

In re: Nuclear cost recovery clause.

DOCKET NO. 100009-EI 10 AUG 11 PM 12:44

DATED: AUGUST 11, 2010 COMMISSION
CLERKSTAFF'S ISSUE LIST FOR CONFIDENTIALITY EVIDENTIARY HEARING

Pursuant to Order No. PSC-10-0482-PCO-EI, issued August 2, 2010, the Staff of the Florida Public Service Commission files the attached lists detailing the issues it has with certain of Progress Energy Florida, Inc. (PEF) and Florida Power & Light Company (FPL)'s requests for Confidential Classification. Staff's issues with PEF's confidentiality requests are included as Attachment A to this document. In addition to those issues listed on Attachment A, Staff has the following issues for PEF: PEF's Responses to Staff's Second Set of Interrogatories (Nos. 4-6) and PEF's Response to Staff's Fourth Set of Interrogatories (No. 11). Staff's issues with FPL's confidentiality requests are included as Attachment B to this document. In addition to those issues listed on Attachment B, Staff has the following issues for FPL: Staff's Fourth Request for Production of Documents (Nos. 21-32), Staff's Seventh Set of Interrogatories (Nos. 20-44), FPL's Responses to Staff's Fourth Request for Production of Documents (Nos. 21-32), FPL's Responses to Staff's Seventh Set of Interrogatories (Nos. 20-44), and the report referenced on pages 40-43 of "Review of Florida Power & Light Company's Project Management Internal Controls for Nuclear Plant Uprate and Construction Projects." To the extent documents responsive to OPC's First Request for Production of Documents and Second Request for Production of Documents to FPL duplicate any document listed in Staff's List of Issues, Staff requests they be included in the evidentiary hearing.

Respectfully submitted this 11TH day of AUGUST, 2010.


LISA C. BENNETT
SENIOR ATTORNEY
FLORIDA PUBLIC SERVICE COMMISSION
Gerald L. Gunter Building
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0863
Telephone: (850) 413-6226

6547 AUG 11 2010
FPSC-COMMISSION CLERK

Docket No. 100009-EI
Progress Energy – Florida’s Thirteenth Request for Confidential Classification
Document No. 05701-10

*Review of Progress Energy-Florida’s Project Management Internal Controls
for Nuclear Plant Uprate and Construction Projects*

STAFF ANALYSIS AND RECOMMENDATIONS

This table presents selected portions of PEF’s Thirteenth Request for Confidential Classification where staff disagrees with the company request and proposes an alternative recommendation. Unless addressed here, staff agrees with PEF’s pending request.

DOCUMENT NO. 05701-10
06647 AUG 11 2
FPCO-CONF. CLASSIFICATION

ATTACHMENT A
PAGE 2 OF 23

Ref.	Item, Page/Line	Company Justification	Staff Analysis and Recommendation
A)	<p>Page 3, paragraph 2, line 3, everything after “shift the”; paragraph 2, line 4, everything before “The”; paragraph 3, line 2, everything after “able to”; paragraph 3, line 3, everything before “The”;</p> <p>paragraph 3, line 3, everything after “maintain”; paragraph 3, line 4, everything before “In addition”; paragraph 3, line 5, after “maintain the”;</p> <p>paragraph 3, line 6 in its entirety; paragraph 4, line 3, all information before “major”; paragraph 4, line 3, all information between “approximately” and “The”;</p> <p>paragraph 4, line 4, all information between “additional” and “to”;</p> <p>paragraph 5, line 2, information after “at”;</p> <p>paragraph 5, line 3, all information before “The 2010”; paragraph 5, line 4, all information between “at” and “this”;</p> <p>paragraph 5, line 4, all information after “of” through the end of the line</p>	<p>§366.093(3)(e), Fla. Stat. The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p> <p>§366.093(3)(d), Fla. Stat. The document in question contains confidential contractual information, the disclosure of which would impair PEF’s efforts to contract for goods or services on favorable terms.</p>	<p>Staff believes the following excerpt within the company’s request is not confidential:</p> <ul style="list-style-type: none"> • Page 3, paragraph 2, line 3, everything after “shift the”; line 4, everything before “The company”.

