating system.
- Exhibit "A" with the confidential version of the Microsoft Excel file
- Exhibit "B" with the redacted version of the Adobe PDF file

Sincerely,

*Susan D. Ritenour*

nm

Enclosures

*2+ ltr containing request.*

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

COM	_____
APA	_____
ECR	_____
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DOCUMENT NUMBER-DATE

08017 OCT 31 =

FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for increase in )  
rates by Gulf Power Company )  
\_\_\_\_\_ )

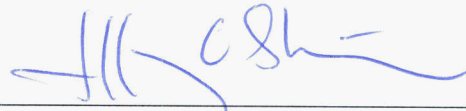
Docket No. 110138-EI

Date Filed: October 28, 2011

GULF POWER COMPANY'S RESPONSES TO  
STAFF'S THIRTEENTH REQUEST FOR PRODUCTION OF  
DOCUMENTS (NOS. 48-50).

GULF POWER COMPANY ("Gulf Power", "Gulf", or "the Company"), by and through its undersigned counsel, hereby submits the Company's response to Staff's Thirteenth Request for Production of Documents (Nos. 48-50) on the following pages.

Respectfully submitted the 28<sup>th</sup> day of October, 2011,



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**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: Petition for increase in rates by Gulf  
Power Company.

Docket No. 110138-EI  
Dated: October 28, 2011

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 request that the Florida Public Service Commission enter an order protecting from public disclosure certain information included in Gulf Power's response to Request No. 49 of Commission Staff's Thirteenth Request for Production of Documents to Gulf Power (Nos. 48-50). In support of its request, Gulf states as follows.

1. Gulf Power's response to Request No. 49 of Staff's Thirteenth Request for Production of Documents contains proprietary confidential business information as defined by section 366.093(3), Florida Statutes. Specifically, Gulf's response includes non-public information concerning Gulf Power's customers including customer names, account numbers and associated rate schedules under which customers take service. Gulf has historically protected this information in recognition of its customers' expectations of privacy. Public disclosure of this information could provide wrongdoers with access to customer accounts, impair the competitive interests of commercial/industrial customers and potentially subject Gulf to lawsuits for wrongful disclosure of customer information. As recognized in Florida Power & Light v. Florida Public Service Commission, 31 So.3d 860 (Fla. 1<sup>st</sup> DCA 2010), the categories of confidential information referenced in section 366.093(3)(a)-(f), Florida Statutes, are not exclusive. The statute specifically provides that proprietary confidential business information "includes, but is not limited to" the information identified in subparts (a) through (f).

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK --

§ 366.093(3), Fla. Stat. While not specifically enumerated in the statute, the foregoing information constitutes proprietary confidential business information pursuant to section 366.093(3), Florida Statutes. See, Order No. PSC-09-0162-CFO-EI (finding that customers' personally identifiable information qualifies as proprietary confidential business information under the statute).

3. 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.

4. Submitted as Exhibit "A" is a compact disc containing the Microsoft Excel file which is responsive to Request No. 49. The information for which confidential classification is requested is highlighted in yellow in the electronic file. Exhibit "A" should be treated as confidential pending a ruling on this request. Attached as Exhibit "B" is a separate compact disc containing an Adobe Acrobat PDF version of the Excel file with confidential information redacted. 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 information highlighted on Exhibit "A" from public disclosure as proprietary confidential business information.

Respectfully submitted this 28th day of October, 2011.



**JEFFREY A. STONE**

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IN RE: Petition for increase in rates by Gulf  
Power Company

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Docket No.: 110138-EI  
Date: October 28, 2011

**REQUEST FOR CONFIDENTIAL CLASSIFICATION**

**EXHIBIT "A"**

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



EXHIBIT "B"

A non-confidential compact disc is enclosed as Exhibit "B."