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COMMISSION  
CLERK

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**DATE:** March 14, 2008

**TO:** Rosanne Gervasi, Senior Attorney, Office of the General Counsel

**FROM:** William F. Coston, Operations Review Specialist, Division of Competitive Markets & Enforcement *WFC*

**RE:** 080061-EI - Request for confidential classification of portions of *Customer Data Security of Florida's Five Investor-Owned Utilities* and certain information in staff's audit workpapers by Progress Energy Florida, Inc.

Attached is a December 12, 2007 request from Progress Energy Florida counsel, John Burnett, which includes the company's request for Specified Confidential Classification in regards to staff's review *Customer Data Security of Florida's Five Investor-Owned Utilities*. Progress Energy Florida cites §366.0963(3)(c), F.S. and §366.0963(3)(e), F.S.—which address security concerns and competitive business interest, respectively—as the basis for the request.

Staff has reviewed the specifics of this request and recommends the approval of the majority of Progress Energy Florida's Request for Confidential Classification under §366.0963(3)(c), F.S. and §366.0963(3)(e), F.S.; with the following two exceptions:

Page 54, Line 25 through the conclusion of the sentence in Line 26. This sentence references a Federal act, and staff believes that the information is neither a competitive business interest nor a risk to the company's security efforts.

Page 57, Lines 2 through 5. Staff does not believe that these two sentences contain information that is a competitive business interest or a risk to the company's security efforts.

- CMP \_\_\_\_\_
- COM \_\_\_\_\_
- CTR \_\_\_\_\_
- ECR \_\_\_\_\_
- GCL \_\_\_\_\_
- OPC \_\_\_\_\_
- RCA \_\_\_\_\_
- SCR \_\_\_\_\_
- SGA \_\_\_\_\_
- SEC \_\_\_\_\_
- OTH Marguerite

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: FPSC Review of Customer Data Security of Florida's Five Investor-Owned Utilities.

Docket No. Undocketed

Dated: December 12, 2007

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080061-EI

**PROGRESS ENERGY FLORIDA INC.'S  
REQUEST FOR CONFIDENTIAL CLASSIFICATION**

Progress Energy Florida, Inc., ("PEF" or "Company"), pursuant to Section 366.093, Florida Statutes (F.S.), and Rule 25-22.006, Florida Administrative Code (F.A.C.), submits this Request for Confidential Classification for information contained in the FPSC's Review of Customer Data Security of Florida's Five Investor-Owned Utilities, PEF Responses to Data Requests 1 and 2, and certain information contained in Staff's audit workpapers, specifically certain information regarding PEF. In support of this Request, PEF states:

1. In Staff's Review, there is sensitive PEF information that is "proprietary business information" under Section 366.093(3), Florida Statutes.

2. The following exhibits are included with this request:

- CMP   1
- COM
- CTR        the pages of the FPSC Review of Customer Data Security, PEF Responses to Data Requests 1 and 2,
- ECR   1   and Staff's audit workpapers for which PEF seeks confidential treatment. Composite Exhibit A is
- GCL   1
- OPC        being submitted separately in a sealed envelope labeled "CONFIDENTIAL." In the unredacted
- RCA        versions, the information asserted to be confidential is highlighted by yellow marker.
- SCR
- SGA
- SEC
- OTH   1

(a) Sealed Composite Exhibit A is a package containing unredacted copies of all

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(b) Composite Exhibit B is a package containing two copies of redacted versions of the documents for which the Company requests confidential classification. The specific information for which confidential treatment is requested has been blocked out by opaque marker or other means.

(c) Exhibit C is a table which identifies by page and line the information for which PEF seeks confidential classification and the specific statutory bases for seeking confidential treatment.

3. As indicated in Exhibit C, the information for which PEF requests confidential classification is “proprietary confidential business information” within the meaning of Section 366.093(3), F.S. Specifically, the information at issue relates to PEF’s internal data security processes and security procedures outlined in the FPSC Review, Data Request responses and Staff’s audit workpapers. The documentation outlines elements of PEF’s data security procedures, which if disclosed, could impair the efforts of the Company to maintain secure customer and business information. If the information at issue was made public, it could be used to attempt to breach PEF’s data security policies and procedures. *See* § 366.093(3)(c), F.S.; Affidavit of Elaine McCallister at ¶ 5. Furthermore, the information at issue relates to sensitive customer information, the disclosure of which could impair data security interests for both PEF and its customers. *Id.* § 366.093(3)(e); Affidavit of Elaine McCallister at ¶ 6. Accordingly, such information constitutes “proprietary confidential business information” which is exempt from disclosure under the Public Records Act pursuant to Section 366.093(1), F.S.

