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Attorneys and Counselors

Writer's Direct Dial No.
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July 8, 2005

BY HAND DELIVERY

Blanca Bayó
Director Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399

Re: Docket No. 050001-EI – Request for Confidential Classification

Dear Ms. Bayó:

Enclosed for filing on behalf of Progress Energy Florida (PEF) are the following:

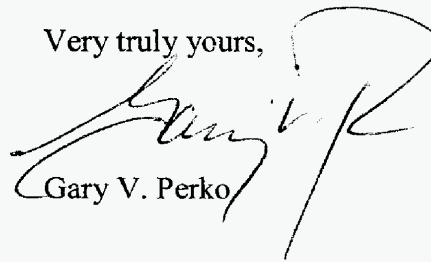
(1) The original and seven copies of its Request for Confidential Classification, including Exhibit A, which identifies by page and line the information for which PEF seeks confidential treatment. A diskette containing the Request in Word format is being submitted contemporaneously with the Petition identified above.

(2) An envelope containing Composite Exhibit B, which includes two redacted copies of the confidential documents; and

(3) A CONFIDENTIAL envelope containing Composite Exhibit C which includes one copy of the documents on which the confidential material has been highlighted.

Please stamp and return the enclosed extra copy of this filing. If you have any question regarding this filing, please contact the undersigned.

Very truly yours,



Gary V. Perko

Enclosures
cc: Certificate of Service

DOCUMENT NUMBER-DATE

06464 JUL -8 05

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of Progress Energy Florida, Inc.'s Request for Confidential Classification have been furnished by hand-delivery (*) or regular U.S. mail to the following this 8th day of July, 2005.

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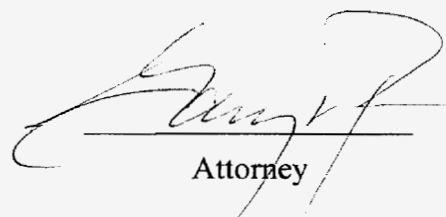
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Attorney

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Fuel and purchased power cost recovery
clause with generating performance incentive
factor. | Docket No. 050001-EI
Dated: July 8, 2005

**PROGRESS ENERGY FLORIDA INC.'S
REQUEST FOR CONFIDENTIAL CLASSIFICATION**

Progress Energy Florida, Inc., (“Progress Energy” or “Company”), pursuant to Section 366.093, Florida Statutes (F.S.), and Rule 25-22.006, Florida Administrative Code, submits this Request For Confidential Classification of information included in certain exhibits submitted with its Petition for Approval of Waterborne Transportation Service Contracts. In support of this Request, Progress Energy states:

1. Contemporaneously with this request, Progress Energy is filing a Petition for Approval of Waterborne Coal Transportation Service (“WCTS”) Contracts. As exhibits to the Petition, Progress Energy is providing the WCTS contracts, as well as the bid solicitations which resulted in the contracts. As further discussed below, the contracts and bid solicitations include “proprietary confidential business information” as that term is defined in Section 366.093, Florida Statutes.

2. The following exhibits are included with this request:

(a) Exhibit A is a table which identifies by page and line the information for which Progress Energy seeks confidential classification and the specific statutory bases for seeking confidential treatment.

(b) Composite Exhibit B is a package containing two copies of redacted versions of the documents for which the Company requests confidential classification. The

specific information for which confidential treatment is requested has been blocked out by opaque marker or other means.

(c) Composite Exhibit C is a package containing unredacted copies of all the documents for which Progress Energy seeks confidential treatment. Composite Exhibit C is being submitted separately in a sealed envelope labeled “CONFIDENTIAL.” In the unredacted versions, the information asserted to be confidential is highlighted in yellow.

3. The information identified in Exhibit “A” includes information concerning bids and other contractual data, related to contracts entered into by PEF’s affiliate, Progress Fuels Corporation (PFC), for waterborne coal transportation services (WCTS) provided to Progress Energy. Specifically, the information includes contractual terms proposed in PFC’s bid solicitations and negotiated in final contracts between PFC and WCTS providers.¹ Disclosure of this information would provide potential coal transportation providers with knowledge of prices and other contractual terms that PFC has proposed and negotiated. This knowledge would give potential providers significant competitive advantage in future negotiations because they would no longer need to make their best offers to ensure the competitiveness of their rates and other contractual terms. Furthermore, without assurances that the confidential terms of contracts will not be publicly disclosed, potential providers may be unwilling to contract with PFC and/or Progress Energy. In either case, the efforts of Progress Energy and its affiliates to contract for goods and services on favorable terms would be impaired by disclosure of the information. *See* § 366.093(3)(d), F.S. Furthermore, the information in the contracts (Exhibits C, E, G, & H) relates to the competitive interests of PFC and the WCTS providers, the disclosure of which

