

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

DISTRIBUTION CENTER
DISTRIBUTION CENTER
67-1100-112 441-98-338

In re: Customer Complaint of Hazel Frankenberg.

070595-EI

Inquiry No. 738796E

Dated: August 22, 2007

COMMISSION CLERK

07 AUG 22 PM 1:27

RECEIVED-FPSC

PROGRESS ENERGY FLORIDA INC.'S NOTICE OF INTENT TO REQUEST 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 Notice of Intent to Request for Confidential Classification of confidential portions of PEF's responses to Staff's August 13, 2007 FPSC Supplemental Information Request. Specifically, portions of the documents responsive to Staff's request contain confidential business information relating to the customer's payment history with PEF, as well as personal customer information. Therefore, the disclosure of that information to the public may adversely impact the customer and could also compromise the confidentiality of the customer's personal information.

OTH Conf. records

COM _____ Attached as Exhibit A is a copy of Staff's request for the material to which this notice
CTR _____ relates. Attached as Exhibit B is the confidential information that Staff has requested. Exhibit B
ECR 1
GCL 1 will be filed with the Commission Clerk, under seal, as contemplated by Rule 25-22.006 F.A.C.
OPC _____ Pursuant to Rule 25-22.006(3)(a)(1), PEF will file its Request for Confidential
RCA _____ Classification for the confidential information contained herein within twenty-one (21) days of
SCR _____
SGA _____ filing this request.

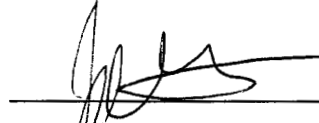
This undocketed notice of intent was filed with Confidential Document No. 07482-07 The document has been placed in confidential storage pending timely receipt of a request for confidentiality. Your division director must obtain written permission from the EXD/Tech for you to access the confidential material.

DOCUMENT NUMBER-DATE

07481 AUG 22 8

FPSC-COMMISSION CLERK

RESPECTFULLY SUBMITTED this 22nd day of August 22, 2007.

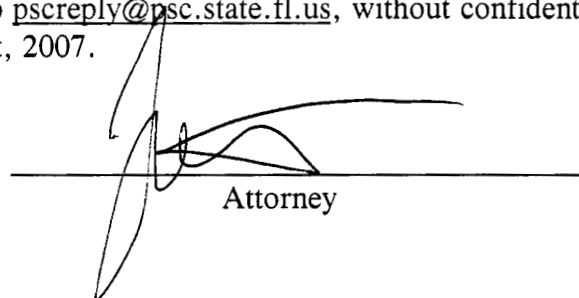


R. Alexander Glenn
Deputy General Counsel
John T. Burnett
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Attorneys for
PROGRESS ENERGY FLORIDA, INC.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of Progress Energy Florida, Inc.'s request for Notice of Intent to Request Confidential Classification in Inquiry No. 738796E has been furnished by electronic mail to pscreply@psc.state.fl.us, without confidential attachments, this 22nd day of August, 2007.



Attorney

Request No. 738796E

Name FRANKENBERG, HAZEL MS.

Business Name

Consumer Information Name: HAZEL FRANKENBERG Business Name: Svc Address: APT. 103 540 2ND AVE. S County: Pinellas Phone: City/Zip: Saint Petersburg / 33701- Account Number: Caller's Name: HAZEL FRANKENBERG Mailing Address: APT. 103 540 2ND AVE. S City/Zip: SAINT PETERSBURG, FL 33701- Can Be Reached: E-Tracking Number:	Florida Public Service Commission - Consumer Request 2540 Shumard Oak Boulevard Tallahassee, Florida 32399 850-413-6100	PSC Information Assigned To: NEAL FORSMAN Entered By: IIR Date: 06/08/2007 Time: 11:03 Via: MAIL Prelim Type: IMPROPER BILLS PO: Disputed Amt: 0.00
	Utility Information Company: PROGRESS ENERGY FLORIDA, INC. Attn: Jennifer Felder 738796E Response Needed From Company? <input checked="" type="checkbox"/> Y Date Due: 06/29/2007	Supmntl Rpt Req'd: / / Certified Letter Sent: / / Certified Letter Rec'd: / /
	Interim Report Received: / / Reply Received: 06/26/2007 Reply Received Timely/Late: Informal Conf.: <input type="checkbox"/> N	Closed by: Date: / / Closeout Type: Apparent Rule Violation: <input type="checkbox"/> N

Please review the attached correspondence in which the customer reports the following:

Customer indicates that her billing is too high for her small apartment.

