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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition to Determine Need for)
Polk 2-5 Combined Cycle Conversion,) DOCKET NO. 120234-EI
By Tampa Electric Company.)

FILED: December 5, 2012

- claim of confidentiality
- notice of intent
- request for confidentiality
- filed by OPC

**DESOTO COUNTY GENERATING COMPANY, LLC'S
REQUEST FOR CONFIDENTIAL CLASSIFICATION**

For DN 07987-12, which
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Desoto County Generating Company, LLC ("DeSoto") pursuant to
Section 366.093, Florida Statutes ("F.S."), and Rule 25-22.006,
Florida Administrative Code ("F.A.C."), hereby submits this Request
for Confidential Classification ("Request") of certain confidential
information that is contained in DeSoto's Petition to Intervene
(the "Petition to Intervene"). This request corresponds to the
confidential information identified in DeSoto's Notice of Intent to
Request Confidential Classification which was filed with the
Florida Public Service Commission ("Commission") on November 14,
2012. In support of this Request, DeSoto states:

1. DeSoto is the owner and operator of the DeSoto Generating
Facility (the "DeSoto Facility"), a 310 megawatt (summer net)
simple-cycle combustion turbine plant capable of operating on both
natural gas and No. 2 fuel oil. The DeSoto Facility is located in
Arcadia, Florida and is interconnected to Florida Power & Light
Company's transmission system and to the Florida Gas Transmission
Company natural gas pipeline. The Facility consists of two GE
7241FA combustion turbine units with a combined summer net

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generating capacity of 310 MW when firing natural gas. The Facility achieved commercial operation in June 2002 and has operated reliably since that time, supplying wholesale power to a number of Florida utilities.

2. DeSoto was a qualified bidder and participated in the 2017 Power Generating Request for Proposals ("RFP") process conducted by Tampa Electric Company ("Tampa Electric"). DeSoto submitted its proposal on May 22, 2012, and DeSoto was notified by Tampa Electric that it had been selected to a "short list" of bidders on June 22, 2012. DeSoto submitted its best and final offer on July 13, 2012. DeSoto was notified that it was not selected as the preferred power supply option on July 27, 2012.

3. DeSoto's best and final offer to Tampa Electric provided Tampa Electric with the opportunity to purchase the DeSoto Facility, with its 310 MW of capacity, at a specified price.

4. The information for which DeSoto seeks confidential classification references confidential pricing information submitted to Tampa Electric in response to the RFP. Specifically, the confidential information reflects a comparison (as a percentage) between the price that DeSoto offered to Tampa Electric to purchase the DeSoto Facility and (a) the cost of the Polk Conversion Project at issue in this docket and (b) the cost of another future power plant shown in Tampa Electric's Ten-Year Site Plan. This price information is the confidential, proprietary,

business information of DeSoto, the disclosure of which would cause harm to the competitive business interests of DeSoto.

Additionally, the information is also regarded as trade secret information by DeSoto and accordingly, the public disclosure of the information is prohibited by Section 812.081(2), Florida Statutes.

5. The following exhibits are included with this Request:
 - a. Exhibit A is a table that identifies the portions of the Petition to Intervene for which DeSoto seeks confidential classification and the specific basis for seeking confidential treatment;
 - b. Exhibit B is a package containing two copies of a redacted version of the Petition to Intervene for which DeSoto requests confidential classification. The specific information for which confidential treatment is requested has been blocked out by opaque marker or other means;
 - c. Exhibit C is a package containing an unredacted copy of the Petition to Intervene for which DeSoto seeks confidential treatment. Exhibit C is being submitted separately in a sealed envelope labeled "CONFIDENTIAL." In the unredacted version, the information asserted to be confidential is highlighted in yellow; and

d. Exhibit D includes the affidavit of Carolyn Wass, DeSoto's Vice President, submitted in compliance with Rule 25-22.006(4)(d), F.A.C., and in support of DeSoto's request.

6. The information described above and identified in Exhibit "A" qualifies for confidential classification under Section 366.093(3), Florida Statutes, because it includes confidential, proprietary, trade secret pricing information from DeSoto's proposal to Tampa Electric. Disclosure of such information would harm DeSoto's competitive business interests.

7. The information for which confidentiality is sought through this Request satisfies the requirements of Section 366.093, Florida Statutes, because:

- a. it is owned or controlled by DeSoto;
- b. it is intended to be and is treated by DeSoto as its private, confidential, proprietary, trade secret business information;
- c. it has not been disclosed except pursuant to confidentiality agreements or legal process; and
- d. disclosure of the information would impair the competitive business interests of DeSoto by revealing to its business competitors, as well as to potential purchasers of the DeSoto Facility, its confidential pricing information, which would enable

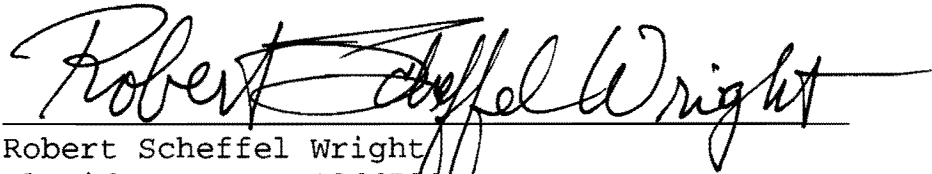
DeSoto's business competitors or customers to compete against DeSoto to its detriment.

Accordingly, the information is entitled to confidential classification pursuant to Section 366.093(3)(d) and (e), Florida Statutes, and is protected from public disclosure by Section 815.045, Florida Statutes, and by Section 812.081(2), Florida Statutes.

8. DeSoto requests that the information identified above be classified as "proprietary confidential business information" within the meaning of Section 366.093(3), Florida Statutes; that the information remain confidential for a period of at least 18 months as provided in Section 366.093(4), Florida Statutes; and that the information be returned to DeSoto as soon as it is no longer necessary for the Commission to conduct its business.

WHEREFORE, for the foregoing reasons, DeSoto respectfully requests that this Request for Confidential Classification be granted.

Respectfully submitted this 5th day of December, 2012.

A handwritten signature in black ink that reads "Robert Scheffel Wright". The signature is written in a cursive style with a horizontal line underneath it.

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CERTIFICATE OF SERVICE

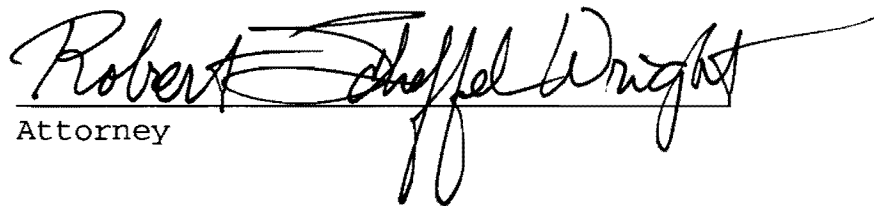
I HEREBY CERTIFY that a true and correct copy of the foregoing was furnished to the following by electronic mail on this 5th day of December, 2012.

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