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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION JUN 17 PM 1:54

COMMISSION
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In re: Petition for rate increase by
Progress Energy Florida, Inc.

Docket No. 050078-EI
Submitted for filing:
June 17, 2005

**PROGRESS ENERGY FLORIDA'S THIRD REQUEST
FOR CONFIDENTIAL CLASSIFICATION**

Progress Energy Florida ("PEF" or the "Company"), pursuant to Section 366.093, Fla. Stats., and Rule 25-22.006, F.A.C., files this Request for Confidential Classification for PEF's responses to the Office of Public Counsel's ("OPC") First Set of Interrogatories (Nos. 1-57), Nos. 28 and 33, and OPC's First Request for Production of Documents (Nos. 1-75), Requests 5, 6, 7, 8, 10, 15, 16, 21, 28, 33, 34, 36, 37, 42, 43, 47, 48, 56, 63, 64, 68, and 73. Specifically, such responses contain confidential information regarding contracts between PEF and outside vendors, forecasting data and projected budgets and business plans, and other sensitive business information, such as internal audits, the disclosure of which would compromise PEF's competitive business interests. Accordingly, PEF hereby submits the following.

Basis for Confidential Classification

CMP _____
COM _____
CTR _____
ECR 1
GCL 1
OPC _____
MMS _____
RCA _____
SCR _____
SEC 1
OTH 1 conf records

Subsection 366.093(1), Florida Statutes, provides that "any records received by the Commission which are shown and found by the Commission to be proprietary confidential business information shall be kept confidential and shall be exempt from [the Public Records Act]." § 366.093(1), Fla. Stats. Proprietary confidential business information means information that is (i) intended to be and is treated as private confidential information by the Company, (ii) because disclosure of the information would cause harm, (iii) either to the

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Company's ratepayers or the Company's business operation, and (iv) the information has not been voluntarily disclosed to the public. § 366.093(3), Fla. Stats. Specifically, subsection 366.093(3)(e) defines "information relating to competitive interests, the disclosure of which would impair the competitive business of the provider of the information," as proprietary confidential business information. In addition, proprietary confidential business information includes "information concerning bids or other contractual data, the disclosure of which would impair the efforts of the public utility or its affiliates to contract for goods or services on favorable terms." §366.093(3)(d), Fla. Stats. Subsection 366.093(3)(b) further defines proprietary confidential business information as "internal auditing controls and reports of internal auditors." Additionally, on June 7, 2005, the Commission granted PEF's Motion for Temporary Protective Order regarding the same information and documents at issue in this request for confidentiality.

Responses to OPC's Interrogatory No. 28

Portions of PEF's attachments to its responses to OPC's Interrogatory number 28 should be afforded confidential treatment for the reasons set forth in the Affidavit of Javier Portuondo filed in support of PEF's Third Request for Confidential Classification and for the following reasons. Specifically, documents included in those attachments (bearing Bates ranges PEF-RC-009980-010005) describe how PEF's incentive compensation was determined for the years 2005-2006, and those documents contain analyses of PEF's business strategies and budgets regarding incentive compensation. If PEF's competitors were made aware of PEF's business procedures and internal business plans regarding these issues, they may adjust their behavior in the market place with respect to issues such as employee salaries, incentive payments, and other compensation issues. By doing so, PEF's competitors could thereby adversely impact PEF's

competitive position in the job market by, among other things, reducing the number of available employees to hire and/or by soliciting PEF's current employees for employment. See Affidavit of Javier Portuondo at 5.

Responses to OPC's Interrogatory No. 33

Portions of PEF's attachments to its responses to OPC's Interrogatory number 33 should be afforded confidential treatment for the reasons set forth in the Affidavit of Javier Portuondo filed in support of PEF's Third Request for Confidential Classification and for the following reasons. Specifically, documents included in those attachments (bearing Bates ranges PEF-RC-010019-010023) contain projected active medical expenses and costs, by FERC account, for 2005 and 2006. If PEF's suppliers and providers of medical services were made aware of PEF's estimated budgets, budget variances, or internal business plans regarding projected medical costs and expenses, they may adjust their behavior in the market place with respect to activity such as pricing and the provision of goods, materials, and services. Specifically, such suppliers and providers may decrease supply of such goods and services, and/or increase the cost and prices of such goods and services. See Affidavit of Javier Portuondo at 6.

