



Robert L. McGee, Jr.
Regulatory & Pricing Manager

One Energy Place
Pensacola, FL 32520-0780
850 444 6530 tel
850 444 6026 fax
rlmcgee@southernco.com

December 22, 2016

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

RE: Docket No. 160186-EI

Dear Ms. Stauffer:

Attached for filing in the above-referenced docket is Gulf Power Company's Motion for Temporary Protective Order pertaining to certain portions of Gulf's response to Citizens' Fourth Set of Interrogatories (Nos. 131-151) to Gulf Power Company.

Sincerely,

A handwritten signature in blue ink that reads "Robert L. McGee, Jr." with a stylized flourish at the end.

Robert L. McGee, Jr.
Regulatory and Pricing Manager

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Attachments

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

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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

Docket No. 160186-EI
Dated: December 22, 2016

GULF POWER COMPANY'S
MOTION FOR TEMPORARY PROTECTIVE ORDER

Gulf Power Company ("Gulf"), by and through undersigned counsel, hereby moves pursuant to Section 366.093, Florida Statutes, and Rule 25-22.006(6), Florida Administrative Code, for entry of a Temporary Protective Order covering confidential documents and information sought in discovery by the Office of Public Counsel ("OPC"). In support, Gulf states as follows:

1. This Motion pertains to certain proprietary confidential information as defined in Section 366.093, Florida Statutes, which is included within Gulf's Answer to OPC's Interrogatory No. 145, and which Gulf is serving upon OPC on the date of this Motion. The confidential information consists of a document containing allocation factors for Gulf's affiliate transactions. These factors could be used by competitors of Gulf to gain confidential details regarding the Company's internal cost allocation methodologies. These methodologies have been developed over time and through the expenditure of significant resources. Access to such methodologies would bestow on competitors of the Company an unfair advantage to the extent that such competitors would not similarly be required to expend such resources to develop similar methodologies. This would, in turn, confer an unfair advantage on such companies. In addition, access to the information would provide insight into the costs of the Company, which could also undermine the Company's position. The Company's competitors are not similarly required to disclose such information and access to such cost information would harm the Company and could result in competitors manipulating the market by artificially setting prices based on such

information. This information is confidential pursuant to Section 366.093(3)(d) and (e), Florida Statutes.

3. Section 366.093(2), Florida Statutes, and Rule 25-22.006(6), Florida Administrative Code, direct that all records produced pursuant to a discovery request for which proprietary confidential status is requested shall be treated by OPC as confidential and shall be exempt from the public records law, Section 119.07(1), Florida Statutes. Gulf, by this motion, is seeking protection of all confidential information that Gulf will produce to OPC within its Answer to OPC Interrogatory No. 145. This protection should extend not only to OPC, but also to any consultants or advisors with whom OPC has contracted for purposes of this proceeding. Gulf has recorded the appropriate objections to providing such confidential and proprietary business information, and will provide documents and information responsive to these requests marked as confidential subject to this motion, the law, Commission rules, and Gulf's objections. By following this procedure and producing this information, Gulf is not waiving its right to seek further relief as necessary to make certain that its confidential, proprietary, business information is not publicly disclosed.

WHEREFORE, Gulf Power respectfully requests that the Commission grant a Temporary Protective Order relating to the information described in the body of this motion.

Respectfully submitted this 22nd day of December, 2016.



JEFFREY A. STONE

Florida Bar No. 325953

RUSSELL A. BADDERS

Florida Bar No. 007455

STEVEN R. GRIFFIN

Florida Bar No. 627569

Beggs & Lane

P. O. Box 12950

501 Commendencia Street

Pensacola, FL 32576-2950

(850) 432-2451

Attorneys for Gulf Power Company

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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

Docket No.: 160186-EI

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing has been furnished by electronic mail this 22nd day of December, 2016 to the following:

Office of Public Counsel
J. R. Kelly/Stephanie A. Morse
Public Counsel
c/o The Florida Legislature
111 W. Madison Street, Room 812
Tallahassee, FL 32399-1400
kelly.jr@leg.state.fl.us
morse.stephanie@leg.state.fl.us

Office of the General Counsel
Theresa Tan
Kelley Corbari
2540 Shumard Oak Blvd
Tallahassee, FL 32399-0850
ltan@psc.state.fl.us
kcorbari@psc.state.fl.us
blheriss@psc.state.fl.us
scuello@psc.state.fl.us
kyoung@psc.state.fl.us

Federal Executive Agencies
c/o Thomas A. Jernigan
AFCEC/JA-ULFSC
139 Barnes Drive, Suite 1
Tyndall Air Force Base, FL 32403
Thomas.Jernigan.3@us.af.mil

Southern Alliance for Clean Energy
Bradley Marshall, Esq.
Alisa Coe, Esq.
Earthjustice
111 S. Martin Luther King Jr. Blvd.
Tallahassee, FL 32301
bmarshall@earthjustice.org
acoe@earthjustice.org

Florida Industrial Power Users Group
Jon C. Moyle, Jr.
Karen Putnal
c/o Moyle Law Firm, P.A.
118 North Gadsden Street
Tallahassee, FL 32301
jmoyle@moylelaw.com
kputnal@moylelaw.com



JEFFREY A. STONE

Florida Bar No. 325953

jas@beggsllane.com

RUSSELL A. BADDERS

Florida Bar No. 007455

rab@beggsllane.com

STEVEN R. GRIFFIN

Florida Bar No. 0627569

srg@beggsllane.com

BEGGS & LANE

P. O. Box 12950

Pensacola FL 32591-2950

(850) 432-2451

Attorneys for Gulf Power