

State of Florida



Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

-M-E-M-O-R-A-N-D-U-M-

DATE: February 1, 2017
TO: Kelley Corbari, Senior Attorney, Office of the General Counsel
FROM: William B. McNulty, Economist Supervisor, Division of Economics
RE: CONFIDENTIALITY OF CERTAIN INFORMATION
DOCKET NO: 160186-EI DOCUMENT NO: 00818-17
DESCRIPTION: GPC (Badders) - (CONFIDENTIAL) Certain responses produced in response to staff's second request for PODs to GPC (No. 12). [x-ref DN 09194-16]

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2017 FEB -1 PM 3:15
COMMISSION CLERK

SOURCE: Gulf Power Company

Pursuant to Section 366.093, (F.S.), and Rule 25-22.006, Florida Administrative Code, Gulf Power Company (GPC) requests confidential classification of certain information filed January 24, 2017 in response to staff discovery in the above referenced docket. This recommendation specifically addresses highlighted portions of GPC's response to Staff's Second Request for Production of Documents to GPC, No. 12 contained in Document No. 00818-17.

GPC's instant request amends GPC's December 7, 2016 request for confidential classification of Document No. 09194-16, the original response to staff's discovery. Staff questioned whether some portions of Document No. 09194-16 met the statutory requirements for confidential treatment. The Company agreed to allow those portions of the document (i.e. the last two paragraphs on the last page) to be treated as non-confidential. At this time, Document No. 09194-16 has been returned to GPC upon the Company's request, and the replacement document for which confidentiality is being sought is Document No. 00818-17, a document in which the last two paragraphs of the last page are not highlighted.

The Company is claiming confidentiality of portions of its response to Staff's Second Request for Production of Documents to GPC, No. 12, under Section 366.093(3)(d), F.S. Per the Statute, propriety of confidential business information includes; "[I]nformation concerning bids or other 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," and Section 366.093(3)(e) F.S. "[I]nformation relating to competitive interests, the disclosure of which would impair the competitive business of the provider of the information." Staff has reviewed GPC's confidentiality request pertaining to Document No. 00818-17. In staff's opinion, the highlighted information provided in response to Staff's Second Request for Production of Documents to GPC, No. 12, meets the definition of confidential business information under Section

366.093(3)(e), F.S., insofar as it contains GPC's market analysis for electric vehicle deployment in GPC's service area which could, if disclosed, be used by other market participants seeking to enter the market within GPC's service area.

Therefore, staff recommends that GPC's request for confidentiality of highlighted information contained in Document No. 00818-17 be approved.

WBM/ wbm



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-M-E-M-O-R-A-N-D-U-M-

DATE: January 25, 2017

TO: Division of Engineering, Office of Primary Responsibility

FROM: OFFICE OF COMMISSION CLERK

RE: CONFIDENTIALITY OF CERTAIN INFORMATION
DOCKET NO(s): 160186-EI DOCUMENT NO(s): 00818-17
DESCRIPTION: GPC (Badders) - (CONFIDENTIAL) Certain information produced in response to staff's second request for PODs to GPC (No. 12). [x-ref DN 09194-16]
SOURCE: Gulf Power Company

The above confidential material was filed with an AMENDED request of confidential classification and motion for temporary protective order. Please complete the following form by checking all applicable information and forward it to the attorney assigned to the docket, along with a brief memorandum supporting your recommendation.

- The document(s) is (are), in fact, what the utility asserts it (them) to be.
- The utility has provided enough details to perform a reasoned analysis of its request.
- The material has been received incident to an inquiry.
- The material is confidential business information because it includes:
 - (a) Trade secrets;
 - (b) Internal auditing controls and reports of internal auditors;
 - (c) Security measures, systems, or procedures;
 - (d) Information concerning bids or other 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;
 - (e) Information relating to competitive interests, the disclosure of which would impair the competitive business of the provider of information;
 - (f) Employee personnel information unrelated to compensation, duties, qualifications, or responsibilities;
- The material appears to be confidential in nature and harm to the company or its ratepayers will result from public disclosure.
- The material appears not to be confidential in nature.
- The material is a periodic or recurring filing and each filing contains confidential information.

This response was prepared by William F. McDuff on 02/01/2017, a copy of which has been sent to the Office of Commission Clerk and the Office of General Counsel.