Susan D. Ritenour Secretary and Treasurer and Regulatory Manager One Energy Place Pensacola, Florida 32520-0781

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October 6, 2005

Ms. Blanca S. Bayo, Director Division of the Commission Clerk and Administrative Services Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee FL 32399-0870

Dear Ms. Bayo:

Re: Docket No. 050001-El

Enclosed are an original and fifteen copies of Gulf Power's Notice of Intent to Request Confidential Classification in regards to Gulf's response to Staff's First Request for Production of Documents, Nos. 5, 7, 8 and 12, to be filed in the above referenced docket.

Sincerely,

lw

cc: Beggs and Lane

Jeffrey A. Stone, Esquire

Susan D. Riterou (lw)

## BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Fuel and Purchased Power	)		
Cost Recovery Clauses and Generating	)	Docket No.	050001-EI
Performance Incentive Factor	)	Date:	October 6, 2005
	)		
	)		

## NOTICE OF INTENT TO REQUEST 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 gives notice that it intends to request confidential classification for responses to requests numbered 5, 7, 8 and 12 of Commission Staff's First Request for Production of Documents (1-12). A copy of the responses is attached hereto as exhibit "A".

The information requested is entitled to confidential classification pursuant to Section 366.093(3)(d) and (e). The Company's response to the staff information request contains proprietary confidential business information regarding contractual matters which would cause irreparable harm to Gulf Power Company and/or the entities with whom it has entered into contracts if such information is disclosed to the general public. The response contains information relating to Gulf's competitive interests in fuel procurement markets which would cause irreparable harm to Gulf Power Company and the entity with whom it has contracted if such information is disclosed to the general public. Specifically, the responses provide contracts and bid documents related to the procurement of fuel and fuel transportation. In addition, the responses provide confidential and competitively sensitive language from a specific services contract as well as budget and financial information regarding Gulf's generating plants. The information for which confidential classification is sought is intended to be and is treated by Gulf Power Company and the entities with whom it has or intends to contract with as private. A

formal request for confidential classification will be filed within the time period specified in Rule 25-22.006(3)(a), Florida Administrative Code, if the Staff determines that the information will be retained by the Commission and not returned to the Companies within the specified time period. In the event the Staff determines that it will retain this document, the Company requests to be notified, through the undersigned counsel, prior to the expiration of the period specified in Rule 25-22.006(3)(a).

Respectfully submitted this day of October 2005,

JEFFREY A. STONE

Florida Bar No. 325953

**RUSSELL A. BADDERS** 

Florida Bar No. 7455

STEVEN R. GRIFFIN

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**Attorneys for Gulf Power Company** 

## BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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

Docket No. 050001-El

## **Certificate of Service**

I HEREBY CERTIFY that a true copy of the foregoing was furnished by hand delivery or the U. S. Mail this day of October 2005 on the following:

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