Per Consumer Complaint Rule 25-22.032, please use the following procedures when responding to PSC complaints.

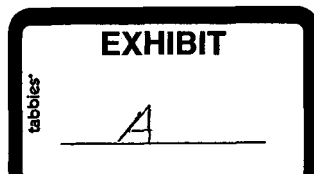
1. Complaint resolution should be provided to the customer via direct contact with the customer, either verbally or in writing, within 15 working days after the complaint has been sent to the company.
2. A response to the PSC is due by 5:00 p.m. Eastern time, of the 15th working day after the complaint has been sent to the company.
3. The response should include the following:
 - a) the cause of the problem

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101: REMITTAL FOLDER/08/09/07

FROM: NEAL FORSMAN

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- b) actions taken to resolve the customer's complaint
- c) the company's proposed resolution to the complaint
- d) answers to any questions raised by staff in the complaint
- e) confirmation that the company has made direct contact with the customer

4. Send your written response to the PSC, and copies of all correspondence with the customer to the following e-mail, fax or physical addresses:

E-Mail - pscreply@psc.state.fl.us
 Fax - 850-413-7168
 Mail - 2540 Shumard Oak Blvd.
 Tallahassee, Florida 32399-0850

Case taken by Brian Bilel

6/25/2007 Customer correspondence received via U.S. mail and forwarded to NFORSMAN. DScott

6/26/07 - *****ADDITIONAL CUSTOMER INFORMATION - CORRESPONDENCE*****

Reviewed Customer Correspondence received 6/25/07:

1) The customer further expounds on the basis of her complaint, stressing that her electric bills are excessive. She has heard nothing from PEF or the PSC other than acknowledgement of her complaint. Correspondence forwarded to PEF. ***NOTE*** - The customer has provided no contact telephone number and there is no listing for the customer; therefore I am unable to call the customer to further discuss this matter.
 NForsman

06/26/2007 Company response received via e-mail. /EEstele

06/26/2007 Company response received via e-mail. /FFstele

07/12/07 - Customer correspondence received via U.S. mail; forwarded to NForsman. /cwe

1/13/07 - Reviewed both company reports received 6/26/07:

Request No. 738796E Name FRANKENBERG ,HAZEL MS. Business Name _____

1) PFT unsuccessfully attempted to contact Ms. Frankenberg on 6/11/07 to discuss her complaint. A "certified letter acknowledging receipt of her complaint one requesting a return call in order to discuss her billing concern" was sent to the customer.
 2) PEF included "a 24 month billing and payment history" along with the copy of the complaint response that was mailed to her billing address. NOTE: THIS INFORMATION WAS NOT PROVIDED TO THE PSC.
 3) PFT's records indicate the customer has contacted them several times by telephone in April and May 2007.
 4) PFT provided a summary of written and verbal communications on records between the customer and her company for 6/18, 6/19, 6/20, and 6/22.
 5) "To protect the confidentiality of Ms. Frankenberg's account, PEF will be unable to provide any billing and payment details until such time that Ms. Frankenberg contact Ms. Recinello and provides information confirming that she is the company's customer of record.

7/13/07 - *****ADDITIONAL CUSTOMER INFORMATION - CORRESPONDENCE***** - Renewed Customer Correspondence received 7/12/07:

1) The customer indicates she has had no response to her complaint filed with PEF.
 2) The customer is appealing to the PSC for help in investigating her billing, for which she indicates the "meter readings show proof of tampering." The customer has provided a summary of her bills from August 2005 - July 2006.
 3) The customer specifies that a payment of \$150.00 was made in May 2007. She states that she has received a letter from the company indicating the \$150.00 was never paid, along with a threat of disconnection.
 NFORMS:01

7/13/07 - *****ATTENTION PROGRESS ENERGY - ADDITIONAL CUSTOMER INFORMATION - SUPPLEMENTAL REPORT REQUIRED***** - In order to thoroughly investigate the customer's complaint and provide a comprehensive response to the customer's concerns, further information is required to facilitate closure of this inquiry. Please review the customer's additional information/objected information documented above as well as the attached Customer Correspondence and respond as follows:
 1) Please provide the PSC a SUMMARY of the customer's account for the 24 month period of July 2005 through July 2007. PLEASE REVIEW YOUR SUMMARY TO ASSURE THAT THE FOLLOWING INFORMATION IS INCLUDED:
 * a breakdown of kWh consumption billed for per billing period,
 * a breakdown of all charges, payments, debit and credit adjustments per billing period,
 * and current as well as ongoing account balances for each billing period.