ATTACHMENT A
PAGE 3 OF 23

Ref.	Item, Page/Line	Company Justification	Staff Analysis and Recommendation
B)	<p>Page 8, paragraph 1 (continued from page 7), line 5, everything after “cost impact of”; paragraph 1, line 6, everything before “This estimate”; paragraph 4 (below the bullet points), line 1, everything after “option” through the remainder of the paragraph; paragraph 6, line 1, everything after “agreed to”; paragraph 6, line 2, everything before “the company’s”</p>	<p>§366.093(3)(e), Fla. Stat. The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p> <p>§366.093(3)(d), Fla. Stat. The document in question contains confidential contractual information, the disclosure of which would impair PEF’s efforts to contract for goods or services on favorable terms.</p>	<p>Staff believes the following excerpts within the company’s request are not confidential:</p> <ul style="list-style-type: none"> • Page 8, in the paragraph below the bullet points, the 2nd through 8th words of line 3; the 11th through 16th words of line 4; and the first 6 words of line 5. • Page 8, final paragraph, between “Consortium agreed to” and “the company’s.”

ATTACHMENT A
PAGE 4 OF 23

Ref.	Item, Page/Line	Company Justification	Staff Analysis and Recommendation
C)	<p>Page 9, paragraph 1 under “Contract Extension”, line 1, everything after “EPC”; paragraph 1, line 2, everything before “Audit”; paragraph 1, line 4 in its entirety; paragraph 1, line 5, everything before “Significantly” and everything after “the”; paragraph 1, lines 6, 7 and 8 in their entirety; paragraph 2, line 1, everything after “Renegotiated the”; paragraph 2, line 2, everything before “Specifically” and after “can”; paragraph 2, lines 3, 4, and 5 in their entirety; paragraph 3, line 1, everything after “placed the”; paragraph 3, line 2, everything before “Therefore”; paragraph 3, line 4, everything after “will be”; paragraph 3, line 5, everything before “Management” and after “initiate the”; paragraph 3, line 6 in its entirety; paragraph 4, line 1, everything after “company to”; paragraph 4, line 1, everything after “company to”, paragraph 4, line 2, everything before “Per the” and after “contract”; paragraph 4, line 3, everything</p>	<p>§366.093(3)(e), Fla. Stat. The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p> <p>§366.093(3)(d), Fla. Stat. The document in question contains confidential contractual information, the disclosure of which would impair PEF’s efforts to contract for goods or services on favorable terms.</p>	<p>Staff believes the following excerpts within the company’s request are not confidential:</p> <ul style="list-style-type: none"> • Page 9, paragraph 3 under the heading “Contract Extension,” the last 4 words of line 5. • Page 9, paragraph 4 under the heading “Contract Extension,” the 2 words on line 1 following “allowed the company to;” the 8 words on line 2 preceding “Per the EPC contract.” • Page 9, paragraph 4 under the heading “Contract Extension,” the final word of line 6; and all of lines 7 and 8.

ATTACHMENT A
PAGE 5 OF 23

Ref.	Item, Page/Line	Company Justification	Staff Analysis and Recommendation
	<p>before “for cancelling” and after “contract”; paragraph 4, line 4, everything before “The amendment”, the words between “this” and “through” and everything after “through”; paragraph 4, line 5, everything before “Audit”; paragraph 4, line 6, everything after “company”; paragraph 4, lines 7 and 8 in their entirety; paragraph 2 under “Long-Lead Material Purchase Orders”, line 1, everything between “has” and “longlead”, and between “at” and “Exhibit 1”</p>		

ATTACHMENT A

PAGE 6 OF 23

Ref.	Item, Page/Line	Company Justification	Staff Analysis and Recommendation
D)	<p>Page 10, all information in the table denoted as "Exhibit 1"; 1st paragraph beneath "Exhibit 1," line 1, all information between "authorized" and "in its"; line 2, all information between "cost at" and "to complete"; line 4, all information after "decided to"; line 5 in its entirety; line 6, all information before "Also" and after "defer the"; line 7, all information before "Project"</p>	<p>§366.093(3)(e), Fla. Stat. The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p> <p>§366.093(3)(d), Fla. Stat. The document in question contains confidential contractual information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p>	<p>Staff believes the following excerpts within the company's request are not confidential:</p> <ul style="list-style-type: none"> • Page 10, first paragraph beneath "Exhibit 1," on line 4, the words following "the company decided to;" and the first two words of line 5.

