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January 23, 2017

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

RE: Docket No. 160186-EI

Dear Ms. Stauffer:

Enclosed for filing in the above-referenced docket is Gulf Power Company's Amended Request for Confidential Classification pertaining to certain portions of Gulf's response to Staff's Second Request to Produce Documents to Gulf Power Company (Nos. 8-13). Also enclosed is a copy of Gulf Power's Amended Request for Confidential Classification and Exhibit "A" which is a justification for confidential treatment of the Confidential Information in Microsoft Word format. A copy of the confidential documents are provided in the enclosed envelope labeled "Confidential."

Sincerely,

Robert L. McGee, Jr.  
Regulatory and Pricing Manager

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Enclosures

cc: Beggs & Lane  
Jeffrey A. Stone, Esq.  
Gunster Law Firm  
Charles A. Guyton, Esq.  
Richard A. Melson, Esq.

**REDACTED**

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AFD \_\_\_\_\_  
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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition for rate increase by Gulf  
Power Company.

Docket No. 160186-EI  
Dated: January 24, 2017

**GULF POWER COMPANY'S AMENDED REQUEST  
FOR CONFIDENTIAL CLASSIFICATION AND  
MOTION FOR TEMPORARY PROTECTIVE ORDER**

Gulf Power Company ("Gulf Power," "Gulf," or the "Company"), pursuant to Section 366.093, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, hereby files its amended request for confidential classification and motion for protective order pertaining to certain information produced in Response to Staff's Second Request for Production of Documents to Gulf Power Company (Nos. 8-13). In support, Gulf states as follows:

1. On November 7, 2016, Staff served Gulf with its Second Request for Production of Documents to Gulf Power Company (Nos. 8-13).
2. On December 7, 2016, Gulf filed its Responses to Staff's Second Request for Production. *See* Doc. No. 09192-16.
3. Also on December 7, 2016, Gulf filed its Request for Confidential Classification pertaining to certain portions of Gulf's response to Staff's Second Request for Production of Documents. *See* Doc. No. 09193-16.
4. Concurrent to filing its request, Gulf produced the confidential information subject to the request to the Commission Clerk. *See* Doc. No. 09194-16.
5. Specifically, the confidential information produced within Document No. 09194-16 consists of a single document responsive to Staff's Request for Production No. 12 that Gulf identified as confidential in its entirety.

6. In order to further clarify the confidential nature of certain portions of the confidential information responsive to Staff's Request for Production No. 12, Gulf now files this amended request, which is intended to replace the original request.

7. Upon receipt of this Amended Request, Gulf requests that the Commission return Doc. No. 9194-16 to Gulf.

**Description of the Document(s)**

8. The Confidential Information consists of a document produced in response to Staff's Request for Production of Documents number 12. This document is identified with specificity on Exhibit "A" to this Request.

9. Confidential information submitted in response to Staff's Discovery has been segregated and placed in the enclosed envelope bearing the label "CONFIDENTIAL" ("Confidential Information"). This document should be treated as confidential in its entirety.

10. Subsection 366.093(1), Florida Statutes, provides that any records "found by the Commission to be proprietary confidential business information shall be kept confidential and shall be exempt from s. 119.07(1), Florida Statutes [requiring disclosure under the Public Records Act]." Proprietary confidential business information includes, but is not limited to "[i]nformation concerning . . . 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." Subsection 366.093(3)(d), Florida Statutes. Proprietary confidential business information also includes "[i]nformation relating to competitive interests, the disclosure of which would impair the competitive business of the provider of the information." Section 366.093(3)(e), Florida Statutes. The Confidential Information that is the subject of this request and motion falls within the statutory categories and, thus, constitutes proprietary confidential business information

entitled to protection under Section 366.093, Florida Statutes, and Rule 25-22.006, Florida Administrative Code.

11. Attached hereto as Exhibit "A" is a justification for confidential treatment of the Confidential Information.

12. Attached hereto as Exhibit "B" is a public version of the Document with the Confidential Information redacted, unless previously filed as indicated.

13. The Confidential Information is intended to be and is treated by Gulf Power as private and, to this attorney's knowledge, has not been publicly disclosed.

14. For the same reasons set forth herein in support of its request for confidential classification, Gulf Power also moves the Commission for entry of a temporary protective order pursuant to Rule 25-22.006(6)(c), Florida Administrative Code, protecting the Confidential Information from public disclosure.

