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REGULATORY COMPLIANCE

# Public Service Commission

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

RECEIVED-FPSC  
09 JAN 28 AM 10:26  
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DATE: January 13, 2009

TO: \_\_\_\_\_ OFFICE OF THE GENERAL COUNSEL  
\_\_\_\_\_ DIVISION OF SERVICE, SAFETY & CONSUMER ASSISTANCE  
\_\_\_\_\_ DIVISION OF ECONOMIC REGULATION  
XX \_\_\_\_\_ DIVISION OF REGULATORY COMPLIANCE  
\_\_\_\_\_ OFFICE OF STRATEGIC ANALYSIS AND GOVERNMENTAL AFFAIRS

FROM: OFFICE OF COMMISSION CLERK

RE: CONFIDENTIALITY OF CERTAIN INFORMATION

DOCUMENT NO(s): 00278-09

DESCRIPTION: Progress (Mazer) - (CONFIDENTIAL) Information contained in staff's review of customer data security of Florida's four investor-owned utilities; Progress responses to data requests (Nos. 1, 2, and 3); and certain information contained in staff's audit workpapers.

- COM \_\_\_\_\_
- ECR \_\_\_\_\_
- GCL \_\_\_\_\_
- OPC \_\_\_\_\_
- RCP \_\_\_\_\_
- SSC \_\_\_\_\_
- SGA \_\_\_\_\_
- ADM \_\_\_\_\_
- CLK McLear

SOURCE: Progress Energy Florida, Inc.

DOCKET NO(S): ~~090000-07~~ 090041-EI *MM*

The above material was received with a request for confidential classification. Please prepare a recommendation for the attorney assigned to the case by completing the section below and forwarding a copy of this memorandum, together with a brief memorandum supporting your recommendation, to the attorney. Copies of your recommendation should also be provided to the Office of Commission Clerk and to the Office of General Counsel.

DOCUMENT NUMBER: DATE  
00681 JAN 28 09  
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: 

Date: 1/20/09

cc:  GCL       SGA  
 RCP       CLK  
 ECR       SSC

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-**

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**DATE:** January 28, 2009  
**TO:** Kathryn W. Cowdery, Senior Attorney, Office of the General Counsel  
**FROM:** Robert L. Fisher, Government Analyst II, Division of Regulatory Compliance  
**RE:** Request for confidentiality of information claimed in staff's Review of Customer Property Damage Claims of Florida's Four Major Investor-Owned Electric Utilities; Progress responses to data requests 1,2, and 3; and certain information contained in staff's audit workpapers.

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Upon review of Progress Energy Florida's request for confidentiality of items within the final report, document request responses, and staff's workpapers, I believe the information requested by the company should be given confidential treatment, pursuant to Florida Statute 366.093(3)(c) and 366.093(3)(e) as justified by the company.

The items identified in Progress Energy Florida's Exhibit C, and revised Exhibit C, identify information that the company believes could compromise the security of information related to claims payments and company procedures for claims decisions. Additionally, the company believes that this information, if disclosed, could impair its competitive business interests. Staff believes that the claims data identified by the company in both Exhibit Cs could possibly impact the company's security of sensitive claims information and, could possibly impair the company's competitive interests if disclosed to a competitor. Therefore, staff recommends that the Commission approve Progress Energy Florida's request for confidentiality of the information filed in Docket No. 090041-EI.