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COMMISSION
CLERK



January 9, 2009

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

Dear Ms. Cole:

RE: Undocketed

Enclosed is Gulf Power Company's Request for Confidential Classification regarding certain documents and information produced by Commission Staff and Gulf Power in connection with a Review of Electric Customers' Property Damage Claims (PA-08-08-003).

Sincerely,

Susan D. Ritenour (sw)

COM ___
ECR ___
GCL 1 mv
OPC ___
RCP 1 Enclosures
SSC ___
SGA ___
ADM ___
CLK 1

cc: Beggs & Lane
Jeffrey A. Stone, Esq.

DOCUMENT NUMBER-DATE

00272 JAN 12 8

FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Review of Electric Customers'
Property Damage Claims

Docket No.: Undocketed
Date: January 9, 2009

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 documents and information produced by Commission Staff and Gulf Power in connection with a Review of Electric Customers' Property Damage Claims (PA-08-08-003) (the "Review"). As grounds for this request, the Company states:

1. A portion of the information submitted by Gulf Power in response to Commission Data Requests, information contained in Staff's work papers, and contained in Staff's draft audit report constitutes "proprietary confidential business information" as defined by section 366.093(3), Florida Statutes.
2. A portion of information contained in Staff's draft audit report relates directly to findings and results of an internal audit pertaining to customer property damage claims. Consequently, this information is confidential pursuant to section 366.093(3)(b), Florida Statutes.
3. In response to questions contained in Staff's Data Request ("DR") 1, Gulf produced a single CD-ROM containing, in part, confidential information.¹ Specifically, information submitted in response to DR-1.3(a)-(b) and DR-1.10. The information submitted in response to DR-1.3(a)-(b) consists of summaries of customer claims information, including

¹ Gulf is not attaching a second copy of the CD-ROM to this request.

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customer names and payment amounts. Personally identifiable information, such as customer names, is not specifically enumerated in section 366.093(3) as “proprietary confidential business information.” Nevertheless, the listing in section 366.093(3)(a)-(f) is not exclusive. Gulf believes that such personally identifiable information is protected insofar as customers submitting claims to Gulf Power have a reasonable expectation that such information will not become a matter of public record. Additionally, the amounts paid by Gulf Power to settle customer claims are protected under section 366.093(3)(e) as “information relating to competitive interests.” Each customer’s claim is viewed on its own merits and on the totality of the circumstances. Public disclosure of this information would necessarily reveal attorney work-product and interfere with the efficient and effective administration of customer claims.

The information submitted in response to DR-1.10 consists of excerpts from an internal audit pertaining to customer property damage claims. This information is confidential pursuant to section 366.093(3)(b), Florida Statutes.

4. A portion of Gulf Power’s comments regarding Staff’s draft audit report, which are being filed concurrently with this request for confidential classification, address the findings and results of an internal audit pertaining to customer property damage claims. This information is confidential pursuant to section 366.093(3)(b), Florida Statutes.

5. Also included in this request is a section of Staff’s work papers which recites findings of an internal audit pertaining to customer property damage claims. This information is confidential pursuant to section 366.093(3)(b), Florida Statutes.

6. Finally, Gulf seeks confidential treatment for a Corrective Action Plan prepared in response to an internal audit pertaining to customer property damage claims. The Corrective Action Plan was submitted in response to DR-2.2. This information is confidential pursuant to

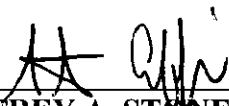
section 366.093(3)(b), Florida Statutes.

7. 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 been otherwise publicly disclosed.

8. Submitted as Exhibit "A" are copies of the subject documents. The information for which confidential classification is requested is highlighted in yellow. Exhibit "A" should be treated as confidential pending a ruling on this request. Attached as Exhibit "B" are two (2) edited copies of the subject documents, 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 9th day of January, 2009.



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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Review of Electric Customers'
Property Damage Claims.

Docket No.: Undocketed
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REQUEST FOR CONFIDENTIAL CLASSIFICATION

EXHIBIT "A"

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

COMMISSIONERS:
MATTHEW M. CARTER II, CHAIRMAN
LISA POLAK EDGAR
KATRINA J. MCMURRIAN
NANCY ARGENZIANO
NATHAN A. SKOP

STATE OF FLORIDA



OFFICE OF COMMISSION CLERK
ANN COLE
COMMISSION CLERK
(850) 413-6770

Public Service Commission

ACKNOWLEDGEMENT

DATE: January 12, 2009

TO: Susan D. Ritenour, Gulf Power Company

FROM: Ruth Nettles, Office of Commission Clerk

RE: Acknowledgement of Receipt of Confidential Filing

This will acknowledge receipt of a **CONFIDENTIAL DOCUMENT** filed in Docket Number 090000 or, if filed in an undocketed matter, concerning documents and information produced by staff and Gulf Power in connection with Review of Electric Customers' Property Damage Claims (PA-08-08-003), and filed on behalf of Gulf Power Company. The document will be maintained in locked storage.

If you have any questions regarding this document, please contact Marguerite Lockard, Deputy Clerk, at (850) 413-6770.

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