

# CARLTON FIELDS ATTORNEYS AT LAW

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TAMPA WEST PALM BEACH

Corporate Center Three at International Plaza 4221 W. Boy Scout Boulevard Tampa, Florida 33607-5736 P.O. Box 3239 Tampa, Florida 33601-3239

November 29, 2004

Ms. Blanca S. Bayo, Director Division of Records and Reporting Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0850



DAT!

813.223.7000 813.229.4133 fox

Re: Petition for Approval of Storm Cost Recovery Clause for Extraordinary Expenditures related to Hurricanes Charley, Frances, Jeanne, and Ivan by Progress Energy Florida, Inc. Docket No. 041272-El

Dear Ms. Bayo:

Enclosed herewith for filing are the original and fifteen (15) copies of Progress Energy Florida's Notice of Filing original affidavits in support of First Request for Confidential Classification.

If you or your Staff have any questions regarding this filing, please contact me at (813) 223-7000, ext. 2461.

| CMP                  |  | Jun J.              | ett                   |
|----------------------|--|---------------------|-----------------------|
| CTR                  |  | John T. Burnett     |                       |
| ECREnclosures        |  |                     |                       |
| GCL                  |  | V                   |                       |
| OPC                  |  |                     |                       |
| MMS                  |  |                     |                       |
| RCA                  |  | 04 DEC -1 W 3 555   |                       |
| SCR                  |  |                     |                       |
| SEC                  | (Arth, 1988) (Pro, 1998) (Ch., | DISTRICUTION CERTER | DOCUMENT NUMBER-DATE  |
| OTH<br>TPA#1963661.1 | RECEIVED & FILED   |                     | 12752 DEC-13          |
| 1PA#1963061.1        |  |                     | FPSC-COMMISSION CLERI |
|                      | <b>FPSC-BUREAU OF REC</b>  | ORDS                |                       |

# ORIGINAL

# **BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Progress Energy Florida, Inc.'s ) petition for approval of storm cost recovery clause for extraordinary expenditures related to Hurricanes Charley, Frances, Jeanne, and Ivan.

) Docket No.: 041272

2.

) Submitted for Filing: November 29, 2004

## NOTICE OF FILING ORIGINAL AFFIDAVITS IN SUPPORT OF FIRST REOUEST FOR CONFIDENTIAL CLASSIFICATION

Progress Energy Florida ("PEF" or the "Company"), hereby gives notice of filing the

following original affidavits in lieu of the facsimile copies submitted for filing with the

)

Commission on November 24, 2004:

1. Affidavit of David Sauerman, Resource Foreman of PEF's Distribution

Operations and Support Department; and

2. Affidavit of Brantley Tillis, Transmission Project Manager in the Commitment to

Excellence Section within the Energy Delivery Department at PEF.

**BONNIE E. DAVIS** Deputy General Counsel PROGRESS ENERGY SERVICE COMPANY, LLC 106 E. College Avenue, Ste. 800 Tallahassee, FL 32301-7740 Telephone: (850) 222-8738 Facsimile: (850) 222-9768

G/ KY L. SASSO Florida Bar No. 622575 JAMES MICHAEL WALLS Florida Bar No. 0706272 JOHN T. BURNETT Florida Bar No. 173304 CARLTON FIELDS, P.A. Post Office Box 3239 Tampa, FL 33601-3239 Telephone: (813) 223-7000 Facsimile: (813) 229-4133

> DOCUMENT NUMBER-DATE 12752 DEC-13 FPSC-COMMISSION CLERK

**Progress Energy Florida** 

Docket No. 041272-EI

# **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true copy of the Progress Energy Florida's Notice of Filing Affidavits in Support of First Request for Confidential Classification has been furnished to the following individuals by and regular U.S. Mail the 29<sup>th</sup> day of November, 2004.