ATTACHMENT A
PAGE 7 OF 23

Ref.	Item, Page/Line	Company Justification	Staff Analysis and Recommendation
E)	Page 13, 1st paragraph after heading "Cost", line 2, all information after "AFUDC, at"; line 3, all information before "The"; line 4, all information before "This" and between "approximate" and "Exhibit"; the entire chart denoted as "Exhibit 3"	<p>§366.093(3)(e), Fla. Stat. The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p> <p>§366.093(3)(d), Fla. Stat. The document in question contains confidential contractual information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p>	<p>Staff believes the following excerpt within the company's request is not confidential:</p> <p>•The chart title for Exhibit 3.</p>

ATTACHMENT A

PAGE 8 OF 23

Ref.	Item, Page/Line	Company Justification	Staff Analysis and Recommendation
F)	<p>Page 14, paragraph 1, line 4, all information between “shows,” and “projected”, as well as all information between “at” and “comprises”; chart denoted as “Exhibit 4,” all information in far right hand column labeled “Estimated Increase in Project Cost”; paragraph 2 (immediately below “Exhibit 4”), line 3, all information between “approximately” and “in spending”; line 4, all information after “expenditures of”; line 5, all information before “for the”; line 6, all information after “authorized”; chart denoted as “Exhibit 5”, all information in columns labeled “2010”, “2011”, “2012” and “Three-Year Total Projections”</p>	<p>§366.093(3)(e), Fla. Stat. The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p> <p>§366.093(3)(d), Fla. Stat. The document in question contains confidential contractual information, the disclosure of which would impair PEF’s efforts to contract for goods or services on favorable terms.</p>	<p>Staff believes the following excerpt within the company’s request is not confidential:</p> <p>•Page 14, paragraph 1, the six words between “exhibit shows” and “projected at.”</p>

ATTACHMENT A
PAGE 9 OF 23

Ref.	Item, Page/Line	Company Justification	Staff Analysis and Recommendation
G)	Page 15, paragraph 1, line 2, all information between “was” and “while”; line 3, all information between “was” and “If”; paragraph 6, line 7, all information after “Amendment 3”	<p>§366.093(3)(e), Fla. Stat. The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p> <p>§366.093(3)(d), Fla. Stat. The document in question contains confidential contractual information, the disclosure of which would impair PEF’s efforts to contract for goods or services on favorable terms.</p>	<p>Staff believes the following excerpt within the company’s request is not confidential:</p> <p>•Page 15 paragraph 6, final line, the 5 words following “Amendment three.”</p>

ATTACHMENT A

PAGE 10 OF 23

Ref.	Item, Page/Line	Company Justification	Staff Analysis and Recommendation
H)	<p>Page 16, paragraph 1 (continued from previous page), line 1 all information before “During” and after “company”; line 2, all information before “Audit”; paragraph 5, line 5 all information after “Levy Project”</p>	<p>§366.093(3)(e), Fla. Stat. The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p> <p>§366.093(3)(d), Fla. Stat. The document in question contains confidential contractual information, the disclosure of which would impair PEF’s efforts to contract for goods or services on favorable terms.</p>	<p>Staff believes the following excerpt within the company’s request is not confidential:</p> <ul style="list-style-type: none"> • Page 16 paragraph 1, line 1, all words before “During.” • Page16 paragraph 1, the last 4 words of line 1; the first 3 words of line 2. • Page16 paragraph 5, line 5, the 8 words after Levy Project.

ATTACHMENT A
PAGE 11 OF 23

Ref.	Item, Page/Line	Company Justification	Staff Analysis and Recommendation
I)	Page 17, paragraph 1, line 3 in its entirety; line 4, all information before “The 3-year” and between “includes” and “which”	<p>§366.093(3)(e), Fla. Stat. The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p> <p>§366.093(3)(d), Fla. Stat. The document in question contains confidential contractual information, the disclosure of which would impair PEF’s efforts to contract for goods or services on favorable terms.</p>	<p>Staff believes the following excerpt within the company’s request is not confidential:</p> <p>•Page17 paragraph 1, the first 5 words of line 4, and the last 9 words of the same line.</p>

ATTACHMENT A
PAGE 12 OF 23

Ref.	Item, Page/Line	Company Justification	Staff Analysis and Recommendation
J)	<p>Page 23, final paragraph on page, line 1, all information between “that EPC” and “Overall”; line 2, all information after “of the”; line 3, all information before “Observations”; line 4, all information after “areas included”, line 5, all information before “The first” and after “was to”; line 6 in its entirety; line 7, all information before “The second”; line 8, all information after “was to”; line 9 in its entirety</p>	<p>§366.093(3)(e), Fla. Stat. The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p> <p>§366.093(3)(d), Fla. Stat. The document in question contains confidential contractual information, the disclosure of which would impair PEF’s efforts to contract for goods or services on favorable terms.</p>	<p>Staff believes the following excerpt within the company’s request is not confidential:</p> <p>•Page 23 final paragraph, line 1, the 3 words between “that EPC” and “Overall; ” line 2, the 2 words following “administration of the”</p>

