FILED 9/21/2020 DOCUMENT NO. 08245-2020 FPSC - COMMISSION CLERK



September 21, 2020

VIA HAND DELIVERY

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

REDACTED

RE: Docket No. 20200001-EI; Audit Control No: 2020-013-1-1

Dear Mr. Teitzman:

Attached is Gulf Power Company's Request for Confidential Classification regarding certain documents produced by Commission Staff and Gulf Power in connection with a review (ACN 2020-013-1-1) of Gulf Power's hedging settlements in the above-referenced docket.

Sincerely,	COM			
S/Richard Hume	AFD I EXH B APA	co	2020 SEP	RECI
Richard Hume Regulatory Issues Manager	ECO ENG	CLER CLER	P 21	EIVED
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Attachments	CLK		-	C

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

Gulf Power Company

In re: Fuel and purchased power cost recovery clause and generating performance incentive factor Docket No.: 20200001-EI

Date: September 21, 2020

GULF POWER COMPANY'S REQUEST FOR CONFIDENTIAL CLASSIFICATION

Gulf Power Company ("Gulf"), pursuant to Rule 25-22.006, Florida Administrative Code ("F.A.C.") and Section 366.96, Florida Statutes ("F.S."), hereby requests that the Florida Public Service Commission ("Commission") enter an order protecting from public disclosure certain information contained in documents showing Gulf's Hedging Transactions for the Period August 1, 2019 to July 31, 2020 ("2020 Hedging Settlements"), which Gulf has produced to the Commission Staff ("Staff") in Audit Control No. 2020-013-1-1. In support of this request, Gulf states as follows:

1. In response to certain data requests propounded by Staff, Gulf has produced its 2020 Hedging Settlements. The 2020 Hedging Settlements will be included in Staff's work papers in this docket. This request is being filed in order to request confidential classification of certain information contained in the 2020 Hedging Settlements, consistent with Rule 25-22.006, F.A.C.

- 2. The following exhibits are attached to and made a part of this Request:
 - a. Exhibit "A" consists of the 2020 Hedging Settlements, and all the information that Gulf asserts is entitled to confidential treatment has been highlighted.
 - b. Exhibit "B" is an edited version of Exhibit "A" on which the specific information Gulf asserts is confidential has been blocked out.
 - c. Exhibit "C" is a line-by-line justification table in support of Gulf's Request for Confidential Classification in which Gulf demonstrates that the

information Gulf asserts is confidential qualifies as one of the statutory examples listed in section 364.183(3), 366.093(3), or 367.156(3), F.S.

d. Exhibit "D" is a written declaration in support of this Request, which affirms that the information for which Gulf seeks confidential classification is intended to be and is treated by Gulf as private and has not been disclosed.

3. Gulf submits that the confidential information contained in the 2020 Hedging Settlements relates to competitive interests, the disclosure of which would impair the competitive business of Gulf. This information contains details concerning Gulf's hedging activities between August 2019 and July 2020, and target ranges for hedging transactions. Disclosure of pricing and target range information would give other market participants a competitive advantage over Gulf and adversely affect Gulf's ability to conduct its hedging activities to the benefit of its customers. Similarly, hedging counterparties may refuse to conduct business with Gulf, or may charge higher prices, if pricing terms were made public. This information is entitled to confidential classification pursuant to section 366.093(3)(d)-(e), F.S.

4. Upon a finding by the Commission that the confidential information contained in the 2020 Hedging Settlements is proprietary and confidential business information, the information should not be declassified for at least eighteen (18) month period and should be returned to Gulf as soon as it is no longer necessary for the Commission to conduct its business. *See* Section 366.093(4), F.S. WHEREFORE, for the above and foregoing reasons, as more fully set forth in the supporting materials, Gulf Power Company respectfully requests that the Commission grant Gulf's Request for Confidential Classification and enter an order protecting the information highlighted on Exhibit "A" from public disclosure.

Respectfully submitted this 21st day of September 2020.

