

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: March 8, 2017

TO: Lee Eng Tan, Senior Attorney, Office of the General Counsel
Kelley F. Corbari, Senior Attorney, Office of the General Counsel

FROM: Takira T. Thompson, Engineering Spec I, Division of Engineering
Nicholas Stratis, Public Utility Analyst I, Division of Economics

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NS WBM*

RE: CONFIDENTIALITY OF CERTAIN INFORMATION

DOCKET NO(s): 160186-EI DOCUMENT NO(s): 03100-17

DESCRIPTION: GPC (Griffin) - (CONFIDENTIAL) Certain documents and information produced by GPC's response to staff's 10th request for POD (No. 67) and staff's 11th set of interrogatories (Nos. 376-377) [DN 00792-17]

SOURCE: Gulf Power Company

Pursuant to Section 366.093, Florida Statutes (F.S.), and Rule 25-22.006, Florida Administrative Code, Gulf Power Company (GPC) requests confidential classification of its responses to Staff's 10th Request for Production of Documents (POD), No. 67, and Staff's Eleventh Set of Interrogatories (ROG), Nos. 376 and 377.

GPC requests confidentiality of highlighted portions of its response to POD No. 67 and ROG Nos. 376-377 under 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 Staff's Tenth Request for Production of Documents, No. 67. In Exhibit A of GPC's request, its response to POD No. 67 is described as containing several files of hourly and projected load data, including names of its largest customers. GPC states that it does not have permission from these customers (mostly larger businesses) to disclose this information, and is concerned about risking its relationship with those customers if the data were to be made available to the public. In addition, GPC maintains that a sophisticated observer could surmise which loads listed in the documents are tied to specific customers, since the Company has few large customers. Staff recommends that this information meets the criteria for confidential classification pursuant to Section 366.093(3)(e) F.S.

Staff has reviewed the highlighted information provided in response to Staff's Eleventh Set of Interrogatories, No. 376. GPC's response to ROG No. 376 contains detailed components of an economic analysis performed by GPC with regards to Plant Scherer Unit 3. This information reveals key inputs into its decision-making process, and disclosure of this information could negatively impact its ability to negotiate pricing favorable to its customers when contracting with vendors of materials needed by the company. Based on this review, staff recommends that this information meets the criteria for confidential classification pursuant to Section 366.093(3)(e) F.S.

Staff has reviewed the highlighted information provided in response to Staff's Eleventh Set of Interrogatories, No. 377. GPC's response to ROG No. 377 contains information regarding GPC's potential contractual negotiation and asset sale considerations and strategies. Disclosure of this information could impair the company's ability to negotiate or enter into contracts at fair and reasonable prices. Based on this review, staff recommends that this information meets the criteria for confidential classification pursuant to Section 366.093(3)(e) F.S.



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AMENDED

DATE: March 8, 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): 03100-17

DESCRIPTION: GPC (Griffin) - (CONFIDENTIAL) Certain documents and information produced by GPC's response to staff's 10th request for POD (No. 67) and staff's 11st set of interrogatories (Nos. 376-377). [x-ref DN 00792-17]

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 Takira Thompson on 3/8/17, a copy of which has been sent to the Office of Commission Clerk and the Office of General Counsel.