

**C. Share Boyett** Regulatory and Cost Recovery Manager

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September 14, 2018

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

RE: Docket No. 20160186-EI

Dear Ms. Stauffer:

Attached for official filing is Gulf Power Company's Request for Extension of Temporary Protective Order for information submitted by Gulf Power in response to Office of Public Counsel's First Set of Requests for Production of Documents to Gulf Power (No. 59), Office of Public Counsel's Fourth Set of Interrogatories to Gulf Power (Nos. 131-151), Office of Public Counsel's Fifth Set of Interrogatories to Gulf Power (Nos. 152-161), Office of Public Counsel's Fifth Set of Requests for Production of Documents to Gulf Power (Nos. 110-117), Office of Public Counsel's Sixth Set of Interrogatories to Gulf Power (Nos. 162-188), Office of Public Counsel's Sixth Set of Requests for Production of Documents to Gulf Power (Nos. 118-132), Office of Public Counsel's Eighth Set of Requests for Production of Documents to Gulf Power (Nos. 134-146), and Office of Public Counsel's Ninth Set of Interrogatories to Gulf Power (Nos. 193-219) in the above-referenced docket.

Sincerely,

C. Share Boyett

C. Shane Boyett Regulatory and Cost Recovery Manager

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Attachments

cc: Gulf Power Company Jeffrey A. Stone, Esq., General Counsel Beggs & Lane Russell Badders, Esq. Gunster Law Firm Charles A. Guyton, Esq. Richard A. Melson, Esq.

## BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition for Rate Increase by Gulf Power Company Docket No. 20160186-EI Filed: September 14, 2018

## **REQUEST FOR EXTENSION OF TEMPORARY PROTECTIVE ORDER**

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 extending confidential classification for certain information included in Gulf Power's responses to the Office of Public Counsel's ("OPC") First Set of Requests for Production of Documents to Gulf Power (No. 59), OPC's Fourth Set of Interrogatories to Gulf Power (Nos. 131-151), OPC's Fifth Set of Interrogatories to Gulf Power (Nos. 152-161), OPC's Fifth Set of Requests for Production of Documents to Gulf Power (Nos. 110-117), OPC's Sixth Set of Interrogatories to Gulf Power (Nos. 162-188), OPC's Sixth Set of Requests for Production of Documents to Gulf Power (Nos. 118-132), OPC's Eighth Set of Requests for Production of Documents to Gulf Power (Nos. 134-146), and OPC's Ninth Set of Interrogatories to Gulf Power (Nos. 20160186-EI. As grounds for this request, the Company states:

1. On December 13, 2016, Gulf Power filed a Motion for Temporary Protective Order requesting confidential classification of certain information contained within Gulf Power's supplemental response to OPC's First Set of Requests for Production of Documents to Gulf Power (No. 59), (Document No. 09306-2016) Copies of Gulf's responses to these discovery requests were served on OPC and other parties.

2. On December 22, 2016, Gulf Power filed a Motion for Temporary Protective Order requesting confidential classification of certain information contained within Gulf Power's

responses to OPC's Fourth Set of Interrogatories to Gulf Power (Nos. 131-151) (Document No. 09515-2016) Copies of Gulf's responses to these discovery requests were served on OPC and other parties.

3. On December 28, 2016, Gulf Power filed a Motion for Temporary Protective Order requesting confidential classification of certain information contained within Gulf Power's responses to OPC's Fifth Set of Interrogatories to Gulf Power (Nos. 152-161) and OPC's Fifth Set of Requests for Production of Documents to Gulf Power (Nos. 110-117). (Document No. 09570-2016) Copies of Gulf's responses to these discovery requests were served on OPC and other parties.

