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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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

COMMISSION
CLERK
Docket No. 050078-EI
Submitted for filing August 19, 2005

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

Progress Energy Florida ("PEF" or the "Company"), pursuant to Section 366.093, Fla. Stats., and Rule 25-22.006, Florida Administrative Code, files this Fifteenth Request for Confidential Classification for confidential portions of PEF's responses to Staff's Ninth Set of Interrogatories (Nos. 210-225). On July 29, 2005, PEF filed its Thirteenth Notice of Intent to Request Confidential Classification with respect to this information. PEF therefore files this Fifteenth Request for Confidential Classification within the twenty-one day period set out in Rule 25-22.006, Florida Administrative Code.

Specifically, portions of PEF's response to Staff's Interrogatory No. 212 contain sensitive business information concerning employee salaries, the disclosure of which would adversely impact PEF's competitive business interests. Further, portions of PEF's response to Staff's Interrogatory No. 223 contain sensitive business information such as pricing estimates and projected spending. Public disclosure of such sensitive business information would also impair PEF's competitive interests. Accordingly, PEF hereby submits the following.

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

Basis for Confidential Classification

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

DOCUMENT NUMBER-DATE

08093 AUG 19 05

FPSC-COMMISSION CLERK

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 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, “information relating to competitive interests” is defined as proprietary confidential business information if the disclosure of such information “would impair the competitive business of the provider of the information.” §366.093(3)(e), Fla. Stats.

The aforementioned portions of PEF’s response to Staff’s Ninth Set of Interrogatories should be afforded confidential classification because these portions contain proprietary confidential business information. Public disclosure of the information in question would impair PEF’s competitive business interests.

Staff’s Ninth Set of Interrogatories No. 212

Portions of PEF’s response to Staff’s Interrogatory No. 212 should be afforded confidential treatment for the reasons set forth in the Affidavit of Javier Portuondo filed in support of PEF’s Fifteenth Request for Confidential Classification and for the following reasons. Portions of Interrogatory No. 212 contain sensitive business information concerning employee salaries. See Affidavit of Javier Portuondo at 5. The hiring and retention of skilled personnel is among the most highly competitive functions within PEF’s overall operations. Id. Public disclosure of information concerning employee salaries would place PEF at a disadvantage against competitors for skilled

employees by giving them otherwise unavailable knowledge regarding their compensation. Id. This knowledge would impair PEF's competitive interests in retaining its current employees and hiring future employees. Id.

Staff's Ninth Set of Interrogatories No. 223

Portions of PEF's response to Staff's Interrogatory No. 223 should be afforded confidential treatment for the reasons set forth in the Affidavit of Javier Portuondo filed in support of PEF's Fifteenth Request for Confidential Classification and for the following reasons. Portions of Interrogatory No. 223 contain sensitive business information such as pricing estimates and projected spending, the disclosure of which would adversely impact PEF's competitive business interests. See Affidavit of Javier Portuondo at 6. For example, if PEF's suppliers or providers were made aware of such pricing estimates, they may adjust their behavior in the market place with respect to activity such as pricing and the provision of goods, materials, and services. Id. Such suppliers and providers may decrease supply of such goods and services, and/or increase the cost and prices of such goods and services. Id.

Strict procedures are established and followed to maintain the confidentiality of the terms of the confidential documents and information at issue, including restricting access to those persons who need the information and documents to assist the Company. See Affidavit of Javier Portuondo at 7. At no time has the Company publicly disclosed the confidential information or documents at issue. Id. The Company has treated and continues to treat the information and documents at issue as confidential. Id.

Conclusion

Certain portions of PEF's responses to Staff's Ninth Set of Interrogatories fit the statutory definition of proprietary confidential business information under Section

366.093 and Rule 25-22.006, Florida Administrative Code, and that information should be afforded confidential classification. In support of this motion, PEF has enclosed the following:

(1). A separate, sealed envelope containing one copy of the confidential Appendix A to PEF's Request for Confidential Classification for which PEF intends to request confidential classification with the appropriate section, pages, or lines containing the confidential information highlighted. **This information should be accorded confidential treatment pending a decision on PEF's request by the Florida Public Service Commission;**

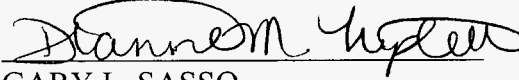
(2). Two copies of the confidential responses with the information for which PEF intends to request confidential classification redacted by section, page, or lines where appropriate as Appendix B; and

(3). A justification matrix supporting PEF's request for confidential classification of the highlighted information contained in confidential Appendix A, as Appendix C.

