FILED AUG 30, 2013 DOCUMENT NO. 05188-13 FPSC - COMMISSION CLERK

Robert L. McGee, Jr. Regulatory & Pricing Manager One Energy Place Pensacola, Florida 32520-0780

Tel 850.444.6530 Fax 850.444.6026 RLMCGEE@southemco.com



August 30, 2013

Ms. Ann Cole, Commission Clerk Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0850

RE: Docket No. 130001-EI

Dear Ms. Cole:

Enclosed is Gulf Power Company's Request for Confidential Classification pertaining to Schedule CCE-4 of Exhibit RWD-3 to the Direct Testimony of Richard W. Dodd dated August 30, 2013.

Sincerely,

Robert L. McGee, Jr.

Regulatory and Pricing Manager

md

Enclosures

cc: Beggs & Lane

Jeffrey A. Stone, Esq.

COM \_\_\_\_\_AFD ICD APA \_\_\_\_\_ECO \_\_\_\_\_ENG \_\_\_\_ECL \_\_\_\_BM \_\_\_\_EL \_\_\_\_

#### BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

Docket No.:

Date:

130001-EI

August 30, 2013

IN RE: Fuel and purchased power cost recovery clause and generating performance incentive factor

### REQUEST FOR CONFIDENTIAL CLASSIFICATION

GULF POWER COMPANY ["Gulf Power", "Gulf", or the "Company"], by and through its undersigned attorneys 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 certain information contained in Schedule CCE-4 of Exhibit RWD-3 to the Direct Testimony of Richard W. Dodd dated August 30, 2013 (Schedule CCE-4) on behalf of Gulf Power. As grounds for this request, the Company states:

- 1. A portion of the information contained in Schedule CCE-4 is proprietary confidential business information regarding contractual matters which would cause irreparable harm to Gulf Power, the entities with whom it has entered into contracts and most importantly to Gulf's customers, if such information was disclosed to the general public. Schedule CCE-4 contains pricing information for capacity purchases between Gulf Power and various counterparties. The pricing information is regarded by both Gulf and the counterparties as confidential. The pricing, which resulted from negotiations between Gulf and the counterparties, is specific to the individual contracts and is not publicly known. Disclosure of this information would negatively impact Gulf's ability to negotiate pricing favorable to its customers in future capacity contracts. In addition, potential counterparties may refuse to enter into contracts with Gulf, or may charge higher prices, if the price terms are made public. The information is entitled to confidential classification pursuant to section 366.093(3)(d) and (e), Florida Statutes.
- The information filed pursuant to this Request is intended to be, and is treated as, confidential by Gulf Power and, to this attorney's knowledge, has not otherwise been publicly disclosed.

3. Submitted as Exhibit "A" is a copy of Schedule CCE-4, 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 Schedule CCE-4, which may be made available for public review and inspection. Attached as Exhibit "C" to this request is a line-by-line/field-by-field justification for the request for confidential classification.

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 29<sup>th</sup> day of August, 2013.

JEFFREY A. STONE

Florida Bar No. 325953

RUSSELL A. BADDERS

Florida Bar No. 007455

STEVEN R. GRIFFIN

Florida Bar No. 0627569

Beggs & Lane

P.O. Box 12950

Pensacola, FL 32591

(850) 432-2451

**Attorneys for Gulf Power Company** 

## BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Fuel and purchased power cost		
recovery clause and generating performance	Docket No.:	130001-EI
incentive factor	Date:	August 30, 2013
)		

## REQUEST FOR CONFIDENTIAL CLASSIFICATION

### EXHIBIT "A"

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

## EXHIBIT "B"

## REDACTED

24 <b>2013</b>		Ju	ıly	A	ugust	Sep	tember		October		Nov	ember	De	cember	
25	Contract	MW	\$	MW	\$	MW	\$	MW	\$		MW	\$	MW	\$	Total \$
26 Southern Intercompar	ny Interchange	0.0	0	0.0	0	0.0	7	0.0	)	0	0.0	0	0.0	0	0
27 <u>PPAs</u>															
28 Coral Power,LLC		0.0	0	0.0	0	0.0	3	0.0	)	0	0.0	0	0.0	0	
29 Southern Power Com	pany	0.0	0	0.0	0	0.0		0.0	)	0	0.0	0	0.0	0	State of the last
30 Shell Energy N.A. (U.S	S.), LP		77.7		WE ST.	Tip in A	14 1 144	STORY IS		-158	808	Table 1	HEE	12112	
31	Total PPAs														63,920,684
32 Other															
33 South Carolina PSA			NEW WAR	THE REAL PROPERTY.		F /6 19	10 4		15 1 19-11	III.	N ST TO		1000	100	(37,752)
34	Total		7,254,089		7.254.089		7.254.08	9	7.254.	089		7,254,089		7.254,089	63,882,932

Firm

Non-Firm

Other

15 16

13

17 (1) Unless otherwise noted, contract remains effective unless terminated upon 30 days prior written notice.

