

Marguerite Lockard

ORIGINAL

From: Marguerite Lockard
 Sent: Friday, February 11, 2005 9:53 AM
 To: James McRoy
 Cc: Adrienne Vining
 Subject: RE: Confidential DNs - Recommendation

James,
 This e-mail will serve as a clarification to your previous memo, DN 00727-05.
 thanks.

From: James McRoy
Sent: Friday, February 11, 2005 9:19 AM
To: Marguerite Lockard
Subject: RE: Confidential DNs - Recommendation

Thank Marguerite, you're correct. The DN is incorrect on my memo. Thanks for pointing this out and let me know if you can make the correction or if I need to redo the Memo.

From: Marguerite Lockard
Sent: Thursday, February 10, 2005 3:24 PM
To: James McRoy
Cc: Adrienne Vining
Subject: Confidential DNs - Recommendation

Hi James.

CCA rec'd. your staff recommendation to Adrienne on 1/20/05. The confidential DN listed in the memo (i think) is incorrect and should be DN 13122-04. Also, 00569-05 is the letter amending the request for confidentiality and is not a confidential DN.

Below is the document description in CMS. If you agree with the description, or if you want me to change it, please let me know.

thanks.

CMP 00727-05 = "ECR/McRoy - Memo dated 1/18/05 to GCL/Vining recommending confidential status for DN 13122-04 for 18 months. [CCA note: DN 08522-04 listed as incorrect confidential DN; DN 00569-05 is letter amending request.]"

- COM** _____
- CTR** _____
- ECR** _____
- GCL** _____
- OPC** _____
- MMS** _____
- RCA** _____
- SCR** _____
- SEC** 1
- OTH** _____

DOCUMENT NUMBER-DATE
 01481 FEB 11 05
 FPSC-COMMISSION CLERK

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State of Florida



Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

RECEIVED-PPSC

JAN 20 PM 3:30

COMMISSION
CLERK

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

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
COM _____ and 00569-05. However, in accordance with Section 366.093 (4), Florida Statutes, staff
CTR _____ recommends that the documents remain confidential for a period of eighteen months from the
ECR _____ date of the request. Prior to the end of the eighteen month time period, it is anticipated that
GCL _____ either PEF can renew its request for confidential status or the affected documents can be
OPC _____ returned.

OPC _____ JM:kb
MMS _____ Attachment

RCA _____ cc: Blanca S. Bayo, Division of the Commission Clerk and
 Administrative Services

SCR _____

SEC 1

OTH Marquise

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. McKey

Date: 11/10/05

cc: GCL FLL
 CMP CCA
 ECR AUS
 MMS