Russell A. Badders Vice President & Associate General Counsel Gulf Power Company One Energy Place Pensacola, FL 32520-0100 (850) 444-6550 Russell.Badders@nexteraenergy.com Jason A. Higginbotham Senior Attorney Florida Power & Light Company 700 Universe Boulevard Juno Beach, FL 33408-0420 (561) 691-7108 Jason.Higginbotham@fpl.com

By: <u>s/Jason A. Higginbotham</u> Jason A. Higginbotham Fla. Auth. House Counsel No. 1017875 Attorney for Gulf Power Company

In re: Fuel and purchased power cost recovery clause and generating performance incentive factor Docket No.: 2020001-EI

Date: September 21, 2020

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REQUEST FOR CONFIDENTIAL CLASSIFICATION

EXHIBIT "A"

CONFIDENTIAL

Provided to the Commission Clerk under separate cover as confidential information.

In re: Fuel and purchased power cost recovery clause and generating performance incentive factor Docket No.: 20200001-EI

Date: September 21, 2020

REQUEST FOR CONFIDENTIAL CLASSIFICATION

EXHIBIT "B"

REDACTED

\$ 6/24/20 Docket No.: 20200001-BI Gulf Power Company Audit Control No.: 2020-013-1-1 Hedging Transactions File: 2020 Hedging Sottlements Auditor: Debra Doblao For Period August 1, 2019 to July 31,2020 F A B Ē H C \mathcal{D} 6 Hedge Month Settlement Contract Accounting Deni Month ммвти (Gain)/Loss Month Index Counterparty Туре Nymex Gas Hedging Pay Settlement 8/19 Aug-19 Ang-19 Aug-19 Swaps Settlement NYMEX JPMORO Jul-19 Aug-19 ŝ 23 MERRIL Swaps Settlement NYMBX Jul-19 Aug-19 CITIGROUP Swaps Sottlement NYMEX Jul-19 Aug-19 450,000 \$ 818,240

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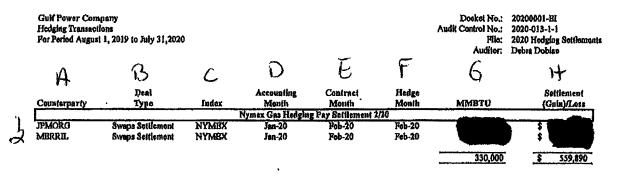
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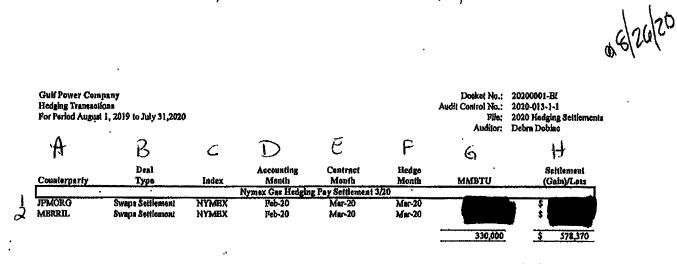
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In re: Fuel and purchased power cost recovery clause and generating performance incentive factor Docket No.: 2020001-EI

Date: September 21, 2020

REQUEST FOR CONFIDENTIAL CLASSIFICATION

EXHIBIT "C"

Line-by-Line/Field-by-Field Justification

Line(s)/Field(s)	Justification
Document 48-1	This information is entitled to confidential
Columns G & H, lines 1-3	classification pursuant to $\$366.093(3)(d)$ -
Document 48-2	(e), Florida Statutes. The basis for this information being designated as
Columns G & H, lines 1-3	confidential is more fully set forth in
Document 48-3	paragraph 2.
Columns G & H, lines 1-3	
Document 48-4	
Columns G & H, lines 1-3	
Document 48-5	
Columns G & H, lines 1-3	
Document 48-6	
Columns G & H, lines 1-2	
Document 48-7	
Columns G & H, lines 1-2	
Document 48-8	
Columns G & H, lines 1-2	
Document 48-9.1	
lines 2 & 4-6 as marked	

EXHIBIT "D"

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Fuel and purchased power cost recovery clause and generating performance incentive factor

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Docket No.: 20200001-EI

Date: September 21, 2020

STATE OF FLORIDA

WRITTEN DECLARATION OF RICHARD HUME

COUNTY OF PALM BEACH

1. My name is Richard Hume. I am currently employed by Gulf Power Company ("Gulf") as Regulatory Issues Manager. I have personal knowledge of the matters stated in this written declaration.