**ATTACHMENT A
PAGE 13 OF 23**

Ref.	Item, Page/Line	Company Justification	Staff Analysis and Recommendation
K)	<p>Page 31, 1st paragraph below the heading “Pricing Structure”, line 1, all information after “comprised of”; line 2, all information before “The contract” and all information after “was”; line 3, all information after “However,”; line 4, all information before “The contract”; all information in the bullet-points below the 1st paragraph below the heading “Pricing Structure”</p>	<p>§366.093(3)(e), Fla. Stat. The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p> <p>§366.093(3)(d), Fla. Stat. The document in question contains confidential contractual information, the disclosure of which would impair PEF’s efforts to contract for goods or services on favorable terms.</p>	<p>Staff believes the following excerpts within the company’s request are not confidential:</p> <ul style="list-style-type: none"> •Page 31, 1st paragraph under the heading “Pricing Structure” line 1, all the words following “comprised of”, and the first 6 words of line 2. •Page 31, the headings of the 4 “bulleted” items listed. For the first 3 bullets, this is a single word following each bullet. For the 4th bullet, the heading is 3 words following the bullet.

ATTACHMENT A
PAGE 14 OF 23

Ref.	Item, Page/Line	Company Justification	Staff Analysis and Recommendation
L)	<p>Page 32, 1st full paragraph, line 1, all information after “included”; lines 2, 3, 4, 5, 6 and 7 in their entirety; 2nd full paragraph, line 1 all information after “chart shows”; lines 2, 3, 4, 5, 6, 7, 8, 9 and 10 in their entirety; all information in the chart denoted “Exhibit 14”; the two lines of text below “Exhibit 14” in their entirety</p>	<p>§366.093(3)(e), Fla. Stat. The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p> <p>§366.093(3)(d), Fla. Stat. The document in question contains confidential contractual information, the disclosure of which would impair PEF’s efforts to contract for goods or services on favorable terms.</p>	<p>[NOTE: After filing its 13th Request and before the filing of FPSC audit staff’s audit report, PEF agreed that the final sentence of the first complete paragraph of page 32 did not warrant confidential classification. By agreement, this sentence was not redacted when the report was filed with audit staff’s testimony.]</p> <p>Staff believes the following excerpts within the company’s request are not confidential:</p> <ul style="list-style-type: none"> •Page 32, 1st full paragraph, the final 6 words of line 1; and all of line 2 except the 4th word. •Page 32, 2nd full paragraph, line 1, the 5th through 7th and 12th through 14th words; line 2 all but the 7th word; line 3 all but the 13th word; line 4 all but the 3rd, 6th, and 12th words; lines 5 through 7 in their entirety; line 8 all but the 10th word; line 9 the first two words and the 4th through 9th words. •Page 32, portions of Exhibit 14 under the heading “Pricing Structure” in row 1, all four words; row 2, all but the third word; row 3, all but the 3rd word; row 4, all four words, row 5, all 3 words; and row 6, all five words.

ATTACHMENT A

PAGE 15 OF 23

Ref.	Item, Page/Line	Company Justification	Staff Analysis and Recommendation
M)	<p>Page 33, all information on page above the heading “Contract Terms”; 1st paragraph below the heading “Contract Terms”, line 3, all information after “was” to “of this” and “The” [sic]; line 4 in its entirety; all information in bullet points below the 1st paragraph below the heading “Contract Terms” through the end of the page; footnote 28, all information after “maintains”</p>	<p>§366.093(3)(e), Fla. Stat. The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p> <p>§366.093(3)(d), Fla. Stat. The document in question contains confidential contractual information, the disclosure of which would impair PEF’s efforts to contract for goods or services on favorable terms</p>	<p>Staff believes the following excerpt within the company’s request is not confidential:</p> <ul style="list-style-type: none"> •Page 33, line 5. •Page 33, the 1st paragraph below the heading “Contract Terms” all of line 3 after “The”; line 4 in its entirety. •Page 33, the 1st paragraph below the heading “Contract Terms,” lines 5 through 11.

