



Public Service Commission

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TALLAHASSEE, FLORIDA 32399-0850

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

DATE: July 7, 2010 100370-EI

TO: Larry Harris, Office of the General Counsel

FROM: John Slemkewicz, Division of Economic Regulation JS
Mark Laux, Division of Economic Regulation mr

RE: Confidentiality Request by Progress Energy Florida, Inc. - Document No. 03650-10
- Undocketed

Progress Energy Florida, Inc. (PEF) has requested that certain information concerning the Budgeted and Actual In-Service Costs of Nuclear Power Plant schedule (page 464) included in its 2009 Annual Report be kept confidential. This information is required to be filed by Rule 25-6.0423(8)(f), Florida Administrative Code.

PEF requests confidentiality under Subsection 366.093(3)(d) and (e), Florida Statutes (F.S.), which states:

(3) Proprietary confidential business information means information, regardless of form or characteristics, which is owned or controlled by the person or company, is intended to be and is treated by the person or company as private in that the disclosure of the information would cause harm to the ratepayers or the person's or company's business operations, and has not been disclosed unless disclosed pursuant to a statutory provision, an order of a court or administrative body, or private agreement that provides that the information will not be released to the public. Proprietary confidential business information includes, but is not limited to:

- (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 public utility or its affiliates to contract for goods or services on favorable terms.
- (e) Information relating to competitive interests, the disclosure of which would impair the competitive business of the provider of the information.
- (f) Employee personnel information unrelated to compensation, duties, qualifications, or responsibilities.

COM _____
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DOCUMENT NUMBER-DATE
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 FPSC-COMMISSION CLERK

Mr. Larry Harris
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July 7, 2010

Staff has reviewed PEF's confidentiality request. In staff's opinion, the request does meet the criteria for confidentiality contained in Subsection 366.093(3)(d) and (e), F.S., for the following categories:

Licensing/Permits/Authorizations/Legal
Site/Site Preparation
Related Facilities
Generation Plant
Transmission Facilities

Therefore, staff recommends that the request for confidentiality of certain information included in the columns entitled "Remaining Budgeted Costs to Complete Plant:" and "Total Estimated Cost of Plant" be approved for the above listed categories.

However, it is staff's opinion that the highly summarized nature of the "Total" category does not disclose any useful information concerning individual contractual data or harm PEF's competitive interests. As a result, staff recommends that PEF's request to keep confidential the information contained in the "Total" category be denied.

cc: Cheryl Bulecza-Banks
Andrew Maurey
Shari Cornelius
Karla Barnes
Office of Commission Clerk

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Public Service Commission

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

RECEIVED
PUBLIC SERVICE
COMMISSION
10 MAY -6 PM 12:49
ECONOMIC REGULATION

DATE: 05/05/2010

TO: X ~~DIVISION OF ECONOMIC REGULATION~~
 DIVISION OF REGULATORY ANALYSIS
 DIVISION OF SERVICE, SAFETY & CONSUMER ASSISTANCE
 OFFICE OF AUDITING AND PERFORMANCE ANALYSIS
 OFFICE OF THE GENERAL COUNSEL

FROM: OFFICE OF COMMISSION CLERK

RE: CONFIDENTIALITY OF CERTAIN INFORMATION

DOCUMENT NO(s): ~~01650-10~~

DESCRIPTION: Progress (Bernier) - (CONFIDENTIAL) Portions of annual status report.

SOURCE: Progress Energy Florida, Inc.

DOCKET NO(s): ~~1000-01~~ (please establish a docket if ruling is needed)

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.

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 public utility or its affiliates to contract for services on favorable terms;
 - (e) Information relating to competitive interests, the disclosure of which would impair the competitive business of the provider of information.;
 - (f) Employee personnel information unrelated to compensation, duties, qualifications, or responsibilities.

(1) The material appears to be confidential in nature and harm to the company or its ratepayers will result from public disclosure.

(1) The material appears not to be confidential in nature.

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

(1) *Per the recommendation letter, staff believes that only a part of the material is confidential.*

Response prepared by: JOHN SLEMKEWICZ

Date: 7-7-10

cc: CLK RCP
 ECR SGA
 GCL SSC