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November 30, 2000

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RECORDS AND REPORTING

Ms. Blanca Bayo, Director
Division of Records and Reporting
Florida Public Service Comm.
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

RE: Petition for determination of need for Hines Unit 2 Power Plant by Florida Power Corporation, Docket No. 001064-EI

Dear Ms. Bayo:

On November 15, 2000 I filed both a confidential and redacted brief in the above-styled docket. The confidential brief contained materials which had previously been granted confidential status by Prehearing Officer Jaber in Orders Nos. PSC-00-1881-CFO-EI, PSC-00-1980-CFO-EI and PSC-00-1987-CFO-EI. The confidential brief also referenced Late-filed Exhibit 16 for which a confidentiality request is currently pending.

At the hearing, the procedure for handling references to this confidential material in the briefs was discussed and all parties and Commissioner Jacobs, the presiding Commissioner, agreed that references to confidential materials would be treated as they had been in pre-filed testimony and exhibits. I have attached the section of the hearing transcript which contains this discussion for your reference.

In light of the agreement of the parties at the hearing, and because all of the materials referenced in my confidential brief had either been granted confidential status or had a request for confidentiality pending, I did not file a separate request for confidentiality for my brief. However, should the Commission decide that this is required to preserve the confidentiality of the brief, I will do so immediately upon notification by the Commission of its necessity.

Please contact me if you have any questions or if I can be of further assistance in this matter.

Very truly yours,

Suzanne Brownless
Suzanne Brownless

cc: All parties

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1 MS. BROWNLESS: Can I just ask a housekeeping
2 question here --

3 COMMISSIONER JACOBS: Sure.

4 MS. BROWNLESS: -- about the treatment of the
5 confidential materials that have been discussed?

6 COMMISSIONER JACOBS: Other than that?

7 MS. BROWNLESS: Yes, sir.

8 COMMISSIONER JACOBS: Okay.

9 MS. BROWNLESS: And it's with regard to how they
10 will be treated in the briefs. I assume that we will be
11 able to write a brief with use of all the information,
12 both confidential and nonconfidential in it, and that can
13 be provided under seal to everybody to the Commission and
14 the other parties, and that we would have a brief that was
15 redacted that would be the public record brief.

16 MR. ELIAS: That's been the procedure in the
17 past when individuals have felt compelled to refer to
18 confidential information in the argument, and I don't see
19 any reason to deviate from it here.

20 MR. SASSO: As I understand what you are
21 suggesting, Suzanne, we basically use the same procedure
22 that we did with exhibits.

23 MS. BROWNLESS: And the testimony.

24 MR. SASSO: And the testimony, which will be
25 fine.

1 MS. BROWNLESS: Thank you.

2 COMMISSIONER JACOBS: Clear enough. I did
3 not -- I remember we talked about the Late-Filed
4 Exhibit 16. It's Staff's request for the treatment of --
5 did we admit that?

6 MR. ELIAS: We would move its admission subject
7 to objection of the parties once it's distributed.

8 COMMISSIONER JACOBS: Okay. Show that --

9 MS. BROWNLESS: And do we have a date by which
10 those late-filed exhibits will be provided?

11 COMMISSIONER JACOBS: Yes. We do need a date.

12 MR. SASSO: May we have until the end of next
13 week?

14 MS. HART: Sure. That's fine.

15 COMMISSIONER JACOBS: Very well.

16 MR. SASSO: And we'll certainly -- we'll work to
17 get you something sooner. I'm going to be out of town
18 most of next week, and I'm just concerned about logistics.

19 MS. BROWNLESS: Can you just give it a date for
20 the record? Because I don't have a calendar here.

21 MS. HART: November 3rd.

22 MS. BROWNLESS: Thank you.

23 COMMISSIONER JACOBS: Very well. That's next
24 Friday. That works.

25 MR. SASSO: Thank you.