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State of Florida



Public Service Commission

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COMMISSION

-M-E-M-O-R-A-N-D-U-M- CLERK

DATE: January 18, 2005

TO: Adrienne Vining, Senior Attorney, Office of the General Counsel

FROM: James E. McRoy, Utility Systems/Communications Engineer, Division of Economic Regulation

RE: Docket No. 041393-EI, Petition for approval of two unit power sales agreements with Southern Company Services, Inc. for the purposes of cost recovery through capacity and fuel cost clauses, by Progress Energy Florida, Inc.

On December 13, 2004, Progress Energy Florida (PEF) filed a Request for Confidential Classification for information contained in Document No. 08522-04. On January 13, 2005, PEF modified its request to their Summary of Costs and Benefits of the Unit Power Sales Agreement with the Southern Companies. The modified document is contained in Document No. 00569-05. The documents in question are responses to PEF's Request for Proposals (RFP) issued on October 7, 2003, pursuant to Rule 25-22.082, F.A.C.

PEF asserts that Document Nos. 08522-04 and 00569-05, contains proprietary, confidential business information, as defined in Section 366.093(3), Florida Statutes. Bidders responding to PEF's RFP consider their proposals to be confidential and competitively sensitive. PEF assured these bidders that their responses would be treated as confidential. PEF asserts that disclosure of this information will impair its ability to engage in meaningful solicitations in the future. In support of its Confidentiality filing PEF filed an Affidavit from Daniel J. Roeder, Project Leader in the System Resource Planning Section of the System Planning & Operations Department, in support of PEF's Request for Confidential Classification.

CMP _____ Staff concurs with PEF's request to grant confidential status to Document Nos. 08522-04 and 00569-05. However, in accordance with Section 366.093 (4), Florida Statutes, staff

COM _____ recommends that the documents remain confidential for a period of eighteen months from the

CTR _____ date of the request. Prior to the end of the eighteen month time period, it is anticipated that

ECR _____ either PEF can renew its request for confidential status or the affected documents can be returned.

GCL _____

OPC _____ JM:kb
Attachment

MMS _____ cc: Blanca S. Bayo, Division of the Commission Clerk and

RCA _____ Administrative Services

SCR _____

SEC 1

OTH marjorie

DOCUMENT NUMBER-DATE

00727 JAN 20 05

FPSC-COMMISSION CLERK

Please read each of the following and check if applicable.

- The document(s) is (are), in fact, what the utility asserts it (them) to be.
- The utility has provided enough details to perform a reasoned analysis of its request.
- The material has been received incident to an inquiry.
- The material is confidential business information because it includes:
 - (a) Trade secrets;
 - (b) Internal auditing controls and reports of internal auditors;
 - (c) Security measures, systems, or procedures;
 - (d) Information concerning bids or other contractual data, the disclosure of which would impair the efforts of the company to contract for services on favorable terms;
 - (e) Employee personnel information unrelated to compensation, duties, qualifications, or responsibilities;
 - (f) Tax returns or tax-related information;
 - (g) Information relating to competitive interests, the disclosure of which would impair the competitive business of the provider of information.
- The material appears to be confidential in nature and harm to the company or its ratepayers will result from public disclosure.
- The material appears not to be confidential in nature.
- The material is a periodic or recurring filing and each filing contains confidential information.

Response prepared by: James E. McRae

Date: 11/10/05

cc: GCL FLL
 CMP CCA
 ECR AUS
 MMS