A) Please include an explanation of all debit and credit adjustments. DO NOT SEND BILL COPIES.
 2) Your report dated 6/26/07 indicates that the customer has contacted you several times by telephone in April and May 2007. PSC Rule 25-6.021 Records of Complaints states: "Each utility shall keep a record of all written complaints received. The record shall show the name and address of the complainant, the date received, the nature of the complaint, the result of any investigation, the disposition of the complaint and the date of such disposition."
 A) Please provide the PSC a summary of all complaints received by the customer for the 12 month period of July 2006 - July 2007. In your summary, please assure that the following information is included:
 * the date the complaint was received;
 * the nature of the complaint;
 * the result of any investigation;
 * the disposition of the complaint and the date of such disposition.

3) Your report dated 6/26/07 indicates that to protect the confidentiality of the customer, you will be unable to provide any billing and payment information on the customer's account until you verify that she is the company's customer of record. However, your report also indicates that the customer was mailed "a 24 month billing and payment history." This would appear contrary to your statement of confidentiality concern.

A) Based on the verbal communications to PEF from the customer and on written communications from the customer to both PEF and the PSC, please explain why you have reason to doubt that Ms. Frankenberg is the customer of record in this matter.

B) Likewise, if verification of customer of record is a concern, explain why Ms. Frankenberg was mailed confidential account records.

C) Please explain why you have reason to doubt the authenticity of the customer's written complaint authorizing the PSC to obtain information necessary to investigate her complaint. Please provide the PSC documentation to support PEF's position that you are unable to provide information to the PSC.

4) Please provide the PSC a summary of all actions taken by PEF to investigate the customer's high bill complaint after the date of her complaint on 6/8/06. Please summarize the results of any of the following actions: home energy audit, meter inspection and testing, load testing, etc. NOTE: Since the customer mentions the possibility of possible meter tampering, please specifically investigate and report on this matter.

Please provide a supplemental report which addresses the above matters as soon as possible but no later than 7/24/07. NForsman

07/24/2007 Company response received via e-mail. /EEstele

8/13/07 - Reviewed Company Report received 7/24/07, in response to PSC Supplemental Report Request dated 7/13/07:

Regarding Item 1) - Until such time that PEF is able to speak with Ms. Frankenberg and verify her identify, the company will be unable to comply with the PSC's request to provide detailed account billing and payment information.

Regarding Item 2) - PEF reminded the PSC that rule 25-63021 refers to "all written complaints received . . ." Complaints as defined in 25-6.094 . . . "substantial objection made to a utility by a customer as to its charges, facilities, or service, the disposal of which complaint requires investigation or analysis . . ."

PEF records reflect receipt of a letter from Ms. Frankenberg on 5/29/07 regarding a billing concern. On 6/5/07, PEF customer service attempted to contact Ms. Frankenberg to address her concern; however the associate received no answer and no option to leave a message.

Since the 6/8/07 complaint, PEF has received letter dated 6/13/07 and 6/19/07. PEF has also received letters dated 6/21/07, 6/22/07, 6/23/07, and 6/29/07.

PEF has been unable to speak with Ms. Frankenberg to discuss the concerns raised in her letter. PEF has fully investigated Ms. Frankenberg's billing concern. PEF is eager to speak with Ms. Frankenberg in order to verify her identify as the customer of record and to address her concerns. PEF will provide a comprehensive response to the PSC after customer verification has occurred.

Regarding Item 3) - PEF mailed an account billing and payment history to the mailing address for Ms. Frankenberg's account. Mailing confidential account information to the customer's billing address, and addressed to the customer of record, does not constitute a contradiction of PEF's policies for safeguarding sensitive customer information.

