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 11 MAR 29 2011
 COMMISSION CLERK
 No. 23

DATE: March 29, 2011
TO: Martha Brown, Senior Attorney, Office of the General Counsel
FROM: Victor Ma, Engineering Specialist I, Division of Regulatory Analysis
RE: Confidential Document No. 01824-11, Docket 110047-EQ

Progress Energy Florida, Inc. (PEF) has requested that certain information relating to competitively negotiated contractual data, such as contractor names, contract terms, financing information, forecasted fuel prices, payment and cost information, and other Trans World Energy, Inc. (Trans World) project information, be kept confidential.

PEF requests confidentiality under Subsection 366.093(3), 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.

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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)(d), F.S. and Subsection 366.093(3)(e), F.S. Therefore, staff recommends that the request for confidentiality of certain information included in Document No. 01824-11 be approved.