**ATTACHMENT A
PAGE 16 OF 23**

Ref.	Item, Page/Line	Company Justification	Staff Analysis and Recommendation
N)	<p>Page 34, all information in bullet-points at the top of the page preceding the paragraph that begins “In addition to these major areas”; In the paragraph that begins “In addition to these major areas”, line 2, the information between “project” and “Exhibits”; all information in the bulled-points below the paragraph that begins “In addition to these major areas” through the end of the page</p>	<p>§366.093(3)(e), Fla. Stat. The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p> <p>§366.093(3)(d), Fla. Stat. The document in question contains confidential contractual information, the disclosure of which would impair PEF’s efforts to contract for goods or services on favorable terms.</p>	<p>Staff believes the following excerpt within the company’s request is not confidential:</p> <ul style="list-style-type: none"> •Page 34, lines 1 through 13 in their entirety. •Page 34, line 15, the 2 words following “the project,” and before “exhibits.” •Page 34, the italicized headings of the eight bulleted items on lines 16, 19, 22, 25, 31, 33, 37, 40.

ATTACHMENT A

PAGE 17 OF 23

Ref.	Item, Page/Line	Company Justification	Staff Analysis and Recommendation
O)	Page 35, all information in paragraphs 1, 2, 3 and 4; paragraph 6, line 3, all information after “Two”; lines 3 and 4 in their entirety; paragraph 7, line 1, all information after “March 2010”; lines 2, 3, 4 and 5 in their entirety; line 6, all information before “the company”; line 9 [sic], all information after “that it”	<p>§366.093(3)(e), Fla. Stat. The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p> <p>§366.093(3)(d), Fla. Stat. The document in question contains confidential contractual information, the disclosure of which would impair PEF’s efforts to contract for goods or services on favorable terms.</p>	<p>Staff believes the following excerpt within the company’s request is not confidential:</p> <ul style="list-style-type: none"> •Page 35, paragraph 6, the last 7 words of line 4, line 5 in its entirety. •Page 35, paragraph 7, line 1 following “March 2010,” and the first word of line 2. •Page 35, paragraph 7, the last 2 words of line 8.

ATTACHMENT A

PAGE 18 OF 23

Ref.	Item, Page/Line	Company Justification	Staff Analysis and Recommendation
P)	Page 36, paragraph 1 (continued from previous page) in its entirety	<p>§366.093(3)(e), Fla. Stat. The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p> <p>§366.093(3)(d), Fla. Stat. The document in question contains confidential contractual information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p>	<p>Staff believes the following excerpt within the company's request is not confidential:</p> <p>•Page 36, line 1, the first two words, and the 4th through 8th words.</p>

**ATTACHMENT A
PAGE 19 OF 23**

Ref.	Item, Page/Line	Company Justification	Staff Analysis and Recommendation
Q)	<p>Page 39; paragraph 3 (below the 4 bullet-points), line 4, all information after “investigation”; line 5 in its entirety; the 2 bullet-points at the bottom of the page in their entirety</p>	<p>§366.093(3)(b), Fla. Stat. The information in question contains confidential information relating to, or derived from, the Company’s internal auditing controls and/or reports of the Company’s internal auditors</p> <p>§366.093(3)(e), Fla. Stat. The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>	<p>Staff believes the following excerpt within the company’s request is not confidential:</p> <p>•Page 39, paragraph 1 below the 4 bullet items, line 4 following “This investigation;” line 5 in its entirety, through the end of the page (all of both bullet items.)</p>

ATTACHMENT A
PAGE 20 OF 23

Ref.	Item, Page/Line	Company Justification	Staff Analysis and Recommendation
R)	<p>Page 40, Bullet-point at the top of the page in its entirety; 2nd full paragraph on page (1st below the heading “AREVA Change Orders”), line 3, all information after “contact for”; line 4 in its entirety line 5, all information before “In January” and all information after “order to”; line 6 in its entirety; 3rd full paragraph on page, line 2, all information between “for” and “for”; line 3, all information between “on” and “This”; line 4, all information between “to” and “As”;</p>	<p>§366.093(3)(e), Fla. Stat. The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p> <p>§366.093(3)(d), Fla. Stat. The document in question contains confidential contractual information, the disclosure of which would impair PEF’s efforts to contract for goods or services on favorable terms.</p>	<p>Staff believes the following excerpt within the company’s request is not confidential:</p> <p>•Page 40, paragraph 1 below the heading “AREVA Change Orders” all but the first 5 words of line 3; line 4 in its entirety; the first word of line 5.</p>

