

**Kimberley Pena**

090079-EI

**From:** Kimberley Pena  
**Sent:** Friday, January 08, 2010 2:01 PM  
**To:** Katherine Fleming  
**Cc:** Ann Cole; Benjamin Crawford; Marguerite McLean  
**Subject:** RE: Confidential DN in Dkt. 090079

Katherine, Confidential DNs 08896-09 and 09609-09 have been returned to the Commission. The status of the documents have been updated to reflect that the request has been forwarded to staff for recommendation on confidentiality, as it was prior to the request to return to source.

**From:** Katherine Fleming  
**Sent:** Monday, December 28, 2009 11:40 AM  
**To:** Marguerite McLean  
**Cc:** Dorothy Menasco; Kimberley Pena; Benjamin Crawford; Ann Cole  
**Subject:** RE: Confidential DN in Dkt. 090079

COM \_\_\_\_\_  
APA \_\_\_\_\_  
ECR \_\_\_\_\_  
GCL \_\_\_\_\_  
RAD \_\_\_\_\_  
SSC \_\_\_\_\_  
ADM \_\_\_\_\_  
OPC \_\_\_\_\_  
CLK K. Pena

Thank you!

**From:** Marguerite McLean  
**Sent:** Monday, December 28, 2009 11:36 AM  
**To:** Katherine Fleming  
**Cc:** Dorothy Menasco; Kimberley Pena; Benjamin Crawford; Ann Cole  
**Subject:** RE: Confidential DN in Dkt. 090079

**Katherine,**  
**Barbara with Carlton Fields will be returning Confidential DNs 08896-09 and 09609-09 back to the Commission.**  
**Marguerite.**

**From:** Katherine Fleming  
**Sent:** Monday, December 28, 2009 11:24 AM  
**To:** Marguerite McLean  
**Cc:** Dorothy Menasco; Kimberley Pena; Benjamin Crawford  
**Subject:** RE: Confidential DN in Dkt. 090079

Yes, document no. 09609-09. I haven't looked at 08896-09, but if it contains the same information, we will need both documents. Thank you!

**From:** Marguerite McLean  
**Sent:** Monday, December 28, 2009 11:18 AM  
**To:** Katherine Fleming  
**Cc:** Dorothy Menasco; Kimberley Pena; Benjamin Crawford  
**Subject:** RE: Confidential DN in Dkt. 090079

**do you only want confidential DN 09609-09 back ?**  
**i can call Matthew Bernier's office and ask them to return the document back to the Commission.**

DOCUMENT NUMBER-DATE

00196 JAN-8 9

FPSC-COMMISSION CLERK

1/8/2010

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**From:** Katherine Fleming  
**Sent:** Monday, December 28, 2009 11:10 AM  
**To:** Marguerite McLean  
**Cc:** Dorothy Menasco; Kimberley Pena; Benjamin Crawford  
**Subject:** RE: Confidential DN in Dkt. 090079

How do we go about getting the information back? The document is part of the record and the docket is not closed. Please advise.

Thank you.

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**From:** Marguerite McLean  
**Sent:** Monday, December 28, 2009 11:04 AM  
**To:** Katherine Fleming  
**Cc:** Dorothy Menasco; Kimberley Pena  
**Subject:** RE: Confidential DN in Dkt. 090079

**Confidential DN 09609-09 was returned to source on 12/21/09 per DN 12123-09 (see attachment).**

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**From:** Katherine Fleming  
**Sent:** Monday, December 28, 2009 10:33 AM  
**To:** Marguerite McLean; Dorothy Menasco  
**Subject:** FW: Confidential DN in Dkt. 090079  
**Importance:** High

FYI - please respond and let me know whether the document below was returned to the source.

Thank you.

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**From:** Katherine Fleming  
**Sent:** Monday, December 28, 2009 10:32 AM  
**To:** Kimberley Pena; Benjamin Crawford  
**Subject:** RE: Confidential DN in Dkt. 090079  
**Importance:** High

Kim,

Did document no. 09609-09 get returned to the source? This document should not have been returned to the source as this document is part of the record. The only documents that should have been returned to the source, thus far, in this docket (090079) are the items that I have sent you by email. Please let me know as soon as possible.

Thank you.

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**From:** Kimberley Pena  
**Sent:** Monday, December 21, 2009 1:03 PM  
**To:** Benjamin Crawford  
**Cc:** Ann Cole; Marguerite McLean; Larry Harris; Katherine Fleming  
**Subject:** RE: Confidential DN in Dkt. 090079

Per this e-mail, we will return DN 08896-09 since it is a duplicate of DN 09609-09. Thank you.

1/8/2010

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**From:** Benjamin Crawford  
**Sent:** Monday, December 21, 2009 12:56 PM  
**To:** Kimberley Pena  
**Subject:** RE: Confidential DN in Dkt. 090079

As far as I'm concerned that's fine - but 09609-09 is the only one I had possession of.

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**From:** Kimberley Pena  
**Sent:** Monday, December 21, 2009 11:53 AM  
**To:** Benjamin Crawford  
**Cc:** Ann Cole; Marguerite McLean; Larry Harris; Katherine Fleming  
**Subject:** Confidential DN in Dkt. 090079

Benjamin, this document has DN 08896-09 as an x-ref. Is DN 08896-09 to be returned to source also?

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**From:** Kimberley Pena  
**Sent:** Monday, December 21, 2009 11:43 AM  
**To:** Benjamin Crawford  
**Cc:** Ann Cole; Marguerite McLean; Larry Harris; Katherine Fleming  
**Subject:** RE: 09609-09

Per this e-mail, we will return DN 09609-09 to the source.

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**From:** Benjamin Crawford  
**Sent:** Monday, December 21, 2009 10:58 AM  
**To:** Kimberley Pena  
**Subject:** 09609-09

Confidential Document 09609-09 can be returned to the source.

Thanks,  
Ben Crawford

COMMISSIONERS:  
MATTHEW M. CARTER II, CHAIRMAN  
LISA POLAK EDGAR  
NANCY ARGENZIANO  
NATHAN A. SKOP  
DAVID E. KLEMENT

STATE OF FLORIDA



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Public Service Commission

December 22, 2009

(CERTIFIED MAIL NO. 7006-2760-0003-8796-9299)

RECEIVED-FPSC  
09 DEC 29 PM 2:03  
COMMISSION CLERK

Matthew Bernier, Esquire  
Carlton Fields Law Firm  
4221 W. Boy Scout Boulevard  
Tampa, Florida 33607-5736

**Re: Return of Confidential Document to the Source, Docket No. 090079-EI**

Dear Mr. Bernier:

Commission staff has advised that confidential Document Nos. 08896-09 and 09609-09, filed on behalf of Progress Energy, can be returned to the source. The documents are enclosed.

Please do not hesitate to contact me if you have any questions concerning return of this material.

Sincerely,

A handwritten signature in black ink that reads "Hong Wang".

Hong Wang  
Management Review Specialist

AC:kmp  
Enclosure

cc: John Slemkewicz, Division of Economic Regulation  
Katherine Fleming, Office of General Counsel