Jennifer Brubaker, Esquire Office of the General Counsel Florida Public Service Commission 2540 Shumard Oak Blvd. Tallahassee, FL 32399-0850 Vicki Gordon Kaufman, Esquire McWhirter Reeves McGlothlin Davidson Kaufman & Arnold, P.A. 117 South Gadsden Street Tallahassee, FL 32301

Patricia A. Christensen, Esquire Office of the Public Counsel c/o The Florida Legislature 111 West Madison St., Room 812 Tallahassee, FL 32399-1400

Krnev

#### **BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Progress Energy Florida, Inc.'s ) petition for approval of storm cost ) Docket No.: 041272 recovery clause for extraordinary ) expenditures related to Hurricanes ) Charley, Frances, Jeanne, and Ivan. ) Submitted for Filing: November \_\_, 2004

### AFFIDAVIT OF DAVID SAUERMAN IN SUPPORT OF PROGRESS ENERGY FLORIDA'S FIRST REQUEST FOR CONFIDENTIAL CLASSIFICATION

STATE OF FLORIDA

#### COUNTY OF SEMINOLE

BEFORE ME, the undersigned authority duly authorized to administer oaths, personally appeared David Sauerman, who being first duly sworn, on oath deposes and says that:

1. My name is David Sauerman. I am over the age of 18 years old and I have been authorized by Progress Energy Florida (hereinafter "PEF" or the "Company") to give this affidavit in the above-styled proceeding on PEF's behalf and in support of PEF's First Request for Confidential Classification. The facts attested to in my affidavit are based upon my personal knowledge.

2. I am the Resource Foreman of PEF's Distribution Operations and Support department. This department is responsible for safety, labor relations, training, resource management and environmental compliance.

3. As resource foreman of PEF's Distribution Operations and Support department, along with other regional level resource foremen, I am responsible for providing for the safety of employees, implementation of proper work practices, specifications, vehicle operations, and contractual obligations in all phases of line construction and operations, the coordination of

system level safety related activities involving training, tools, and equipment, assistance with resolving labor related issues, and coordination of construction and/or maintenance resources to ensure the effective use of day-to-day and emergency (storm) resources. In the course of my duties, I use and I am familiar with PEF's Distribution Storm Plan.

4. PEF is seeking confidential classification for its Distribution Storm Plan, a copy of which will be attached as an exhibit to the direct testimony of David McDonald in support of PEF's Petition for Approval of Storm Cost Recovery Clause for Extraordinary Expenditures Related to Hurricanes Charley, Frances, Jeanne, and Ivan. A detailed description of the confidential information in PEF's Distribution Storm Plan is contained in confidential Appendix A to PEF's First Request for Confidential Classification. PEF is requesting confidential classification of portions of its Distribution Storm Plan because they contain 1) confidential information relating to PEF's security measures, systems and procedures and 2) confidential employee and third-party personnel information which is unrelated to compensation, duties, qualifications, or employment responsibilities.

5. Portions of PEF's Distribution Storm Plan identify security procedures for the restoration of service to nuclear power plants in the event of a storm or other occurrences make the plants inoperable. The public disclosure of such information will pose a significant security risk and has the potential to impose a hazard to public safety. It is imperative to keep such sensitive information confidential and to ensure protection of the community's welfare. Such precautions are necessary to alleviate potential breaches in security.

6. Additionally, portions of PEF's Distribution Storm Plan contain the personal home, cellular, and pager telephone numbers and email addresses for employee personnel and

third-party contractors. Such information is unrelated to compensation, duties, qualifications, or employment responsibilities and should not be disclosed to the general public.

7. The confidential portions of PEF's Distribution Storm Plan described above are treated as private and confidential by PEF and the information has not been disclosed and is not disclosed to the public.

8. This concludes my affidavit.

Further affiant sayeth not.

Dated the day of November, 2004.

(Signature)

David Sauerman Resource Foreman of Distributions Operations & Support Progress Energy 3300 Exchange Place Lake Mary, FL 32746

THE FOREGOING INSTRUMENT was sworn to and subscribed before me this  $2\frac{j^{\prime}}{2}$  day of November, 2004 by David Sauerman. He is personally known to , or has produced his



driver's license, or his JUDITH B. ECHTERLING HAWKINS MY COMMISSION # DD 158282 EXPIRES: October 14, 2006 Bonded Thru Budget Notary Services

(AFFIX NOTARIAL SEAL)

as identification. nature) (Printed Name) NOTARY PUBLIC STATE OF (Commission Expi

8282

(Serial Number, If Any)

#### **BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

)

In re: Progress Energy Florida, Inc.'s ) petition for approval of storm cost recovery clause for extraordinary expenditures related to Hurricanes Charley, Frances, Jeanne, and Ivan.

