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September 25, 2013



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

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COMMISSION
CLERK

RE: Docket No. 130140-EI

Dear Ms. Cole:

Enclosed for filing in the above referenced docket is Gulf Power Company's Request for Confidential Classification pertaining to certain portions of Gulf's response to Citizens' Sixth Request to Produce Documents (Nos. 104-105). Enclosed is a copy of Gulf Power's Request for Confidential Classification and Exhibit "A" which is a justification for confidential treatment of the Confidential Information in Microsoft Word format as prepared on a Windows based system. A copy of the confidential documents are provided on a separate DVD labeled "Confidential."

Sincerely,

Robert L. McGee, Jr.

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Enclosures

cc: Beggs & Lane
Jeffrey A. Stone, Esq.
Gunster Law Firm
Charles A. Guyton, Esq.
Richard A. Melson, Esq.

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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

Docket No.: 130140-EI
Date: September 26, 2013

**GULF POWER COMPANY'S
REQUEST FOR CONFIDENTIAL CLASSIFICATION
AND MOTION FOR TEMPORARY PROTECTIVE ORDER**

Gulf Power Company ("Gulf Power" or "the Company"), pursuant to Section 366.093, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, hereby requests confidential classification of certain documents and information produced in Response to Citizens' Sixth Request to Produce Documents to Gulf Power (Nos. 104-105) ("OPC's Discovery"). Confidential information submitted in response to OPC's discovery has been segregated and placed upon the enclosed DVD bearing the label "CONFIDENTIAL" ("Confidential Information"). This DVD should be treated as confidential in its entirety.

Description of the Document(s)

The Confidential Information consists of files produced in response to Document Request No. 105. These documents are identified with specificity on Exhibit "A" to this Request. In support of this request, the Company states:

1. Subsection 366.093(1), Florida Statutes, provides that any records "found by the Commission to be proprietary confidential business information shall be kept confidential and shall be exempt from s. 119.07(1), Florida Statutes [requiring disclosure under the Public Records Act]." Proprietary confidential business information includes, but is not limited to "[i]nformation concerning . . . contractual data, the disclosure of which would impair the efforts of the public utility or its affiliates to contract for goods or services on favorable terms."

Subsection 366.093(3)(d), Florida Statutes. Proprietary confidential business information also includes “[i]nformation relating to competitive interests, the disclosure of which would impair the competitive business of the provider of the information.” Section 366.093(3)(e), Florida Statutes. The Confidential Information that is the subject of this request and motion falls within the statutory categories and, thus, constitutes proprietary confidential business information entitled to protection under Section 366.093, Florida Statutes, and Rule 25-22.006, Florida Administrative Code.

2. Attached hereto as Exhibit "A" is a justification for confidential treatment of the Confidential Information.

3. Attached hereto as Exhibit "B" is a public version of the Document(s) with the Confidential Information redacted, unless previously filed as indicated.

4. The Confidential Information is intended to be and is treated by Gulf Power as private and, to this attorney’s knowledge, has not been publicly disclosed.

5. For the same reasons set forth herein in support of its request for confidential classification, Gulf Power also moves the Commission for entry of a temporary protective order pursuant to Rule 25-22.006(6)(c), Florida Administrative Code, protecting the Confidential Information from public disclosure.

Requested Duration of Confidential Classification


6. Gulf Power requests that the Confidential Information be treated by the Commission as confidential proprietary business information for at least the 18 month period prescribed in Rule 25-22.006(9)(a), Florida Administrative Code. If, and to the extent that the Company is in need of confidential classification of the Confidential Information beyond the 18

month period set forth in the Commission rule, the justification and grounds for such extended confidential treatment are set forth in Exhibit "C" to this request and motion.

WHEREFORE, Gulf Power Company respectfully requests that the Confidential Information that is the subject of this request and motion be accorded confidential classification for the reasons set forth herein and for a minimum period of 18 months, subject to any request for a longer period of confidential classification as may be set forth in Exhibit "C" to this request and motion. The company further moves for the entry of a temporary protective order pursuant to Rule 25-22.006(6)(c), Florida Administrative Code, protecting the Confidential Information from public disclosure.

DATED this 25th day of September, 2013.

Respectfully submitted,



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EXHIBIT "A"

**JUSTIFICATION FOR CONFIDENTIAL TREATMENT OF
PORTIONS OF GULF POWER'S RESPONSES
TO OPC'S SIXTH REQUEST TO PRODUCE DOCUMENTS (NOS. 104-105)**

<u>POD Request No.</u>	<u>Bates Pages or File Names</u>	<u>Detailed Description</u>	<u>Rationale</u>
105	Ad Valorem Taxes Desktop CONF (1-10)	Confidential in its entirety	(1)
	Florida 2013 CONF	Confidential in its entirety	(2)

-
- (1) This file contains Gulf Power's internal policies and procedures governing ad valorem taxation. The Company has invested substantial time and resources in developing and improving upon these procedures over time. The documents are considered proprietary by Gulf Power and represent the Company's best practices for addressing ad valorem taxation. Public disclosure of this information would provide Gulf's competitors with access to valuable information which they, in turn, could use to optimize their own systems at Gulf Power's expense. The Commission has previously recognized that Gulf Power's internal procedures and policies are confidential in their entirety. See e.g. Order No. PSC-06-0427-CFO-EI, Order No. PSC-08-0048-CFO-EI, and Order No. PSC-12-0035-CFO-EI. This information constitutes proprietary confidential business information as defined pursuant to section 366.093(3)(e), Florida Statutes.

 - (2) This file contains internal budgetary estimates of real and personal property values for purposes of ad valorem taxation in 2013 and 2014, including the calculations employed in deriving those estimates. The calculations are the direct application of the Company's best practices for addressing ad valorem taxation and are competitively sensitive in that public disclosure of this information would provide taxing authorities with detailed insight into the methods used by Gulf to estimate taxable property values. To the extent that the taxing authorities disagree with these methodologies, they may employ valuation methodologies that result in higher assessed values and an increased financial burden to Gulf's customers. This information constitutes proprietary confidential business information as defined pursuant to section 366.093(3)(e), Florida Statutes.

PUBLIC VERSION(S) OF THE DOCUMENT(S)

Attached hereto (unless previously filed as may be noted below) are two public versions of the Document(s) with the Confidential Information redacted.

Public Version(s) of the Document(s) attached X

Public Version(s) of the Document(s) previously filed on _____

EXHIBIT "B"

PUBLIC VERSION(S) OF THE DOCUMENT(S)

**The files identified on Exhibit "A" to this request are considered confidential
in their entirety.**

EXHIBIT "C"

REQUESTED DURATION OF CONFIDENTIAL CLASSIFICATION

Gulf Power requests that the Confidential Information that is the subject of this request be treated as proprietary confidential business information exempt from the Public Records Law for a minimum of 18 months from the date of the order granting such classification. To the extent the company needs confidential protection of the Confidential Information for a period longer than 18 months, the company's justification therefor is set forth below:

n/a

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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

Docket No.: 130140-EI

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing has been furnished by overnight mail this 25th day of September, 2013:

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