

ORIGINAL

State of Florida



Public Service Commission

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

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

DATE: May 9, 2005

TO: Jennifer Brubaker, Office of the General Counsel

FROM: Andrew Maurey, Division of Economic Regulation

RE: Docket No. 050078-EI, Petition for Rate Increase by Progress Energy Florida – Confidentiality Request – Document No. 04235-05

ALM [Signature]

On April 29, 2005, Progress Energy Florida (PEF or Company) filed a request for confidential classification of Document No. 04235-05. Specifically, the Company requested confidential treatment for the following portions of MFR Schedule D-2:

- page 2 of 4, columns (G) – (J), lines 3 – 16;
- page 3 of 4, columns (G) – (J), lines 3 – 16; and
- page 4 of 4, columns (A) – (J), lines 3 – 15.

The proprietary business information in question is historical and projected information about the capital structure of affiliate companies and the consolidated entity.

Staff has reviewed Document No. 04235-05 and recommends PEF's request for confidential classification be granted in part and denied in part. The identified information on page 2 of 4, columns (G) – (J), lines 3 – 16 and page 4 of 4, columns (G) – (J), lines 3 – 15 of Schedule D-2 deals with projected information for non-regulated affiliate operations and the holding company. As such, staff believes this information should be afforded confidential treatment under Section 366.093(3)(e), Florida Statutes. However, staff does not believe the same can be said for the remaining identified information on Schedule D-2.

- CMP** _____ The identified information on page 3 of 4, columns (G) – (J), lines 3 – 16 deals with projected
- COM** _____ information for PEF's regulated sister utility, Progress Energy Carolinas (PEC). Staff disagrees
- CTR** _____ with the Company that disclosure of projected information for PEC would impair competitive
- ECR** _____ business interests and therefore recommends this information not be afforded confidential
- _____ treatment.
- GCL** _____ The identified information on page 4 of 4, columns (A) – (F), lines 3 – 15 deals with historical
- OPC** _____ information for non-regulated affiliate operations and the holding company. Staff disagrees with
- MMS** _____ the Company that disclosure of historical information, even for the non-regulated operations and
- RCA** _____ the holding company, would impair competitive business interests. Moreover, the same
- SOR** _____ information for Florida Power & Light Company's (FPL) non-regulated affiliate operations and
- _____ holding company was filed in Docket No. 050045-EI. While the projected information for FPL's

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non-regulated affiliate operations and the holding company was afforded confidential treatment, the historical information was not deemed confidential. For these reasons, staff recommends PEF's request for confidential treatment of the historical information be denied.

In summary, staff recommends the following portions of Schedule D-2 be afforded confidential treatment under Section 366.093(3)(e), Florida Statutes:

page 2 of 4, columns (G) – (J), lines 3 – 16; and
page 4 of 4, columns (G) – (J), lines 3 – 15.

Further, staff recommends PEF's request for confidential classification of the following portions of Schedule D-2 be denied:

page 3 of 4, columns (G) – (J), lines 3 – 16; and
page 4 of 4, columns (A) – (F), lines 3 – 15.

cc: CCA – Bureau of Records and Hearing Services
Marshall Willis
Denise Greene
Karla Barnes