



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: August 30, 2005

TO: Jennifer Brubaker, Office of the General Counsel

FROM: Bart Fletcher, Division of Economic Regulation *BF*
 Pete Lester, Division of Economic Regulation *PL*
 Bernie Windham, Division of Economic Regulation *BW*
 David Wheeler, Division of Economic Regulation *DW* *ALM*

RE: Docket No. 050078-EI, Petition for Rate Increase by Progress Energy Florida -
 Confidentiality Request - Document No. 07336-05

On July 29, 2005, Progress Energy Florida (PEF or Company) filed a request for confidential classification of Document No. 07336-05. Specifically, the Company requested confidential treatment for PEF's responses to:

- White Springs' (WS) 2nd Request for PODs, No. 49.
- Commission Staff's 5th Request for PODs, No. 52.
- Commission Staff's 6th Request for Interrogatories, Nos. 169 and 173.
- Office of Public Counsel's (OPC) 1st Request for PODs, No. 71.
- OPC's 3rd Request for PODs, No. 110.

The proprietary business information in question deals with market research data, contractual insurance pricing arrangements and terms with third parties, projected capital structure components of PEF's grand parent, parent, and sister company, transportation contract prices and terms with third parties, and studies prepared by third parties for PEF is subject to a non-disclosure agreement.

- CMP _____ Staff has reviewed Document No. 07336-05 and recommends PEF's request for confidential classification be granted in part and denied in part. With regard to Staff POD No. 52, Staff
- COM _____ Interrogatory No. 169, OPC POD No. 71, and OPC POD No. 110, staff is in agreement with the
- CTR _____ Company that the information in question relates to PEF's proprietary business information and
- ECR _____ its competitive interests for which the disclosure would impair PEF's competitive business
- GCL _____ interests. As such, staff believes this information should be afforded confidential treatment
- OPC _____ under Section 366.093(3)(e), Florida Statutes.
- RCA _____ The Company's response to WS POD No. 49 contains results of a satisfaction survey of
- SCR _____ commercial and industrial customers. In its confidentiality request, PEF stated that this
- SGA _____ information is sensitive, competitive market research data, the disclosure of which would
- SEC 1 _____ adversely impact PEF's competitive business interests. The Company contends that, if PEF's
- OTH *Marguerite* _____

DOCUMENT NUMBER-DATE

08349 AUG 31 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. in part

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 in part

- (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. Staff POD No. 52, Staff Interrogatory No. CPC POD No. 71, and CPC POD No. 110.

The material appears not to be confidential in nature. WS POD No. 49 and Staff Interrogatory No.

The material is a periodic or recurring filing and each filing contains confidential information.

Response prepared by: Bart Fletcher

Date: 8-30-05

cc: GCL FLL
 CMP CCA
 ECR RCA
 MMS