



# Public Service Commission

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TALLAHASSEE, FLORIDA 32399-0850

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

**DATE:** April 26, 2010  
**TO:** Caroline Klancke, Office of the General Counsel  
**FROM:** John Slemkewicz, Division of Economic Regulation JS  
**RE:** Progress Energy Florida, Inc. - Docket No. 100136-EI – Confidentiality Request – Document No. 02707-10

Progress Energy Florida, Inc. (PEF) has requested that the Company's actual income statements for January and February 2010, produced in response to Staff's First Data Request No. 17, be kept confidential.

PEF requests confidentiality under Subsection 366.093(3)(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 \_\_\_\_\_  
 APA \_\_\_\_\_  
 ECR \_\_\_\_\_  
 GCL \_\_\_\_\_  
 RAD \_\_\_\_\_  
 SSC \_\_\_\_\_  
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 OPC \_\_\_\_\_  
 CLK Kim Peña

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 10 APR 26 PM 4:14  
 COMMISSIONER  
 CLERK

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

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)(e), F.S. Therefore, staff recommends that the request for confidentiality of the information included in Document No. 02707-10 be approved.

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 APR 13 PM 2:26  
ECONOMIC REGULATION

DATE: 04/13/2010

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): 02707-10

DESCRIPTION: Progress (Huhta) - (CONFIDENTIAL) Response to staff's first data request No. 17 regarding company's actual income statements for 1/10 and 2/10 ("non-public income statements").

SOURCE: Progress Energy Florida, Inc.

DOCKET NO(s): 100136-EI

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.
- 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: JOHN SLEMKEWICZ

Date: 4-26-10

cc:  CLK       RCP  
 ECR       SGA  
 GCL       SSC

PSC/CLK 15 (Rev 07/09)