OPC'S First Request for Production No. 5

Portions of PEF's responses to OPC First Request for Production number 5 should be afforded confidential treatment for the reasons set forth in the Affidavit of Javier Portuondo filed in support of PEF's Third Request for Confidential Classification and for the following reasons. Specifically, documents responsive to this request (bearing Bates ranges PEF-RC-005352-005464, 008726-008989, 009056-009103, 009165, 009176, 009185-009187, 009199, 009203, and 011256-011410) relate to changes made to PEF's internal policy and assessment of various charging practices. These documents contain internal assessments made by PEF regarding

potential contractors and service providers, as well as documents dealing with requests for proposals to be sent to various contractors and service providers. If such assessments were made available to those potential contractors and service providers, they may, for example, increase the cost of such services, and/or modify the scope of such services provided. Additionally, these documents contain the results of detailed internal audits done by or for the benefit of PEF regarding various charging practices. Such information is protected from public disclosure by Section 366.093(3)(b), Fla. Stat. See Affidavit of Javier Portuondo at 7.

Finally, document Request number 5 also calls for information concerning contractual data, the disclosure of which would impair PEF's efforts to contract for goods and services on favorable terms. Specifically, these documents (bearing Bates ranges PEF-RC-008990-009055) contain information regarding competitive contractual provisions between PEF and third parties that would adversely impact PEF's competitive business interests if disclosed to the public. If other third parties are made aware of confidential contractual terms that PEF has with other parties, they may offer PEF less competitive contractual terms in future contractual negotiations. See Affidavit of Javier Portuondo at 8.

OPC'S First Request for Production No. 6

Portions of PEF's responses to OPC's First Request for Production number 6 should be afforded confidential treatment for the reasons set forth in the Affidavit of Javier Portuondo filed in support of PEF's Third Request for Confidential Classification and for the following reasons. Specifically, documents responsive to this request (bearing Bates ranges PEF-RC-009465 and 009469) relate to PEF's marketing programs for 2005 and 2006. If PEF's suppliers of marketing services and goods were made aware of PEF's internal business plans or strategies for marketing programs, they may adjust their behavior in the market place with respect to activity such as

pricing and the acquisition and provision of goods and services. Specifically, such suppliers and providers may decrease supply of such goods and services, and/or increase the cost and prices of such goods and services. See Affidavit of Javier Portuondo at 9.

OPC’S First Request for Production No. 7

Portions of PEF’s responses to OPC’s First Request for Production number 7 should be afforded confidential treatment for the reasons set forth in the Affidavit of Javier Portuondo filed in support of PEF’s Third Request for Confidential Classification and for the following reasons. Specifically, documents responsive to this request (bearing Bates ranges PEF-RC-009477-009508) relate to PEF’s cost/benefit analysis and studies conducted regarding the planned deployment of automated meter reading. If PEF’s suppliers or competitors were made aware of PEF’s business plans, strategies, or analysis for the implementation and development of PEF’s automated meter reading system, they may adjust their behavior in the market place with respect to activity such as pricing and the acquisition or provision of goods, materials, and services. Specifically, such suppliers and providers may decrease supply of such goods and services, and/or increase the cost and prices of such goods and services. Additionally, PEF’s competitors may adjust their consumption behavior in the market, thereby potentially making goods and services less available and more expensive to PEF. See Affidavit of Javier Portuondo at 10.

OPC’S First Request for Production No. 8

Portions of PEF’s responses to OPC’s First Request for Production number 8 should be afforded confidential treatment for the reasons set forth in the Affidavit of Javier Portuondo filed in support of PEF’s Third Request for Confidential Classification and for the following reasons. Specifically, documents responsive to this request (bearing Bates ranges PEF-RC-009340-009349, 009353-009356, and 009358-009359) relate to PEF’s current and anticipated advertising

and marketing programs. If PEF's suppliers of marketing services and goods were made aware of PEF's current and anticipated programs for advertising and marketing, they may adjust their behavior in the market place with respect to activity such as pricing and provision of goods, materials, and services. Specifically, such suppliers and providers may decrease supply of such goods and services, and/or increase the cost and prices of such goods and services. See Affidavit of Javier Portuondo at 11.