4. On January 3, 2017, Gulf Power filed a Motion for Temporary Protective Order requesting confidential classification of certain information contained within Gulf Power's responses to OPC's Sixth Set of Interrogatories to Gulf Power (Nos. 162-188) and OPC's Sixth Set of Requests for Production of Documents to Gulf Power (Nos. 118-132). (Document No. 00054-2017) Copies of Gulf's responses to these discovery requests were served on OPC and other parties.

5. On February 27, 2017, Gulf Power filed a Motion for Temporary Protective Order requesting confidential classification of certain information contained within Gulf Power's responses to OPC's Eighth Set of Requests for Production of Documents to Gulf Power (Nos. 134-146). (Document No. 02258-2017) Copies of Gulf's responses to these discovery requests were served on OPC and other parties.

6. On February 27, 2017, Gulf Power filed a Motion for Temporary Protective Order requesting confidential classification of certain information contained within Gulf Power's

responses to OPC's Ninth Set of Interrogatories to Gulf Power (Nos. 193-219). (Document No. 02265-2017) Copies of Gulf's responses to these discovery requests were served on OPC and other parties.

7. On March 17, 2017, the Commission entered Order No. PSC-2017-0102-CFO-EI granting each of Gulf's Motions for Temporary Protective Order and protecting the information subject to the same from disclosure pursuant to Rule 25-22.006(6)(c), Florida Administrative Code.

8. As provided in section 366.093(4), Florida Statutes, Gulf's confidential information will be subject to public disclosure after a period of 18 months unless Gulf or another affected party shows, and the Commission finds, that the information continues to comprise proprietary confidential business information. The 18-month extension period expires on September 17, 2018.

9. Gulf hereby requests that the Commission enter an order extending its Temporary Protective Order for an additional 18-month period. Despite the passage of time, the information subject to the Temporary Protective Order remains competitively sensitive and is entitled to continued confidential classification for the reasons set forth in Gulf Power's original motions.

10. The information which is the subject of this request is intended to be, and is treated as, confidential by Gulf Power and, to this attorney's knowledge, has not been otherwise publicly disclosed.

WHEREFORE, Gulf Power Company respectfully requests that the Commission enter an order extending its Temporary Protective Order for an additional 18-month period.

Respectfully submitted this 14<sup>th</sup> day of September, 2018.

RUSSELL A. BADDERS Florida Bar No. 007455 rab@beggslane.com STEVEN R. GRIFFIN Florida Bar No. 0627569 srg@beggslane.com Beggs & Lane P. O. Box 12950 Pensacola FL 32591-2950 (850) 432-2451 Attorneys for Gulf Power

## BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Petition for Increase in Rates By Gulf Power Company	)	
	) Docket No	.: 20160186-EI
IN RE: Petition for approval of 2016 depreciation and dismantlement studies, approval of proposed	)	
depreciation rates and annual dismantlement	<u>)</u>	
accruals and Plant Smith Units 1 and 2 regulatory	ý	
asset amortization, by Gulf Power Company	) Docket No	.: 20160170-EI

## CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing has been furnished by electronic mail this 14th day of September, 2018 to the following:

Office of Public Counsel J. R. Kelly/Stephanie A. Morse Public Counsel c/o The Florida Legislature 111 W. Madison Street, Room 812 Tallahassee, FL 32399-1400 kelly.jr@leq.state.fl.us morse.stephanie@leg.state.fl.us Office of the General Counsel Suzanne Brownless 2540 Shumard Oak Blvd Tallahassee, FL 32399-0850 <u>sbrownle@psc.state.fl.us</u> Federal Executive Agencies c/o Thomas A. Jernigan AFCEC/JA-ULFSC 139 Barnes Drive, Suite 1 Tyndall Air Force Base, FL 32403 <u>Thomas.Jernigan.3@us.af.mil</u> <u>Andrew.Unsicker@us.af.mil</u> <u>Lanny.Zieman.1@us.af.mil</u> <u>Natalie.Cepak.2@us.af.mil</u> <u>Ebony.Pavton.ctr@us.af.mil</u>

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