PEF does not doubt that Ms. Frankenberg is the customer of record.

Until such time that PEF is able to speak with Ms. Frankenberg and verify her identify, the company will be unable to comply with the PSC's request to provide detailed account billing and payment information. In response to an "IOU Data Security Review", the company provide the PSC with documentation regarding PEF's policies on 6/29/07.

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Business Name

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Regarding Item 4) -- After PTF has spoken to Ms. Frankenberg and verified her identify, the company will be happy to provide the PSC with a comprehensive response to her complaint.

On 7/16/07, PEF inspected the meter serving the customer's home and confirmed that no tampering was evident. The meter is located inside a locked cage in a locked room. A meter test was completed, which confirmed the meter is accurate.

Nforsman

8/13/07 - *****ATTENTION PROGRESS ENERGY - INCOMPLETE SUPPLEMENTAL REPORT - ADDITIONAL SUPPLEMENTAL INFORMATION REQUIRED***** - Your supplemental report dated 7/24/07 will be considered an incomplete report. Information was requested, which PEF has refuse to provide in a timely manner. Please respond to this matter as follows:

1) Florida Statutes Chapter 366.04 (2)(f) states: "In the exercise of its jurisdiction, the commission shall have power over electric utilities for the following purposes: "(f) To prescribe and require the filing of periodic reports and other data as may be reasonably available and as necessary to exercise its jurisdiction hereunder."

PSC Rule 25-22.032 Customer Complaints (6) (c) states: ". . . Upon Commission staff request, other documentation related to the complaint shall be provided to Commission staff."

PSC Rule 25-22.032 Customer Complaints (6) (e) states: "Commission staff may request copies of bills, billing statements, field reports, written documents, or other information in the participants' possession that may be necessary to resolve the dispute. The company shall respond in 7 working days to each subsequent request by staff after the initial company response. . ."

A) Under authority of the above Statute and PSC Rule references, please provide the information previously requested in PSC Supplemental Report request dated 7/13/07.

2) By PEF's refusal to comply with staff requests for information, it would appear that PEF's position is to question the validity of the customer's right to file this complaint with the PSC. It would further appear that PEF's questions the PSC's authority to obtain requested information for the purposes of investigation of same.

PSC Rule 25-22.032(a) states: "Any customer of a Commission regulated company may file a complaint with the Division of Regulatory Compliance and Consumer Assistance whenever the customer has an unresolved dispute with the company regarding electric . . . The complaint may be communicated orally or in writing."

A) In accordance with this rule, the customer's complaint has been procedurally filed by the PSC. In accordance with this rule, the customer's complaint has been procedurally filed by the PSC. Please provide the information previously requested in PSC Supplemental Report request dated 7/13/07.

B) If PEF declines to provide the information as requested, please state your position regarding the validity of the customer's right to file this complaint with the PSC and the PSC's authority to obtain requested information.

3) If PEF is concerned that by providing the staff requested information, the customer's confidentiality is being compromised, please provide the information previously requested in PSC Supplemental Report request dated 7/13/07 by following the process specified in PSC Rule 25-22.006 Confidential Information, subdivision (a)1.

Please provide a supplemental report which addresses the above matters as soon as possible but no later than 8/22/07. Nforsman

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LEON: MARG FURKADAN

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COMMISSIONERS:
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KATRINA J. MCMURRIAN
NANCY ARGENZIANO
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STATE OF FLORIDA



OFFICE OF COMMISSION CLERK
ANN COLE
COMMISSION CLERK
(850) 413-6770

CONFIDENTIAL

Public Service Commission

ACKNOWLEDGEMENT

DATE: 8/22/07

TO: R. Alexander Glenn, Progress Energy

FROM: Ruth Nettles, Office of Commission Clerk

RE: Acknowledgement of Receipt of Confidential Filing

This will acknowledge receipt of a **CONFIDENTIAL DOCUMENT** filed in Docket Number 070000-OT or, if filed in an undocketed matter, concerning Documents responsive to staff's 8/13/07 request, and filed on behalf of Progress. The document will be maintained in locked storage.

If you have any questions regarding this document, please contact Marguerite Lockard, Deputy Clerk, at (850) 413-6770.

DOCUMENT NUMBER - 07482
AUG 22 2007
FPSC-COMMISSION CLERK

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