) Docket No.: 041272

) Submitted for Filing: November , 2004

### **AFFIDAVIT OF BRANTLEY TILLIS, P.E., IN SUPPORT OF PROGRESS ENERGY FLORIDA'S** FIRST REOUEST FOR CONFIDENTIAL CLASSIFICATION

STATE OF FLORIDA

#### COUNTY OF SEMINOLE

BEFORE ME, the undersigned authority duly authorized to administer oaths, personally appeared Brantley Tillis, P.E., who being first duly sworn, on oath deposes and says that:

1. My name is Brantley Tillis. I am over the age of 18 years old and I have been authorized by Progress Energy Florida (hereinafter "PEF" or the "Company") to give this affidavit in the above-styled proceeding on PEF's behalf and in support of PEF's First Request for Confidential Classification. The facts attested to in my affidavit are based upon my personal knowledge.

2. I am a Transmission Project Manager in the Commitment to Excellence Section within the Energy Delivery Department at PEF. I am also assigned to the Transmission Storm Center in the event of a major storm. This department is responsible for the reliability and resource management for transmission.

3. As Transmission Project Manager, I am responsible for managing reliability initiatives for transmission facilities. In my role in the Transmission Storm Center, I use and I am familiar with PEF's Transmission Storm Plan.

4. PEF is seeking confidential classification for portions of its Transmission Storm Plan, a copy of which will be attached as an exhibit to the direct testimony of Sarah Rogers in support of PEF's Petition for Approval of Storm Cost Recovery Clause for Extraordinary Expenditures Related to Hurricanes Charley, Frances, Jeanne, and Ivan. A detailed description of the confidential information in PEF's Transmission Storm Plan is contained in confidential Appendix A to PEF's First Request for Confidential Classification. PEF is requesting confidential classification of portions of its Transmission Storm Plan because they contain 1) confidential information relating to PEF's security measures, systems and procedures and 2) confidential employee and third-party personnel information which is unrelated to compensation, duties, qualifications, or employment responsibilities.

5. Portions of PEF's Transmission Storm Plan contain information identifying the locations of PEF's critical transmission lines and substations. The plan also identifies security procedures for the restoration of nuclear plant sirens in the event of a storm. The public disclosure of such information will pose a significant security risk and has the potential to impose a hazard to public safety. It is imperative to keep such sensitive information confidential to ensure protection of the community's welfare.

6. Portions of PEF's Transmission Storm Plan also contain the personal home, cellular, and pager telephone numbers and email addresses for employee personnel and thirdparty contractors. Such information is unrelated to their compensation, duties, qualifications, or employment responsibilities and should not be disclosed to the general public

7. The confidential portions of PEF's Transmission Storm Plan described above are treated as private and confidential by PEF and the information has not been disclosed and is not disclosed to the public.

8. This concludes my affidavit.

Further affiant sayeth not.

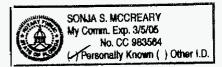
Dated the  $\underline{22}$  day of November, 2004.

carthy Tillis (Signature)

Brantley Tillis Transmission Project Manager Commitment to Excellence Progress Energy 3300 Exchange Place Lake Mary, FL 32746

THE FOREGOING INSTRUMENT was sworn to and subscribed before me this day of November, 2004 by Brantley Tillis. He is personally known to me, or has produced his \_\_\_\_\_\_ driver's license, or his \_\_\_\_\_\_ as identification.

(AFFIX NOTARIAL SEAL)



(Signature) S. McCreary (Printed Name) NOTARY PUBLIC, STATE OF FLORIDA 3-5-05 (Commission Expiration Date) CC983564

(Serial Number, If Any)