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January 4, 2017

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 Federal Executive Agencies' Second Request for Production of Documents (Nos. 6-27).

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: January 4, 2017

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 Federal Executive Agencies ("FEA") within FEA's Second Request for Production of Documents (Nos. 6-27). 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 Responses to FEA's Request for Production of Documents Nos. 20 and 21, and which Gulf is serving upon FEA, the Office of Public Counsel, and others, on the date of this Motion.

2. The confidential information responsive to FEA's Request for Production No. 20 is contained within a document named FEA POD 20 – Ten Year Plan CONF (1-7) and with Bates labels 160186-FEA-POD-20-1 – 160186-FEA-POD-20-7. The information within this document consists of a detailed analysis of Gulf Power's transmission system needs in the 2017-2026 timeframe. It includes projected outage data and recommended transmission upgrades. It also identifies the projected timing of outages and upgrades to various facilities. Transmission planning information of this nature is not only sensitive from a physical security standpoint, but also from a commercial standpoint in the power purchase and sales markets. The disclosure of this information would therefore be harmful to Gulf's competitive interests, and as such, the

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

3. The confidential information responsive to FEA's Request for Production No. 21 includes projections of net capacity, firm peak demand, reserve margins and territorial power purchases for the entire Southern Electric system for years 2016 through 2025. Access to this information could impair the Southern Electric system's efforts to purchase and/or sell energy and capacity in the open market on competitive terms. In addition, disclosure could confer an unfair advantage on competitors in the marketplace which are not similarly required to disclose such information. This information is confidential pursuant to Section 366.093(3)(e), Florida Statutes.

4. The confidential information responsive to FEA's Request for Production No. 27 includes projected energy and demand requirements for a customer taking service pursuant to a negotiated Contract Service Arrangement ("CSA") under Gulf's Rate Schedule Commercial/Industrial Service rider ("CIS"). CSA's are designated as confidential documents in Gulf's Tariff for Retail Electric Service. Additionally, this information is regarded by the counterparty as confidential and competitively sensitive. The counterparty is engaged in manufacturing and public disclosure of its projected energy and demand requirements could provide useful information to its competitors in the marketplace. The disclosure of this information would therefore be harmful to the competitive interests of the customer, and as such, the information is entitled to confidential classification pursuant to Section 366.093(3)(e), Florida Statutes.

5. 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 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 share with the Office of Public Counsel within its Response to FEA's Request for Production Nos. 20, 21 and 27. 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 4th day of January, 2017.



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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 4th day of January, 2017 to the following:

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