5/31/2014

5/31/2023

6/1/2009

11/2/2009

9/1/2003

18 (2) Contract megawatts become firm no later than June 1, 2014.

20 21 22

19

23 Capacity Costs

11 Southern Power Company

14 South Carolina PSA

12 Shell Energy N.A. (U.S.), LP (2)

Other

24 2013		Ju	ıly	A	ugust	Sep	tember		00	ctober		Nov	ember	De	ecember	
25	Contract	MW	\$	MW	\$	MW	\$		MW	\$		MW	\$	MW	\$	Total \$
26 Southern Intercon	npany Interchange	0.0	0	0.0	0	0.0		0	0.0		0	0.0	(	0.0	0	0
27 PPAs																
28 Coral Power,LLC		0.0	0	0.0	0	0.0		0	0.0		0	0.0		0.0	0	
29 Southern Power C	Company	0.0	0	0.0	0	0.0		0	0.0		0	0.0	(	0.0	0	
30 Shell Energy N.A.	(U.S.), LP		E STATE OF	199	P. C.	We I	37 E - 1	367	AND THE	MY EL	158	MAN	Mary S	12 1 1 1		
31	Total PPAs															63,920,684
32 Other																
33 South Carolina PS	SA		12 7 100			F - 10	1	M	Fall T.		-	Maria	100			(37,752)
34	Total		7,254,089		7,254,089		7,254,0	189		7,254,0	89		7,254,089		7,254,089	63,882,932

### EXHIBIT "C"

# $\frac{Line\text{-by-Line/Field-by-Field Justification}}{Line(s)/Field(s)}$

Page 1 of 2

Lines 28-29; Columns E-N Lines 30 and 33; Columns E-P

Page 2 of 2

Lines 28-29; Column Q Line 30; Column E-Q Line 33; Column E-P

### Justification

This information is entitled to confidential classification pursuant to §366.093(3) (d) and (e), Florida Statutes. The basis for this information being designated as confidential is more fully set forth in paragraph 1.

#### BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Fuel and Purchased Power Cost	)	
Recovery Clause with Generating	)	
Performance Incentive Factor	)	Docket No.: 130001-E

### CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing was furnished via hand delivery to the Commission Clerk and to all counsel of record as indicated below via U. S. mail this 30th day of August, 2013:

Florida Public Utilities Company Cheryl M. Martin 1641 Worthington Road Suite 220 West Palm Beach, FL 33409-6703 cyoung@fpuc.com PCS Phosphate – White Springs c/o Brickfield Law Firm James W. Brew/F. Alvin Taylor Eighth Floor, West Tower 1025 Thomas Jefferson St, NW Washington, DC 20007 jbrew@bbrslaw.com Duke Energy Florida
John T. Burnett
Dianne M. Triplett
Post Office Box 14042
St. Petersburg, FL 33733
John.burnett@pgnmail.com

Florida Power & Light Company John T. Butler 700 Universe Boulevard (LAW/JB) Juno Beach, FL 33408-0420 John.Butler@fpl.com Florida Power & Light Company Kenneth Hoffman 215 South Monroe Street, Suite 810 Tallahassee, FL 32301-1858 Ken.Hoffman@fpl.com Ausley Law Firm James D. Beasley J. Jeffry Wahlen Post Office Box 391 Tallahassee, FL 32302 jbeasley@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. Kelly
P. Christensen
C. Rehwinkel
c/o The Florida Legislature
111 W. Madison Street, Room 812
Tallahassee, FL 32399-1400
Christensen.patty@leg.state.fl.us

Duke Energy Florida, Inc. John T. Burnett 106 East College Avenue, Suite 800 Tallahassee, FL 32301-7740 john.burnett@duke-energy.com

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

Tampa Electric Company Ms. Paula K. Brown Regulatory Affairs P. O. Box 111 Tampa, FL 33601-0111 Regdept@tecoenergy.com Office of the General Counsel Martha Barrera 2540 Shumard Oak Blvd Tallahassee, FL 32399-0850 mbarrera@psc.state.fl.us

Florida Retail Federation Robert Scheffel Wright John T. LaVia c/o Gardner Law Firm 1300 Thomaswood Drive Tallahassee, FL 32308 schef@gbwlegal.com jlavia@gbwlegal.com

JEFFREY A. STONE
Florida Bar No. 325953
RUSSELL A. BADDERS
Florida Bar No. 007455
STEVEN R. GRIFFIN
Florida Bar No. 0627569
BEGGS & LANE
P. O. Box 12950
Pensacola FL 32591-2950
(850) 432-2451
Attorneys for Gulf Power