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January 21, 2022

VIA HAND DELIVERY

Mr. Adam Teitzman
Division of the Commission Clerk and Administrative Services
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

REDACTED

**Re: Docket No. 20200241-EI,
Petition by Gulf Power Company for Limited Proceeding for
Recovery of Incremental Storm Restoration Costs Related to
Hurricane Sally**

Dear Mr. Teitzman:

I enclose for filing in the above referenced docket Gulf Power Company's ("Gulf") Request for Confidential Classification of Information Provided in Response to the Office of Public Counsel's Second Request for Production of Documents, Response No. 32. The enclosed filing includes Exhibits A, B, C and D.

The enclosed filing includes Exhibits A, B, C, and D. Exhibit A consists of a copy of the Confidential Documents. The information that FPL asserts is entitled to confidential treatment is highlighted. Exhibit B is an edited version of Exhibit A, in which the information Gulf asserts is confidential has been redacted; or for responses deemed confidential in their entirety, an identifying cover page. Exhibit C is a justification table in support of Gulf's Request for Confidential Classification. Exhibit D contains declarations in support of Gulf's filing.

Please contact me if you or your Staff has any questions regarding this filing at (561) 694-3850 or kate.cotner@fpl.com.

Sincerely,

/s/ Kate Cotner
Kate Cotner
Florida Bar No. 60581

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition by Gulf Power Company for Limited Proceeding for Recovery of Incremental Storm Restoration Costs Related to Hurricane Sally.

Docket No: 20200241-EI

Date: January 21, 2022

**GULF POWER COMPANY'S REQUEST
FOR CONFIDENTIAL CLASSIFICATION OF INFORMATION
PROVIDED IN RESPONSE TO THE OFFICE OF PUBLIC COUNSEL'S SECOND
REQUEST FOR PRODUCTION OF DOCUMENTS (No. 32)**

Pursuant to Section 366.093, Florida Statutes, and Rule 25-22.006, Florida Administrative Code ("Rule 25-22.006"), Gulf Power Company ("Gulf") hereby files its Request for Confidential Classification and requests confidential treatment of certain documents provided in its responses to the Office of Public Counsel's ("OPC") Second Request for Production of Documents, No. 32 ("Confidential Documents"). In support of this request, Gulf states as follows:

1. Gulf served its initial responses to OPC's Second Request for Production of Documents (including the Confidential Documents) on January 14, 2022. This request is being filed subsequently to service of those responses to request confidential classification of certain information contained in its responses to OPC's Second Request for Production of Documents, No. 32 consistent with Rule 25-22.006.

2. The following exhibits are attached to and made a part of this request:

a. Exhibit A consists of a copy of the Confidential Documents. The information that Gulf asserts is entitled to confidential treatment is highlighted; or, for confidential documents that are voluminous, and therefore cannot be readily highlighted, Gulf has not highlighted the entirety of the information but has instead added a confidential label.

- b. Exhibit B consists an edited version of the Confidential Documents wherein the information Gulf asserts is entitled to confidential treatment has been redacted.
- c. Exhibit C is a table that identifies the information designated as confidential in Exhibit A and references the specific statutory bases for the claim of confidentiality and identifies the Declarant who supports the requested classification.
- d. Exhibit D consists of the declarations of Michael Spoor, in support of this Request.

3. Gulf submits that the highlighted information in Exhibit A is proprietary and confidential business information, and its disclosure would cause harm to Gulf and its customers. Pursuant to Section 366.093, such materials are entitled to confidential treatment and are exempt from the disclosure provisions of the public records law. Thus, once the Commission determines that the information in question is proprietary confidential business information, the Commission is not required to engage in any further analysis or review such as weighing the harm of disclosure against the public interest in access to the information.

4. As described in the declarations in Exhibit D, the confidential business information includes: information relating to 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. This information is protected by Section 366.093(3)(d), Florida Statutes. The confidential business information further includes: information relating to competitive interests, the disclosure of which would impair the competitive business of the provider of the information. This information is protected by Section 366.093(3)(e), Florida Statutes.

5. Upon a finding by the Commission that the Confidential Documents are proprietary and confidential business information, the information should not be declassified for at least eighteen (18) months and should be returned to Gulf as soon as it is no longer necessary for the Commission to conduct its business. *See* § 366.093(4), Florida Statutes.

6. **WHEREFORE**, for the above and foregoing reasons, as more fully set forth in the supporting materials, Gulf Power Company respectfully requests that its Request for Confidential Classification be granted. Additionally, Gulf respectfully requests that the Commission, the Office of Public Counsel, and any other party subject to the public records law treat the materials as confidential pending a formal ruling by the Commission or the return of the materials, consistent with Section 366.093(2), Florida Statutes.

Respectfully submitted this 21st day of January 2022.

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700 Universe Boulevard
Juno Beach, FL 33408
Telephone: (561) 694-3850
Facsimile: (561) 691-7135

By: /s/ Kate Cotner
Kate Cotner
Florida Bar No. 60581

CERTIFICATE OF SERVICE
Docket No. 20200241-EI

I HEREBY CERTIFY that a true and correct copy of the foregoing was served by electronic mail this 21st day of January 2022 to the following:

Public Service Commission
Office of General Counsel
Jennifer Crawford
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Pirrello.anastacia@leg.state.fl.us

s/ *Kate Cotner*
Kate Cotner

EXHIBIT B

The document responsive to OPC's Second Request for Production of Documents No. 32, Bates No. 024753-024803, is confidential in its entirety.

EXHIBIT C

EXHIBIT C

COMPANY: Gulf Power Company
TITLE: List of Confidential Documents
DOCKET NO.: 20200241-EI
DOCKET TITLE: Petition by Gulf Power Company for Limited Proceeding for Recovery of Incremental Storm Restoration Costs Related to Hurricane Sally.
SUBJECT: Gulf's Responses to OPC's Second Request for Production of Documents, No. 32
DATE: January 21, 2022

Set	Bates Number Start	Bates Number End	Description	Line No. / Col. No.	Florida Statute 3.66.093(3) Subsection	Declarant
OPC 2 nd POD, No. 32	024753	024803	Power Delivery Performance	All	(d) (e)	Michael Spoor

EXHIBIT D

EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition by Gulf Power Company for
Limited Proceeding for Recovery of
Incremental Storm Restoration Costs
Related to Hurricane Sally.

Docket No. 20200241-EI

WRITTEN DECLARATION OF MICHAEL SPOOR

1. My name is Michael Spoor. I am currently employed by Florida Power & Light Company ("FPL") as Vice President, Gulf Power. 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 Power Company's Request for Confidential Classification, for which I am listed as the declarant on Exhibit C. The documents and files that I have reviewed and which are asserted by Gulf to be proprietary confidential business information contain or constitute information concerning bids or other contractual data, the disclosure of which would impair the efforts of Gulf to contract for goods or services on favorable terms. Additionally, the documents and files that I have reviewed and which are asserted by Gulf to be proprietary confidential business information contain or constitute information relating to competitive interests, the disclosure of which would impair the competitive business of the provider of the information. 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 in it are true to the best of my knowledge and belief.



Michael Spoor

Date: 01/12/2022