¹ Exhibits G (p. 5, line 2) and Exhibit I (p. 5, line 1) also include bank account information. The Commission previously has recognized that such information should be accorded confidential treatment. *See e.g.*, Order No. 05-0200-CFO-EI (Feb. 21, 2005).

would impair their competitive businesses. *Id.* § 366.093(3)(e). Accordingly, the information constitutes “proprietary confidential business information” which is exempt from disclosure under the Public Records Act pursuant to Section 366.093(1), F.S.

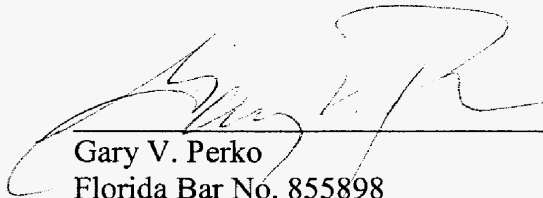
4. The information identified in Exhibit “A” is intended to be and is treated as confidential by the Company. The information has not been disclosed to the public.

5. Progress Energy requests that the information identified in Exhibit A be classified as “proprietary confidential business information” within the meaning of section 366.093(3), F.S., that the information remain confidential for a period of at least 18 months as provided in section 366.093(4), F.S., and that the information be returned as soon as it is no longer necessary for the Commission to conduct its business.

WHEREFORE, for the foregoing reasons, Progress Energy Florida, Inc., respectfully requests that this Request for Confidential Classification be granted.

RESPECTFULLY SUBMITTED this 8th day of July, 2005.

HOPPING GREEN & SAMS, P.A.



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EXHIBIT A

**PROGRESS ENGERY FLORIDA
Confidentiality Justification**

Exhibit & Description	Page No(s).	Line No(s).	Columns	Statutory Basis
Exhibit C - Dry Bulk Fuel Transportation and Delivery Agreement Between Progress Fuels Corporation (PFC) and AEP MEMCO, LLC	5	1-3	N/A	§366.093(3)(d)(e), Fla. Stat.
	6	1-14	N/A	
	7	1-2	N/A	
	9	1	N/A	
Exhibit D - Progress Fuels Corporation Transloading Bid Solicitation	1	1	N/A	§366.093(3)(d)(e), Fla. Stat.
Exhibit D – Attachment - DRAFT DBF Transfer and Storage Agreement	5	1	N/A	§366.093(3)(d)(e), Fla. Stat.
Exhibit E– DBF Transfer and Storage Agreement between PFC and International Marine Terminals Partnership	1	1	N/A	§366.093(3)(d)(e), Fla. Stat.
	2	1-4	N/A	
	3	1-5	N/A	
	5	1	N/A	
	7	1	N/A	
Exhibit E– Attachment I – IMT Terminal Manual	10	1	N/A	§366.093(3)(d)(e), Fla. Stat.
	12	1	N/A	
	23	1	N/A	
Exhibit E– Attachment II – Vessel Loading Rate Guarantee	3	1	N/A	§366.093(3)(d)(e), Fla. Stat.
Exhibit E– Attachment III – Terminaling Services at Tampaplex, Florida	2	1-3	N/A	§366.093(3)(d)(e), Fla. Stat.
Exhibit F- Attachment – DRAFT Affreightment Contract	9	1	N/A	§366.093(3)(d)(e), Fla. Stat.
Exhibit H – Affreightment Contract between PFC and Dixie Fuels Limited	3	1	N/A	§366.093(3)(d)(e), Fla. Stat.
	4	1-2	N/A	
	5	1-2	N/A	
	11	1	N/A	
	14	1-5	A-C	
	14	6-7	C	
Exhibit H – Assist Tug Agreement between PFC and Dixie Fuels Limited	2	1	N/A	§366.093(3)(d)(e), Fla. Stat.
	3	1	N/A	
Exhibit I – Affreightment Contract between PFC and EMI-PA, Inc.	4	1-2	N/A	§366.093(3)(d)(e), Fla. Stat.
	5	1-3	N/A	
	14	1-5	A-C	