



May 17, 2019

Mr. Adam Teitzman, Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Re: Docket No. 20190016-EG

Dear Mr. Teitzman:

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 Southern Alliance for Clean Energy's Second Request for Production of Documents (Nos. 19-21) to Gulf Power Company. 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. A copy of the confidential documents are provided on a separate DVD labeled "Confidential".

Sincerely,

C. Shane Boyett
Regulatory, Forecasting and Pricing Manager

md

Enclosures

cc: Gulf Power Company
Russell Badders, Esq., VP & Associate General Counsel

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Commission review of numeric
conservation goals (Gulf Power Company).

Docket No.: 20190016-EG
Filed: May 20, 2019

**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 information produced in response to the Southern Alliance for Clean Energy's ("SACE") Second Request for Production of Documents (Nos. 19-21) ("SACE's Discovery"). Confidential information submitted in response to SACE'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 is contained within an electronic file which reflects data extracted from Gulf Power's "FIRE Model." This file is being produced in response to Document Request No. 19. The file is 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 propriety 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 "[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. Proprietary confidential business information also includes “trade secrets.” Section 366.093(3)(a), Florida Statutes. The Confidential Information that is the subject of this request and motion falls within these 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. A public version of the document with the Confidential Information is not being submitted as the file is confidential in its entirety.

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 "B" 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 "B" 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 17th day of May, 2019.

Respectfully submitted,



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EXHIBIT "A"

**JUSTIFICATION FOR CONFIDENTIAL TREATMENT OF
PORTIONS OF GULF POWER'S RESPONSES
TO SACE'S SECOND REQUEST FOR PRODUCTION**

<u>Request No.</u>	<u>File Names</u>	<u>Detailed Description</u>	<u>Rationale</u>
POD 19	Annual Avoided Cost – CONF ENTIRE	Entire file	(1)

(1) The Confidential Information is contained within the electronic data extracted from Gulf Power Company's "FIRE" Model. The FIRE Model is utilized by the Company to, among other things, perform cost-effectiveness analyses for Gulf's demand-side management measures and plans. The FIRE Model utilizes various inputs including Company-specific avoided costs relating to fuel, generation, transmission and distribution. This avoided cost information derives economic value from not being generally known to, and not being readily ascertainable by proper means by other persons who can obtain economic value from its disclosure or use. More specifically, public disclosure of the information would provide other utilities, independent power producers and vendors of demand-side management services details related to the Company's avoided cost components and the calculations used in the Company's FIRE Model that determine pricing and cost effectiveness of marketing programs, individual customer loads, and certain supply-side and demand-side options. This information would bestow an unfair advantage on such entities with respect to resource planning, projected generation costs and DSM program development and contracting. If suppliers had access to such information, it would place Gulf Power at an economic disadvantage and provide an economic advantage to its competitors and/or bidders who have access to such information, which could increase costs to Gulf Power and result in higher rates to customers. Gulf Power's ability to negotiate the optimum price and contract terms and conditions would be undermined if competitors and suppliers were given access to the company's costs through disclosure of this information. Finally, Gulf Power's competitors are not required to disclose their avoided cost components. The Confidential Information is subject to substantial procedures to maintain its secrecy. Only select Gulf Power personnel and their legal counsel are granted access to the information. Those personnel receive access only on a "need to know" basis. Consequently, this information is entitled to confidential classification pursuant to section 366.093(3)(a) and (e), Florida Statutes. The Commission has previously recognized that information contained within Gulf Power's FIRE Model constitutes proprietary confidential business information as defined in section 366.093, Florida Statutes. See e.g., Order No. PSC-14-0367-CFO-EI and Order No. PSC-14-0369-CFO-EI.

EXHIBIT "B"

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: **Commission Review of Numeric**)
Conservation Goals (Gulf Power Company))

Docket No.: **20190016-EG**

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing was furnished by overnight mail this 17th day of May, 2019 to the following:

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