ATTACHMENT A
PAGE 21 OF 23

Ref.	Item, Page/Line	Company Justification	Staff Analysis and Recommendation
S)	Page 42, 1 st paragraph (continued from previous page), line 3, all information after "PEF"; lines 4, 5, 6, and 7 in their entirety; note "***" to "Exhibit 15," all information after "According to PEF,"; 1 st paragraph below "Exhibit 15," line 2, all information after "Siemens"; line 3, all in information before "The company"; line 4, all information after "require"; line 5, all information before "PEF states"	<p>§366.093(3)(e), Fla. Stat. The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p> <p>§366.093(3)(d), Fla. Stat. The document in question contains confidential contractual information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p>	<p>Staff believes the following excerpt within the company's request is not confidential:</p> <p>•Page 42, the paragraph below Exhibit 15, line 2, the words following "with Siemens;" line 3 all words preceding "The company."</p>

ATTACHMENT A
PAGE 22 OF 23

Ref.	Item, Page/Line	Company Justification	Staff Analysis and Recommendation
T)	<p>Page 44, paragraph 2, line 4, all information before “However” and all information between “additional” and “on this effort”; line 6, all information after “was paid”; line 7, all information before “Additionally” and after “Additionally; line 8 in its entirety; paragraph 3, line 1, all information between “spend an” and “to”; line 3, all information between “approximately” and “This” and “represents a” and “over”; line 4, all information between “estimate of” and “The”</p>	<p>§366.093(3)(e), Fla. Stat. The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p> <p>§366.093(3)(d), Fla. Stat. The document in question contains confidential contractual information, the disclosure of which would impair PEF’s efforts to contract for goods or services on favorable terms.</p>	<p>Staff believes the following excerpt within the company’s request is not confidential:</p> <p>•Page 44, paragraph 2, line 6, the final 4 words; line 7 preceding “Additionally;” line 7, the last 3 words; line 8 in its entirety.</p>

ATTACHMENT A
PAGE 23 OF 23

Ref.	Item, Page/Line	Company Justification	Staff Analysis and Recommendation
U)	<p>Page 55, 1st paragraph (continued over from previous page), lines 1 and 2 in their entirety; line 3, all information before "Change Order"; line 4, all information between "value by" and "on a time" as well as all information after "basis for"; line 5 in its entirety; 2nd paragraph (1st full paragraph on page), line 1, all information after "value by"; line 3, all information after "LP Turbine"; line 4, all information before "PEF"</p>	<p>§366.093(3)(e), Fla. Stat. The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p> <p>§366.093(3)(d), Fla. Stat. The document in question contains confidential contractual information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p>	<p>Staff believes the following excerpt within the company's request is not confidential:</p> <p>•Page 55, paragraph 2, line 3, the 9 words following "LP turbine."</p>

**Docket No. 100009-EI
FPL's Request for Confidential Classification
Document No. 05783-10**

***Review of FPL's Project Management Internal Controls
for Nuclear Plant Upgrades and Construction Projects***

STAFF ANALYSIS AND RECOMMENDATIONS

- This table presents selected portions of FPL's Request for Confidential Classification where staff disagrees with the company request and proposes an alternative recommendation. Unless addressed here, staff agrees with FPL's pending request.
- Page numbers cited in the chart below correspond to those used by FPL in its Request for Confidential Classification.

ATTACHMENT B
PAGE 2 OF 4

Ref.	FPL Request Page No./Line of Document No. 05781-10	Corresponding Page No. of Document No. 05924-10	Company Justification: Florida Statute 366.093(3) Subsection	Staff Analysis and Recommendation
A)	Page 8/Lines 1-4	4	(f)	Staff believes the following excerpts within the company's request are not confidential: Page 8/Lines 1-4
B)	Page 9/Line 1-4	5	(f)	Staff believes the following excerpts within the company's request are not confidential: Page 9/Line 4
C)	Page 22/Lines 1-13	18	(d),(e)	Staff believes the following excerpts within the company's request are not confidential: Page 22/Lines 1-10
D)	Page 25/Lines 1-3	21	(d),(e)	Staff believes the following excerpts within the company's request are not confidential: Page 25/Line 3
E)	Page 28/Lines 9-10, 12-35	24	(f)	Staff believes the following excerpts within the company's request are not confidential: Page 28/Lines 9-10, 12-35
F)	Page 29/Lines 1-16, 21-23, 26-35, 37, 39	25	(f)	Staff believes the following excerpts within the company's request are not confidential:

