

ORIGINAL

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 Subject: Docket No. 050078 Documents for Filing
 Attachments: Non-verified Amendment to PEF 15th Req for Conf Class.pdf



Non-verified
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Attached for filing and e-service on behalf of Progress Energy Florida is a Non-Verified Amendment to Progress Energy Florida's Fifteenth Request for Confidential Classification.

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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

Docket No. 050078-E1
Submitted for filing September 19, 2005

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

Progress Energy Florida, Inc. ("PEF" or the "Company"), files this Amendment to Progress Energy Florida's Fifteenth Request for Confidential Classification. On August 19, 2005, PEF filed its Fifteenth Request for Confidential Classification regarding certain portions of its responses to Staff's Ninth Set of Interrogatories (Nos. 210-225). On September 9, 2005, PEF received a letter from Staff requesting additional justification as to why these responses should be deemed confidential. Accordingly, PEF submits the following:

Response to Staff's Interrogatory Number 212

As stated in PEF's original request for confidential classification, portions of its response to Interrogatory Number 212 contain confidential information regarding salaries of certain PEF employees. While PEF recognizes that employee compensation is not usually afforded confidential status, the disclosure of this information in this case could be potentially harmful to PEF's competitive business interests. The salary information is provided along with a detailed description/title of the respective employee's position within the Company's coal procurement department. See Affidavit of Javier Portuondo at 5. Given the size of this department, and the nature of the job descriptions provided, competitors could determine the actual names of these employees, their respective job descriptions, and their salaries. Id. Given the highly competitive

job market for the coal procurement positions at issue, this information could give competitors an unfair advantage in competing with PEF to hire and retain such individuals. Id. Again, as stated in PEF's original request, the retention of skilled personnel is one of the most highly competitive functions within PEF. Id. It is essential to PEF's competitive business interests that such information not be disclosed to the public, so that PEF can continue to retain its current employees and hire future personnel. Id.

Additionally, PEF notes that employee compensation information, similar to the information at issue in this case, was afforded confidentiality in Docket Number 010001-EI, Order Number PSC-01-2528-CFO-EI, issued December 28, 2001. For the same reasons asserted in that docket, as well as those given above, PEF urges that this sensitive business information be afforded confidential status.

Response to Interrogatory Number 223

PEF has determined that the information provided in response to Interrogatory Number 223 is no longer sensitive business information. Accordingly, PEF amends its original request to remove its request for confidential classification of this information.

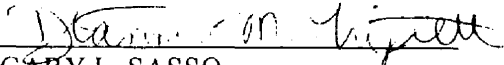
Conclusion

In accordance with Section 366.093 and Rule 25-22.006, Florida Administrative Code, PEF has presented additional justification as to why the information provided in response to Interrogatory Number 212 should be deemed confidential. PEF therefore requests that its response to Interrogatory Number 212 be afforded confidential classification. PEF also requests that the portion of its request for confidential classification regarding information contained in response to Interrogatory Number 223 be removed, as PEF is no longer requesting

confidentiality for that information.

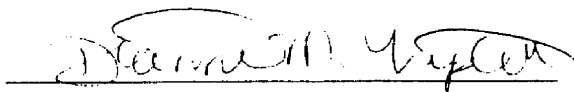
Respectfully submitted this 19th day of September, 2005.

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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 September, 2005 to all counsel of record as indicated below.



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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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

Docket No. 050078-E1
Submitted for filing September 19, 2005

AFFIDAVIT OF JAVIER PORTUONDO IN SUPPORT OF
PROGRESS ENERGY FLORIDA'S
AMENDED 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 Amended 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.

4. In its Amended Fifteenth Request for Confidential Classification, PEF is providing additional justification in support of its confidential classification request for portions of its responses to Staff's Ninth Set of Interrogatories (Nos. 210-225).

5. Portions of PEF's response to Staff's Interrogatory Number 212 contain confidential information regarding salaries of certain PEF employees, and, thereby, the disclosure of such sensitive business information to the public would adversely impact PEF's competitive business interest. Specifically, the salary information is provided along with a detailed description/title of the respective employee's position within the Company's coal procurement department. Given the size of this department, and the nature of the job descriptions provided, competitors could determine the actual names of these employees, their respective job descriptions, and their salaries. Given the highly competitive job market for the coal procurement positions at issue, this information could give competitors an unfair advantage in competing with PEF to hire and retain such individuals. Again, as stated in PEF's original request, the retention of skilled personnel is one of the most highly competitive functions within PEF. It is essential to PEF's competitive business interests that such information not be disclosed to the public, so that PEF can continue to retain its current employees and hire future personnel.

6. With respect to the confidential information at issue, strict procedures are established and followed to maintain the confidentiality of that information, including restricting access to those persons who need information to assist the Company, and restricting the number of those who have access to the information. At no time has the Company publicly disclosed that information. The Company has treated and continues to treat the information at issue as confidential.

7. This concludes my affidavit.

Further affiant sayeth not.

Dated this ____ day of September, 2005

(Signature)

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

(Signature)

(Printed Name)

(AFFIX NOTARIAL SEAL)

NOTARY PUBLIC, STATE OF _____

(Commission Expiration Date)