OPC's Request for Production of Documents number 8 also calls for information concerning contractual data, the disclosure of which would impair PEF's efforts to contract for goods and services on favorable terms. Specifically, these documents (bearing Bates ranges PEF-RC-009360- 009378) contain information regarding competitive contractual provisions between PEF and third parties that would adversely impact PEF's competitive business interests if disclosed to the public. If other third parties are made aware of confidential contractual terms that PEF has with other parties, they may offer PEF less competitive contractual terms in future contractual negotiations. See Affidavit of Javier Portuondo at 12.

OPC'S First Request for Production No. 10

Portions of PEF's responses to OPC's First Request for Production number 10 should be afforded confidential treatment for the reasons set forth in the Affidavit of Javier Portuondo filed in support of PEF's Third Request for Confidential Classification and for the following reasons. Specifically, documents responsive to this request (bearing Bates ranges PEF-RC-008313-008332) contain PEF's internal summaries, descriptions, and potential responses to audits and audited issues, the disclosure of which would potentially adversely impact PEF's competitive business interests. Such information is protected from public disclosure by Section 366.093(3)(b), Fla. Stat. See Affidavit of Javier Portuondo at 13.

OPC'S First Request for Production No. 15

Portions of PEF's responses to OPC's First Request for Production number 15 should be afforded confidential treatment for the reasons set forth in the Affidavit of Javier Portuondo filed in support of PEF's Third Request for Confidential Classification and for the following reasons. Specifically, documents responsive to this request (bearing Bates ranges PEF-RC-005945-006215) relate to PEF's SEC audit reports and recommendations and PEF's responses to same. The documents in question contain detailed, sensitive business information that could potentially adversely impact PEF's competitive business interests if disclosed to the public. Disclosure of such sensitive business information could allow PEF's suppliers and providers to decrease supply of such goods and services, and/or increase the cost and prices of such goods and services. Furthermore, the responsive documents contain PEF's internal summaries, descriptions, and potential internal plans to respond to SEC audit reports and recommendations. Such information regarding internal auditing is protected from public disclosure by Section 366.093(3)(b), Fla. Stat. See Affidavit of Javier Portuondo at 14. Additionally, some of the responsive documents in question contain information concerning contractual arrangements between PEF and third parties, the disclosure of which would impair PEF's efforts to contract for goods and services on favorable terms. If other third parties are made aware of confidential contractual terms that PEF has with other parties, they may offer PEF less competitive contractual terms in future contractual negotiations. See Affidavit of Javier Portuondo at 15.

OPC'S First Request for Production No. 16

Portions of PEF's responses to OPC's First Request for Production number 16 should be afforded confidential treatment for the reasons set forth in the Affidavit of Javier Portuondo filed in support of PEF's Third Request for Confidential Classification and for the following reasons.

Specifically, documents responsive to this request (bearing Bates ranges PEF-RC-009251-009332) contain meeting minutes from the Company's Board of Directors which disclose PEF's internal business plans and strategies. If PEF's suppliers or competitors were made aware of PEF's internal business plans, strategies or analysis, they may adjust their behavior in the market place with respect to activity such as pricing and the acquisition and provisions of goods, materials, and services. Specifically, PEF's suppliers or providers may decrease supply of such goods and services, and/or increase the cost and prices of such goods and services. Additionally, PEF's competitors may adjust their consumption behavior in the market, thereby potentially making goods and services less available and more expensive to PEF. **See Affidavit of Javier Portuondo** at 16.

OPC'S First Request for Production No. 21

Portions of PEF's responses to OPC's First Request for Production number 21 should be afforded confidential treatment for the reasons set forth in the Affidavit of Javier Portuondo filed in support of PEF's Third Request for Confidential Classification and for the following reasons. Specifically, documents responsive to this request relate to PEF's budget variance reports and documents depicting variances between actual and projected expenses, revenue, and income for the year 2005 to date. If PEF's suppliers or competitors were made aware of PEF's estimated budgets, budget variances, or revenue and income variances for 2005, they may adjust their behavior in the market place for future months in 2005 with respect to activity such as pricing and the acquisition and provision of goods, materials, and services. Specifically, PEF's suppliers and providers may decrease supply of such goods and services, and/or increase the cost and prices of such goods and services. Additionally, PEF's competitors may adjust their consumption behavior in the market, thereby potentially making goods and services less

available and more expensive to PEF. See Affidavit of Javier Portuondo at 17. Additionally, some of the documents responsive to this request also contain contractual data such as pricing and payments made by PEF to outside contractors, the disclosure of which would impair PEF's efforts to contract for goods and services on favorable terms, and would adversely impact PEF's competitive business interests if disclosed to the public. If other third parties are made aware of confidential contractual terms that PEF has with other parties, they may offer PEF less competitive contractual terms in future contractual negotiations. See Affidavit of Javier Portuondo at 18.