ATTACHMENT B
PAGE 3 OF 4

Ref.	FPL Request Page No./Line of Document No. 05781-10	Corresponding Page No. of Document No. 05924-10	Company Justification: Florida Statute 366.093(3) Subsection	Staff Analysis and Recommendation
				Page 29/Lines 1-16, 21-23, 26-35, 37, 39
G)	Page 30/Lines 1-3	26	(f)	Staff believes the following excerpts within the company's request are not confidential: Page 30/Lines 1-3
H)	Page 44/Line 20, 23-39	40	(b)	Staff believes the following excerpts within the company's request are not confidential: Page 44/Line 20, 23-39
I)	Pages 45-46 all	41 - 42	(b)	Staff believes the following excerpts within the company's request are not confidential: Pages 45-46 all
J)	Page 47/Lines 1-12	43	(b)	Staff believes the following excerpts within the company's request are not confidential: Page 47/Lines 1-12
K)	Page 53/Lines 1-7	49	(f)	Staff believes the following excerpts within the company's request are not confidential: Page 53/Lines 1-4
L)	Page 54/Line 1	50	(f)	Staff believes the following excerpts within the company's request are not confidential:

**ATTACHMENT B
PAGE 4 OF 4**

Ref.	FPL Request Page No./Line of Document No. 05781-10	Corresponding Page No. of Document No. 05924-10	Company Justification: Florida Statute 366.093(3) Subsection	Staff Analysis and Recommendation
				Page 54/Line 1

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Nuclear cost recovery clause.

DOCKET NO. 100009-EI

DATED: AUGUST 11, 2010

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the original of STAFF'S ISSUE LIST FOR CONFIDENTIALITY EVIDENTIARY HEARING has been filed with Office of Commission Clerk and one copy has been furnished to the following by electronic and U.S. Mail, on this 11th day of August, 2010:

R. Alexander Glenn, Esq.
John T. Burnett, Esq.
Dianne M. Triplett, Esq.
Progress Energy Service Company, LLC
P.O. Box 14042
St. Petersburg, FL 33733-4042

Blaise N. Huhta, Esq.
J. Michael Walls, Esq.
Carlton Fields, P.A.
P.O. Box 3239
Tampa, FL 33601-3239

John W. McWhirter, Jr., Esq.
c/o McWhirter Law Firm
P.O. Box 3350
Tampa, FL 33601

Bryan S. Anderson, Esq.
Jessica A. Cano, Esq.
Florida Power & Light Company
700 Universe Boulevard
Juno Beach, FL 33408-0420

Vicki G. Kaufman
Jon C. Moyle, Jr.
Keefe Anchors Gordon & Moyle, P.A.
118 North Gadsden Street
Tallahassee, FL 32301

Office of the Public Counsel
J. R. Kelly / Charles Rehwinkel / Joseph McGlothlin
c/o The Florida Legislature
111 W. Madison Street, Room 812
Tallahassee, FL 32399-1400

Mr. Paul Lewis, Jr.
Progress Energy Florida, Inc.
106 East College Avenue, Suite 800
Tallahassee, FL 32301-7740


James W. Brew
F. Alvin Taylor, Esq.
Brickfield, Burchette, Ritts & Stone, PC
1025 Thomas Jefferson Street, NW
Eighth Floor West Tower
Washington, DC 20007-5201

Randy B. Miller
White Springs Agricultural Chemicals, Inc.
Post Office Box 300
White Springs, FL 32096

Gary A. Davis, Esq.
James S. Whitlock, Esq.
Gary A. Davis & Associates
P.O. Box 649
Hot Springs, NC 28743

Captain Shayla L. McNeill
Air Force Legal Operations Agency (AFLOA)
Utility Litigation Field Support Center
(ULFSC)
139 Barnes Drive, Suite 1
Tyndall AFB, FL 32403-5319

E. Leon Jacobs, Jr.
Williams Law Firm
1720 S. Gadsden Street MS 14, Suite 201
Tallahassee, FL 32301



LISA C. BENNETT
Senior Attorney
Office of the General Counsel
FLORIDA PUBLIC SERVICE COMMISSION
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850
(850) 413-6226