WHEREFORE, PEF respectfully requests that certain portions of PEF's responses to Staff's Ninth Set of Interrogatories, Nos. 212 and 223, described specifically in Attachment C, be classified as confidential for the reasons set forth above.

Respectfully submitted this 19th day of August, 2005.

R. ALEXANDER GLENN
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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 19th day of August, 2005 to all counsel of record as indicated below.



Attorney

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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

Docket No. 050078-EI
Submitted for filing August 19, 2005

AFFIDAVIT OF JAVIER PORTUONDO IN SUPPORT OF
PROGRESS ENERGY FLORIDA'S
FIFTEENTH REQUEST FOR CONFIDENTIAL CLASSIFICATION

STATE OF FLORIDA

COUNTY OF PINELLAS

BEFORE ME, the undersigned authority duly authorized to administer oaths, personally appeared Javier Portuondo, who being first duly sworn, on oath deposes and says that:

1. My name is Javier Portuondo. I am over the age of 18 years old and I have been authorized by Progress Energy Florida (hereinafter "PEF" or the "Company") to give this affidavit in the above-styled proceeding on PEF's behalf and in support of PEF's Fifteenth Request for Confidential Classification. The facts attested to in my affidavit are based upon my personal knowledge.

2. I am the Director, Regulatory Services – Florida. This department is responsible for the regulatory accounting and reporting activities of Progress Energy Florida, Inc.

3. As PEF's Director of Regulatory Services, I am familiar with certain of PEF's employee salary information, projected spending data, and pricing estimates.

DOCUMENT NUMBER-DATE

08093 AUG 19 05

FPSC-COMMISSION CLERK

4. In its Fifteenth Request for Confidential Classification, PEF is seeking confidential classification for portions of PEF's responses to Staff's Ninth Set of Interrogatories (Nos. 210-225). The information for which PEF seeks confidential classification is more specifically described in Attachment C to PEF's Fifteenth Request for Confidential Classification.

5. Portions of Interrogatory No. 212 contain sensitive business information concerning employee salaries. The hiring and retention of skilled personnel is among the most highly competitive functions within PEF's overall operations. Public disclosure of information concerning employee salaries would place PEF at a disadvantage against competitors for skilled employees by giving them otherwise unavailable knowledge regarding their compensation. This knowledge would impair PEF's competitive interests in retaining its current employees and hiring future employees.

6. Portions of Interrogatory No. 223 contain sensitive business information such as pricing estimates and projected spending, the disclosure of which would adversely impact PEF's competitive business interests. For example, if PEF's suppliers or providers were made aware of such pricing estimates, they may adjust their behavior in the market place with respect to activity such as pricing and the provision of goods, materials, and services. Such suppliers and providers may decrease supply of such goods and services, and/or increase the cost and prices of such goods and services.

7. Strict procedures are established and followed to maintain the confidentiality of the terms of the confidential documents and information at issue, including restricting access to those persons who need the information and documents to assist the Company. At no time has the Company publicly disclosed the confidential

information or documents at issue. The Company has treated and continues to treat the information and documents at issue as confidential.

8. This concludes my affidavit.

Further affiant sayeth not.

Dated this 18th day of August, 2005.

Javier Portuondo
(Signature)

THE FOREGOING INSTRUMENT was sworn to and subscribed before me this 18th day of August, 2005 by Javier Portuondo. He is personally known to me, or has produced his driver's license, or his as identification.

Sandra C. Cope
(Signature)

Sandra C. Cope
(Printed Name)

NOTARY PUBLIC, STATE OF FL

3/8/06
(Commission Expiration Date)

(AFFIX NOTARIAL SEAL)