2. I have reviewed the documents and information included in Exhibit "A" to Gulf's Request for Confidential Classification filed this date, for which I am listed as a declarant on Exhibit "C". The documents that I have reviewed and which are asserted by Gulf to be proprietary confidential business information contain or constitute contractual data, and information related to competitive interests, the disclosure of which would impair the competitive business of Gulf, its affiliates and its contractors, vendors and suppliers. Specifically, the documents and exhibits contain the details concerning Gulf's hedging activities between August 2019 and July 2020, and target ranges for hedging transactions. Disclosure of this information would impair or negate the commercial interests of Gulf as Gulf negotiates contracts with third-party entities. The disclosure of this information will also impact the efforts of Gulf or its affiliates to contract for goods and services on favorable terms in the future, which in turn increases costs to Gulf and its customers. To the best of my knowledge, Gulf has maintained the confidentiality of this information.

3. Consistent with the provisions of the Florida Administrative Code, such materials should remain confidential for a period of eighteen (18) months. In addition, they should be returned to Gulf as soon as the information is no longer necessary for the Commission to conduct its business so that Gulf can continue to maintain the confidentiality of these documents.

4. Under penalties of perjury, I declare that I have read the foregoing declaration and that the facts stated therein are true and to the best of my knowledge and belief.

Anne 21/2020 when Richard Hume

IN RE: Fuel and Purchased Power Cost **Recovery Clause with Generating** Performance Incentive Factor

Docket No.: 20200001-EI

CERTIFICATE OF SERVICE

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I HEREBY CERTIFY that a true copy of the foregoing was furnished by hand delivery to Commission Clerk and via electronic mail this 21st day of September, 2020 to the following:

Florida Public Utilities Company Florida Division of Chesapeake **Utilities Corp** Mike Cassel, Director Regulatory and Governmental Affairs Eighth Floor, West Tower 1750 SW 14th Street, Suite 200 Fernandina Beach, FL 32034 mcassel@fpuc.com

PCS Phosphate - White Springs c/o Stone Mattheis Xenopoulos & Brew. P.C. James W. Brew/Laura Baker 1025 Thomas Jefferson St, NW Washington, DC 20007 jbrew@smxblaw.com lwb@smxblaw.com

Duke Energy Florida Dianne M. Triplett 299 First Avenue North St. Petersburg, FL 33701 Dianne.triplett@duke-energy.com

Florida Power & Light Company Maria J. Moncada David Lee 700 Universe Boulevard (LAW/JB) Juno Beach, FL 33408-0420 Maria.moncada@fpl.com David.Lee@fpl.com

Florida Power & Light Company Kenneth Hoffman 134 West Jefferson Street Tallahassee, FL 32301 Kenneth.Hoffman@fpl.com

Ausley Law Firm James D. Beasley J. Jeffry Wahlen Malcolm N. Means Post Office Box 391 Tallahassee, FL 32302 ibeasley@ausley.com iwahlen@ausley.com mmeans@ausley.com

Gunster Law Firm Beth Keating 215 South Monroe Street, Suite 601 Tallahassee, FL 32301-1839 bkeating@gunster.com

Office of Public Counsel J. R. Kelly/M. Fall-Fry Patricia A. Christensen Associate Public Counsel c/o The Florida Legislature 111 W. Madison Street, Room 812 Tallahassee, FL 32399-1400 Kelly.jr@leg.state.fl.us Christensen.patty@leg.state.fl.us fall-fry.mireille@leg.state.fl.us

Duke Energy Florida, Inc. Matthew R. Bernier 106 East College Avenue, Suite 800 Tallahassee, FL 32301-7740 Matthew.bernier@duke-energy.com FLRegulatoryLegal@duke-energy.com

Florida Industrial Power Users Group Tampa Electric Company c/o Moyle Law Firm Jon C. Moyle, Jr. 118 North Gadsden Street Tallahassee, FL 32301 jmoyle@moylelaw.com mqualis@moylelaw.com

Ms. Paula K. Brown, Manager **Regulatory Coordination** P. O. Box 111 Tampa, FL 33601-0111 Regdept@tecoenergy.com

Office of the General Counsel Suzanne Brownless 2540 Shumard Oak Blvd Tallahassee, FL 32399-0850 sbrownle@psc.state.fl.us

RUSSELL A. BADDERS VP & Associate General Counsel Florida Bar No. 007455 Russell.Badders@nexteraenergy.com **Gulf Power Company** One Energy Place Pensacola FL 32520-0100 (850) 444-6550 Attorney for Gulf Power