OPC'S First Request for Production No. 28

Portions of PEF's responses to OPC's First Request for Production number 28 should be afforded confidential treatment for the reasons set forth in the Affidavit of Javier Portuondo filed in support of PEF's Third Request for Confidential Classification and for the following reasons. Specifically, documents responsive to this request (bearing Bates range PEF-RC-008418) contain confidential pricing terms of a real property contract that PEF has with an outside party, the disclosure of which would impair PEF's competitive business interests. If other third parties are made aware of confidential contractual terms that PEF has with other parties, they may offer PEF less competitive contractual terms in future contractual negotiations. See Affidavit of Javier Portuondo at 19.

OPC'S First Request for Production No. 33

Portions of PEF's responses to OPC's First Request for Production number 33 should be afforded confidential treatment for the reasons set forth in the Affidavit of Javier Portuondo filed in support of PEF's Third Request for Confidential Classification and for the following reasons. Specifically, documents responsive to this request (bearing Bates ranges PEF-RC-008224-

008225) relate to bonuses paid to employees and corporate officers. If PEF's competitors were made aware of PEF's bonuses paid to employees and corporate officers, they may adjust their behavior in the market place with respect to issues such as employee salaries, bonuses, and other compensation issues. By doing so, PEF's competitors could thereby adversely impact PEF's competitive position in the job market by, among other things, reducing the number of available employees to hire and/or by soliciting PEF's current employees for employment. See Affidavit of Javier Portuondo at 20.

OPC'S First Request for Production No. 34

Portions of PEF's responses to OPC's First Request for Production number 34 should be afforded confidential treatment for the reasons set forth in the Affidavit of Javier Portuondo filed in support of PEF's Third Request for Confidential Classification and for the following reasons. Specifically, documents responsive to this request (bearing Bates ranges PEF-RC-00162 and 005472-005550) relate to PEF's incentive compensation and bonus plans for 2005 and 2006. If PEF's competitors were made aware of PEF's 2005 and 2006 compensation and bonus plans, they may adjust their behavior in the market place with respect to issues such as employee salaries, bonuses, and other compensation issues. By doing so, PEF's competitors could thereby adversely impact PEF's competitive position in the job market by, among other things, reducing the number of available employees to hire and/or by soliciting PEF's current employees for employment. See Affidavit of Javier Portuondo at 21.

OPC'S First Request for Production No. 36

Portions of PEF's responses to OPC's First Request for Production number 36 should be afforded confidential treatment for the reasons set forth in the Affidavit of Javier Portuondo filed in support of PEF's Third Request for Confidential Classification and for the following reasons.

Specifically, documents responsive to this request (bearing Bates ranges PEF-RC-007798-007916) contain monthly financial statements for the year 2005 to date that PEF provides to operating managers. If PEF's suppliers or competitors were made aware of PEF's budgets or financial statements for 2005, they may adjust their behavior in the market place for future months in 2005 with respect to activity such as pricing and the acquisition and provision of goods, materials, and services. Specifically, PEF's suppliers and providers may decrease supply of such goods and services, and/or increase the cost and prices of such goods and services. Additionally, PEF's competitors may adjust their consumption behavior in the market, thereby potentially making goods and services less available and more expensive to PEF. See Affidavit of Javier Portuondo at 22. The responsive documents to this Request additionally include information regarding competitive contractual provisions between PEF and third parties. If other third parties are made aware of confidential contractual terms that PEF has with other parties, they may offer PEF less competitive contractual terms in future contractual negotiations, thereby adversely impacting PEF's competitive business interests. See Affidavit of Javier Portuondo at 23.

