



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-

DATE: 08/24/2010

TO: Division of Economic Regulation, Officer of Primary Responsibility

FROM: Office of Commission Clerk

RE: CONFIDENTIALITY OF CERTAIN INFORMATION

Docket No(s): 100009-EI Document No(s): 07021-10

Description: Progress (Bernier) - (CONFIDENTIAL) Portions of depositions of Jeff Lyash, given in docket on 8/12/10; Jon Franke, given in docket on 8/10/10; and John Elnitsky, given to docket on 8/13/10. (x-ref DN 06937-10) [CLK note: Document provided in electronic format only.]

Source: Progress Energy Florida, Inc.

The above-referenced confidential material was filed along with a **request for confidential classification**. Please check all applicable information and forward a copy to the attorney assigned to the docket, along with a brief memorandum supporting your recommendation. Copies of your recommendation should also be filed with the Office of Commission Clerk and the Office of General Counsel.

- 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 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 information;
 - (f) Employee personnel information unrelated to compensation, duties, qualifications, or responsibilities;

- COM
- APA
- ECR The material appears to be confidential in nature and harm to the company or its ratepayers will result from public disclosure.
- GCL
- RAD The material appears not to be confidential in nature.
- SSC The material is a periodic or recurring filing and each filing contains confidential information.

ADM

OPC Response prepared by Mark R. Pena

CLK Pena

DOCUMENT NUMBER - DATE
8724 OCT 19 09
Date: 10-8-10
FPSC - COMMISSION CLERK