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SOUTHERN CO
Form 8-K
December 01, 2004

SECURITIES AND EXCHANGE COMMISSION

Washington, D. C. 20549

FORM 8-K

CURRENT REPORT

Pursuant to Section 13 or 15(d) of the
Securities Exchange Act of 1934

Date of Report (Date of earliest event reported) November 24, 2004

THE SOUTHERN COMPANY

(Exact name of registrant as specified in charter)

Delaware	1-3526	58-0690070
(State or other jurisdiction of incorporation)	(Commission File Number)	(IRS Employer Identification No.)

270 Peachtree Street, NW, Atlanta, Georgia	30303
(Address of principal executive offices)	(Zip Code)

Registrant's telephone number, including area code (404) 506-5000

N/A

(Former name or former address, if changed since last report)

Check the appropriate box below if the Form 8-K filing is intended to simultaneously satisfy the filing obligation of the registrant under any of the following provisions:

- ☐ Written communications pursuant to Rule 425 under the Securities Act (17 CFR 230.425)
- ☐ Soliciting material pursuant to Rule 14a-12 under the Exchange Act (17 CFR 240.14a-12)
- ☐ Pre-commencement communications pursuant to Rule 14d-2(b) under the Exchange Act (17 CFR 240.14d-2(b))
- ☐ Pre-commencement communications pursuant to Rule 13e-4(c) under the Exchange Act (17 CFR 240.13e-4(c))

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Item 7.01. Regulation FD Disclosure.

On November 24, 2004, Georgia Power Company ("Georgia Power"), Gulf Power Company ("Gulf Power") and Southern Power Company ("Southern Power") entered into purchased power agreements with Progress Energy Florida ("PEF"). Under the agreements, for the period from June 2010 through December 2015, Georgia Power and Gulf Power will provide PEF with 74 megawatts of capacity annually from the jointly owned Plant Scherer Unit 3, and Southern Power will provide PEF with 350 megawatts of capacity annually from Plant Franklin Unit 1. The contracts provide for fixed capacity payments and variable energy payments based on actual energy delivered. Additionally, PEF will make payments for firm gas transportation. These contracts are contingent upon certain events, including approval of the Florida Public Service Commission. The final outcome of this matter cannot now be determined.

SIGNATURES

Pursuant to the requirements of the Securities Exchange Act of 1934, the registrant has duly caused this report to be signed on its behalf by the undersigned hereunto duly authorized.

Date: December 1, 2004

THE SOUTHERN COMPANY

By /s/Tommy Chisholm
Tommy Chisholm
Secretary