OPC'S First Request for Production No. 37

Portions of PEF's responses to OPC's First Request for Production number 37 should be afforded confidential treatment for the reasons set forth in the Affidavit of Javier Portuondo filed in support of PEF's Third Request for Confidential Classification and for the following reasons. Specifically, documents responsive to this request (bearing Bates ranges PEF-RC-009333-009339) analyze, evaluate and critique PEF's financial forecasts for the years 2005, 2006, and 2007. If PEF's suppliers or competitors were made aware of PEF's internal business plans, analyses, strategies, and financial forecasts for 2005-2007, they may adjust their behavior in the

market place with respect to activity such as pricing and the acquisition or provision of goods, materials, and services. Specifically, PEF's suppliers and providers may decrease supply of such goods and services, and/or increase the cost and prices of such goods and services. Additionally, PEF's competitors may adjust their consumption behavior in the market, thereby potentially making goods and services less available and more expensive to PEF. See Affidavit of Javier Portuondo at 24.

OPC'S First Request for Production No. 42

Portions of PEF's responses to OPC's First Request for Production number 42 should be afforded confidential treatment for the reasons set forth in the Affidavit of Javier Portuondo filed in support of PEF's Third Request for Confidential Classification and for the following reasons. Specifically, documents responsive to this request contain confidential insurance rates, premiums, deductibles, and information regarding competitive contractual provisions between PEF and third parties that would adversely impact PEF's competitive business interests if disclosed to the public. If other third parties are made aware of confidential contractual terms that PEF has with other parties, they may offer PEF less competitive contractual terms in future contractual negotiations. See Affidavit of Javier Portuondo at 25.

OPC'S First Request for Production No. 43

Portions of PEF's responses to OPC's First Request for Production number 43 should be afforded confidential treatment for the reasons set forth in the Affidavit of Javier Portuondo filed in support of PEF's Third Request for Confidential Classification and for the following reasons. Specifically, documents responsive to this request (bearing Bates ranges PEF-RC-009379-009450) contain insurance invoices and information regarding competitive contractual provisions, such as premiums and pricing, between PEF and third parties that would adversely

impact PEF's competitive business interests if disclosed to the public. If other third parties are made aware of confidential contractual terms that PEF has with other parties, they may offer PEF less competitive contractual terms in future contractual negotiations. See Affidavit of Javier Portuondo at 26.

OPC'S First Request for Production No. 47

Portions of PEF's responses to OPC's First Request for Production number 47 should be afforded confidential treatment for the reasons set forth in the Affidavit of Javier Portuondo filed in support of PEF's Third Request for Confidential Classification and for the following reasons. Specifically, documents responsive to this request (bearing Bates ranges PEF-RC-008352, 008355, and 008359) contain contracts and engagement letters with consultants, witnesses, and law firms engaged in PEF's 2005 rate case, that contain competitive contractual information regarding contractual agreements between PEF and third parties that would adversely impact PEF's competitive business interests if disclosed to the public. If other third parties are made aware of confidential contractual terms that PEF has with other parties, they may offer PEF less competitive contractual terms in future contractual negotiations. See Affidavit of Javier Portuondo at 27.

OPC'S First Request for Production No. 48

Portions of PEF's responses to OPC's First Request for Production number 48 should be afforded confidential treatment for the reasons set forth in the Affidavit of Javier Portuondo filed in support of PEF's Third Request for Confidential Classification and for the following reasons. Specifically, documents responsive to this request (bearing Bates ranges PEF-RC-008655-008659, 008685,-008689, 008691-008722, and 008725) contain PEF's 2005 rate case expenses which disclose confidential contractual pricing and rate arrangements between PEF and third

parties that would adversely impact PEF's competitive business interests if disclosed to the public. If other third parties are made aware of confidential contractual terms that PEF has with other parties, they may offer PEF less competitive contractual terms in future contractual negotiations. See Affidavit of Javier Portuondo at 28.

OPC'S First Request for Production No. 56

Portions of PEF's responses to OPC's First Request for Production number 56 should be afforded confidential treatment for the reasons set forth in the Affidavit of Javier Portuondo filed in support of PEF's Third Request for Confidential Classification and for the following reasons. Specifically, documents responsive to this request (bearing Bates ranges PEF-RC-008226-008260) contain confidential financial information and confidential tax information that is not publicly available. Such documents may adversely impact PEF's competitive business interests if disclosed to the public because the information therein contains detailed financial information related to costs and expenses that the Company incurs as well as detail regarding the company's revenue. Specifically, PEF's suppliers and providers, if made aware of the financial information at issue, may decrease supply of such goods and services, and/or increase the cost and prices of such goods and services. Additionally, PEF's competitors may adjust their consumption behavior in the market, thereby potentially making goods and services less available and more expensive to PEF. See Affidavit of Javier Portuondo at 29.

