

One Energy Place  
Pensacola, Florida 32520

Tel 850.444.6111



ORIGINAL

March 15, 1999

Ms. Blanca S. Bayo, Director  
Division of Records and Reporting  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee FL 32399-0870

Dear Ms. Bayo:

RE: Earnings Surveillance Report, Supplemental 2 for January 1999  
Docket No. 960789-EI

Enclosed are an original and fifteen copies of Gulf Power Company's Request for Confidential Classification.

Sincerely,

*Susan D. Ritenour (uw)*

Susan D. Ritenour  
Assistant Secretary and Assistant Treasurer

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cc: Beggs and Lane  
Russell A. Badders  
Florida Public Service Commission  
John Slemkewicz  
Office of Public Counsel  
John Roger Howe, Esquire

DOCUMENT NUMBER - DATE

03290 MAR 16 89

FPOC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Gulf Power Company  
Earnings Surveillance Report,  
Supplemental 2 for January 1999

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Docket No.: 960789-EI  
Date: March 15, 1999

**REQUEST FOR CONFIDENTIAL CLASSIFICATION**

GULF POWER COMPANY ["Gulf Power", "Gulf", or the "Company"], by and through its undersigned attorney and pursuant to Rule 25-22.006, Florida Administrative Code, hereby files a request that the Florida Public Service Commission enter an order protecting from public disclosure Gulf Power Company's Earnings Surveillance Report titled Supplemental Surveillance Report Information, Commercial/Industrial Service Rider, for January 1999, hereafter Supplemental 2, submitted to the Florida Public Service Commission pursuant to Order No. PSC-96-1219-FOF-EI. As grounds for this request, Gulf Power Company states:

Notices and communications with respect to this petition and docket should be addressed to:

Jeffrey A. Stone  
Russell A. Badders  
Beggs & Lane  
P. O. Box 12950  
Pensacola, FL 32576-2950

1. Herewith, Gulf Power Company submits to the Florida Public Service Commission Gulf Power Company's Earnings Surveillance Report, Supplemental 2 for January 1999, as required by Order No. PSC-96-1219-FOF-EI.

DOCUMENT NUMBER-DATE

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FPSC-REGORUS/REPORTING

2. Gulf Power asserts that the information contained in Supplemental 2 is entitled to confidential classification pursuant to §366.093(3)(e), Florida Statutes, as information, the public disclosure of which would cause irreparable harm to the competitive interests of Gulf Power and the entity with whom it has negotiated a CSA contract under the CIS rider approved in Order No. PSC-96-1219-FOF-EI. Supplemental 2 contains proprietary and commercially sensitive information that is not otherwise publicly available.

3. The Public disclosure of the information contained in Supplemental 2 would cause irreparable harm to Gulf Power Company and the entity with whom it has entered a CSA contract. Supplemental 2 contains proprietary confidential business information regarding contractual terms and pricing. Public disclosure of this information would impair the ability of Gulf Power Company to negotiate terms and conditions in future CSAs that are the most favorable to Gulf and its general body of customers. Moreover, the public disclosure of this information may prevent Gulf from successfully negotiating CSAs with customers. The information is regarded as sensitive and confidential by the CIS rider customer because its public disclosure would impact the customers' ability to compete in their native markets. In the event such information is made public, future potential CIS rider customers may avoid the risk of public disclosure of their confidential information by refusing to negotiate with Gulf Power. This may lead to uneconomic bypass of Gulf's facilities. Thus, the Company requests that this information be granted confidential classification pursuant to Section 366.093(3)(e), Florida Statutes.

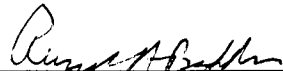
4. Submitted as Exhibit "A" is a copy of Supplemental 2, on which is highlighted the

information for which confidential classification is requested. Exhibit "A" should be treated as confidential pending a ruling on this request. Attached as Exhibit "B" are two (2) edited copies of Supplemental 2, which may be made available for public review and inspection. Attached as Exhibit "C" to this request is a line-by-line justification for the request for confidential classification.

5. The material for which confidential classification is requested is intended to be, and is treated as, confidential by Gulf Power Company and the entity with whom it has entered a CSA contract and has not been otherwise publicly disclosed.

WHEREFORE, Gulf Power Company respectfully requests that the Commission enter an order protecting the information highlighted on Exhibit "A" from public disclosure as proprietary confidential business information.

Respectfully submitted this 15<sup>th</sup> day of March 1999,



**JEFFREY A. STONE**

Florida Bar No. 325953

**RUSSELL A. BADDERS**

Florida Bar No. 007455

**Beggs & Lane**

P. O. Box 12950

(700 Blount Building)

Pensacola, FL 32576-2950

(850) 432-2451

**Attorneys for Gulf Power Company**

EXHIBIT "B"

GULF POWER COMPANY  
SUPPLEMENTAL SURVEILLANCE REPORT INFORMATION  
COMMERCIAL/INDUSTRIAL SERVICE RIDER  
JANUARY, 1999

**-CONFIDENTIAL-**

The information listed below is presented to comply with FPSC Order No. PSC-96-1219-FOF-EI and Page 2 of 2 of the Commercial/Industrial Service Rider Pilot Study Implementation Plan. This supplemental information is to be treated as confidential.

For all executed CSAs, it is estimated that the twelve months to date net revenues that would have been produced by the application of Gulf Power's otherwise applicable standard tariff rates to the affected load would have been

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GULF POWER COMPANY  
SUPPLEMENTAL SURVEILLANCE REPORT INFORMATION  
COMMERCIAL/INDUSTRIAL SERVICE RIDER  
JANUARY, 1999

**-CONFIDENTIAL-**

The information listed below is presented to comply with FPSC Order No. PSC-96-1219-FOF-EI and Page 2 of 2 of the Commercial/Industrial Service Rider Pilot Study Implementation Plan. This supplemental information is to be treated as confidential.

For all executed CSAs, it is estimated that the twelve months to date net revenues that would have been produced by the application of Gulf Power's otherwise applicable standard tariff rates to the affected load would have been

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## EXHIBIT "C"

### Line-by-Line Justification

#### Line(s)

Lines 21 - 22 and 33 - 34

#### Justification

This information is proprietary confidential business information regarding contractual terms and pricing. Public disclosure of this information would impair the ability of Gulf Power Company to negotiate terms and conditions in future CSAs that are the most favorable to Gulf and its general body of customers. The result of public disclosure of the pricing information would be price convergence in future CSAs. Moreover, the public disclosure of this information may prevent Gulf from successfully negotiating CSAs with customers. The information is regarded as sensitive and confidential by the CIS rider customer because its public disclosure would impact the customers' ability to compete in their native markets. In the event such information is made public, future potential CIS rider customers may avoid the risk of public disclosure of their confidential information by refusing to negotiate with Gulf Power. This may lead to uneconomic bypass of Gulf's facilities.