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

DATE: October 21, 2009

TO: Larry Harris, Senior Attorney, Office of the General Counsel

FROM: Victor Cordiano, Engineering Specialist II, Division of Regulatory Compliance ^{VC}

RE: 090484-EI - Request for confidential classification of portions of staff's *Review of Gulf Power Company's Quality Assurance Process for Distribution Construction* Documents: 09563-09, 09564-09, and 09570-09

Attached is a September 14, 2009 request (DNs 09563-09, 09564-09, and 09570-09) from Gulf Power Company (Gulf) requesting confidential treatment of certain information contained in staff's report, entitled *Review of Gulf Power Company's Quality Assurance Process for Distribution Construction*. The report has been published with all requested items redacted. The company cites §366.093(3)(b) and (e), F.S., as the basis for such request.

Staff has reviewed this request and recommends the following:

Page 18, Exhibit 3 (entire) and Lines 1-5:

Audit staff notes that the raw data for Exhibit 3 in the report detailing the type and number of deficiencies was e-mailed to the Commission. Therefore, the contents of such exhibit, along with the associated analysis on p.18, lines 1-5, are now public record due to the means of transmittal. Audit staff recommends that Gulf's request for confidentiality be denied.

Page 19, Lines 1 – 12 and Gulf's Exhibits A and B (lines 1-12):

Audit staff notes that this information is derived from Gulf's data that was transmitted via e-mail as noted above. Therefore, audit staff recommends that Gulf's request for confidentiality be denied.

Page 20, Lines 1-2 and Page 21 (entire):

COM — Audit staff notes that this information is derived from a risk assessment external audit and is
ECR — competitively sensitive and proprietary pursuant to the aforementioned statutes. Therefore, audit
GCL — staff recommends that Gulf's request for confidentiality be approved.

- OPC** _____
- RCP** _____
- SSC** _____
- SGA** _____
- ADM** _____
- CLK** L. Peña

DOCUMENT NUMBER-DATE

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