4. The information identified as Exhibit “A” is intended to be and is treated as

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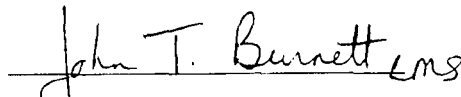
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confidential by the Company. See Affidavit of Elaine McCallister at ¶ 7. The information has not been disclosed to the public, and the Company has treated and continues to treat its internal processes, security procedures and the information at issue as confidential. See Affidavit of Elaine McCallister at ¶ 7.

5. PEF requests that the information identified in Exhibit A be classified as “proprietary confidential business information” within the meaning of section 366.093(3), F.S., that the information remain confidential for a period of at least 18 months as provided in section 366.093(4) F.S., and that the information be returned as soon as it is no longer necessary for the Commission to conduct its business.

WHEREFORE, for the foregoing reasons, PEF respectfully requests that this Request for Confidential Classification be granted.

RESPECTFULLY SUBMITTED this 12th day of December, 2007.

  
R. ALEXANDER GLENN  
Deputy General Counsel - Florida  
JOHN T. BURNETT  
Associate General Counsel - Florida  
Progress Energy Service Company, LLC  
Post Office Box 14042  
St. Petersburg, Florida 33733-4042  
Telephone: 727-820-5184  
Facsimile: 727-820-5249  
Email: [john.burnett@pgnmail.com](mailto:john.burnett@pgnmail.com)

Attorneys for  
PROGRESS ENERGY FLORIDA, INC.

Exhibit C

**PROGRESS ENERGY FLORIDA  
Confidentiality Justification Matrix**

DOCUMENT/RESPONSES	PAGE/LINE	JUSTIFICATION
FPSC Review of Customer Data Security	Page 9: PEF Section 1.1.4 Lines 1-2  Page 54: Lines 1-32  Page 55: Lines 1-10  Pages 56: Lines 1-11  Page 57: Lines 1-5  Page 59: Lines 1-7  Page 61: Lines 1-16  Page 74: Appendix B; information in PEF column  Page 75: Appendix C; PEF information	§366.093(3)(c), F.S. The document in question contains confidential information, the disclosure of which would impair PEF's security measures, systems or procedures.  §366.093(3)(e), F.S. 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.
PEF Responses to Data Request 1 (DR-1)	Attachments B, C, D, F, G, H and J: all pages (outline policies and procedures).	§366.093(3)(c), F.S. The document in question contains confidential information, the disclosure of which would impair PEF's security measures, systems or procedures.  §366.093(3)(e), F.S. 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.

- CMP   1
- COM
- CTR
- ECR   1
- GCL   1
- OPC
- RCA
- SCR
- SGA
- SEC
- OTH   conf    
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DOCUMENT/RESPONSES	PAGE/LINE	JUSTIFICATION
PEF Responses to Data Request 2 (DR-2)	Entire Responce: <ul style="list-style-type: none"> <li>• Questions 1 thru 10</li> <li>• Attachment A – “Workstation Security Standards &amp; Guidelines”</li> <li>• Attachment B – “Records Disposal”</li> </ul>	<p>§366.093(3)(c), F.S.            The document in question contains confidential information, the disclosure of which would impair PEF’s security measures, systems or procedures.</p> <p>§366.093(3)(e), F.S.            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>
Staff Audit Workpapers	Bureau of Regulatory Review Workplan: <ul style="list-style-type: none"> <li>• Page 2, Ref. No. D – Audit Notes &amp; Finding</li> </ul> Document Summary & Control Log: <ul style="list-style-type: none"> <li>• Summary of Contents sections only</li> </ul> Interview Summary: <ul style="list-style-type: none"> <li>• Section 2, pages 1-6</li> </ul>	<p>§366.093(3)(c), F.S.            The document in question contains confidential information, the disclosure of which would impair PEF’s security measures, systems or procedures.</p> <p>§366.093(3)(e), F.S.            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>