OPC'S First Request for Production No. 63

Portions of PEF's responses to OPC's First Request for Production number 63 should be afforded confidential treatment for the reasons set forth in the Affidavit of Javier Portuondo filed in support of PEF's Third Request for Confidential Classification and for the following reasons. Specifically, documents responsive to this request (bearing Bates ranges PEF-RC-009240-

009250) contain recent internal audit reports regarding affiliate transactions and/or cost allocations between affiliated companies. Such information is protected from public disclosure by Section 366.093(3)(b), Fla. Stat. See Affidavit of Javier Portuondo at 30.

OPC'S First Request for Production No. 64

Portions of PEF's responses to OPC's First Request for Production number 64 should be afforded confidential treatment for the reasons set forth in the Affidavit of Javier Portuondo filed in support of PEF's Third Request for Confidential Classification and for the following reasons. Specifically, documents responsive to this request (bearing Bates ranges PEF-RC-010312-011255) contain confidential contracts between PEF and third parties that provide services to PEF that would adversely impact PEF's competitive business interests if disclosed to the public. If other third parties are made aware of confidential contractual terms that PEF has with other parties, they may offer PEF less competitive contractual terms in future contractual negotiations. See Affidavit of Javier Portuondo at 31.

OPC'S First Request for Production No. 68

Portions of PEF's responses to OPC's First Request for Production number 68 should be afforded confidential treatment for the reasons set forth in the Affidavit of Javier Portuondo filed in support of PEF's Third Request for Confidential Classification and for the following reasons. Specifically, documents responsive to this request (bearing Bates ranges PEF-RC-008262-008312) contain invoices from PEF to third parties which contain confidential pricing items for goods and services that would adversely impact PEF's competitive business interests if disclosed to the public. If other third parties are made aware of confidential contractual terms that PEF has with other parties, they may offer PEF less competitive contractual terms in future contractual negotiations. See Affidavit of Javier Portuondo at 32.

OPC'S First Request for Production No. 73

Portions of PEF's responses to OPC's First Request for Production number 73 should be afforded confidential treatment for the reasons set forth in the Affidavit of Javier Portuondo filed in support of PEF's Third Request for Confidential Classification and for the following reasons. Specifically, documents responsive to this request (bearing Bates range PEF-RC-008261) contain information regarding assets transferred to and from PEF and third parties, along with the pricing terms of such transfers, that would adversely impact PEF's competitive business interests if disclosed to the public. If other third parties are made aware of confidential contractual terms that PEF has with other parties, they may offer PEF less competitive contractual terms in future contractual negotiations. See Affidavit of Javier Portuondo at 33.

Conclusion

The competitive, confidential information at issue in this request fits the statutory definition of proprietary confidential business information under Section 366.093 and Rule 25-22.006, F.A.C. Separate sealed envelopes containing one copy of the confidential exhibits for which PEF intends to request confidential classification with the appropriate section, pages, or lines containing the confidential information highlighted is enclosed herewith as Attachment "A." **This information should be accorded confidential treatment pending a decision on PEF's request by the Florida Public Service Commission.**


Additionally, two copies of the confidential exhibits with the information that PEF intends to request confidential classification redacted by section page, or lines, are also included herewith as Attachment "B."

Attachment "C" hereto contains a justification matrix supporting PEF's request for confidential classification of the highlighted information contained in Attachment A.

WHEREFORE, PEF respectfully requests that the responses to the Office of Public Counsel's ("OPC") First Set of Interrogatories (Nos. 1-57), Nos. 28 and 33, and OPC's First Request for Production of Documents (Nos. 1-75), Requests 5, 6, 7, 8, 10, 15, 16, 21, 28, 33, 34, 36, 37, 42, 43, 47, 48, 56, 63, 64, 68, and 73, described specifically in Attachment C, be classified as confidential for the reasons set forth above.

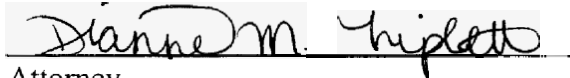
Respectfully submitted this 17th day of June, 2005.

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished electronically and via U.S. Mail this 17th day of June, 2005 to all counsel of record as indicated below.


Attorney

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