**Requested Duration of Confidential Classification**

15. Gulf Power requests that the Confidential Information be treated by the Commission as confidential proprietary business information for at least the 18 month period prescribed in Rule 25-22.006(9)(a), Florida Administrative Code. If, and to the extent that the Company is in need of confidential classification of the Confidential Information beyond the 18 month period set forth in the Commission rule, the justification and grounds for such extended confidential treatment are set forth in Exhibit "C" to this request and motion.

WHEREFORE, Gulf Power Company respectfully requests that the Confidential Information that is the subject of this request and motion be accorded confidential classification for the reasons set forth herein and for a minimum period of 18 months, subject to any request for a longer period of confidential classification as may be set forth in Exhibit "C" to this request

and motion. The company further moves for the entry of a temporary protective order pursuant to Rule 25-22.006(6)(c), Florida Administrative Code, protecting the Confidential Information from public disclosure.

DATED this 23rd day of January, 2017.

Respectfully submitted,



**JEFFREY A. STONE**

Florida Bar No. 325953

**RUSSELL A. BADDERS**

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**Attorneys for Gulf Power Company**

**EXHIBIT "A"**

**JUSTIFICATION FOR CONFIDENTIAL TREATMENT OF  
PORTIONS OF GULF POWER'S RESPONSES TO STAFF'S  
SECOND REQUEST FOR PRODUCTION OF DOCUMENTS (NOS. 8-13)**

<u>POD Request No.</u>	<u>Bates Pages or File Names</u>	<u>Detailed Description</u>	<u>Rationale</u>
12	2015 ET Market Analysis CONF (1-6)	All highlighted information	(1)

- (1) The information identified on the listed pages/files contains a market analysis developed by Gulf for electric vehicle deployment in Gulf's service area. It is competitively sensitive because it contains Gulf's own research and mental impressions regarding the relevant market and could be useful to other market participants seeking to the market within Gulf's service area. Access to this information would bestow on Gulf's competitors an unfair advantage to the extent that such competitors would not similarly be required to expend such resources on research and analysis. And, if Gulf's competitors are made aware of this information, they may adjust their behavior in the marketplace. The disclosure of this information would therefore harm Gulf's competitive interests, and as such, the information is entitled to confidential classification pursuant to Section 366.093(3)(d) and (e), Florida Statutes.

**EXHIBIT "B"**

**PUBLIC VERSION(S) OF THE DOCUMENT(S)**

Attached hereto (unless previously filed as may be noted below) are two public versions of the Document(s) with the Confidential Information redacted.

Public Version(s) of the Document(s) attached  X

Public Version(s) of the Document(s) previously filed on \_\_\_\_\_

Document(s) are confidential in their entirety  \_\_\_\_\_

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### Secondary Research

The Idaho National Laboratory (INL) was tasked by the U.S. Department of Energy's (DOE) Vehicle Technologies Office (VTO) to collect electric drive vehicle and charging infrastructure data for several deployment projects funded by the American Recovery and Reinvestment Act (ARRA). These projects included charging infrastructure deployments, grid-connected electric drive vehicle deployments, and deployments with both vehicles and charging infrastructure. This represents the largest ever deployment of grid-connected battery electric vehicles (BEVs), extended range electric vehicles (EREVs), plug-in electric drive vehicles, and charging infrastructure (INL, 2015).

INL partnered with Electric Transportation Engineering Corporation (ETEC), Nissan, General Motors, and more than 10,000 other city, regional and state governments, electric utilities, other organizations and members of the general public, to deploy over 12,000 AC Level 2 (208-240V) charging units and over 100 dual-port DC fast chargers in 20 metropolitan areas. Approximately 8,300 Nissan LEAF™, Chevrolet Volts, and Smart ForTwo Electric Drive vehicles were also enrolled in the project titled "The EV Project." The EV Project is the largest deployment and evaluation project of electric drive vehicles and charging infrastructure to date (INL, 2015).

**EXHIBIT "C"**

**REQUESTED DURATION OF CONFIDENTIAL CLASSIFICATION**

Gulf Power requests that the Confidential Information that is the subject of this request be treated as proprietary confidential business information exempt from the Public Records Law for a minimum of 18 months from the date of the order granting such classification. To the extent the company needs confidential protection of the Confidential Information for a period longer than 18 months, the company's justification therefor is set forth below:

n/a

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Petition for Increase in Rates )  
By Gulf Power Company )  
)

Docket No.: 160186-EI

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing has been furnished by overnight mail this 23rd day of January, 2017 to the following:

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