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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

SEP 30 AM 10:59

In re: Petition for Determination)
of Need of Hines Unit 4 Power)
Plant)
_____)

DOCKET NO. 040817-EI

COMMISSION
CLERK

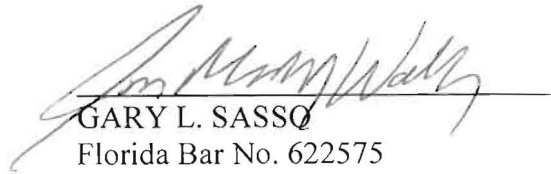
Submitted for filing: September 28, 2004

**NOTICE OF FILING AFFIDAVIT IN SUPPORT OF
SECOND REQUEST FOR CONFIDENTIAL CLASSIFICATION**

Progress Energy Florida ("PEF" or the "Company"), hereby gives notice of filing the original Affidavit of Pamela R. Murphy as director of PEF's Gas and Oil Energy Trading department in support of PEF's Second Request for Confidential Classification, submitted for filing on September 28, 2004.

Respectfully submitted this 28th day of September, 2004.

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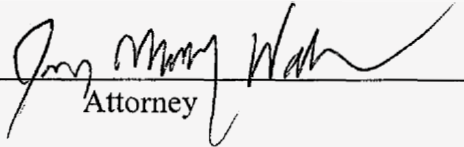
DOCUMENT NUMBER - DATE

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been served via e-mail and U.S. Mail to Wm. Cochran Keating, IV, Senior Attorney, Office of the General Counsel, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0850 and via U.S. Mail to all other interested parties as listed on the attached this 28th day of September, 2004.


Attorney

Parties of Record and Interested Persons in Docket 040817

Myron Rollins
Black & Veatch Corporation
11401 Lamar Avenue
Overland Park, KS 66211

Paul Darst
Department of Community Affairs
Division of Resource Planning/Management
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Buck Oven
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2600 Blairstone Road
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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

**In re: Petition for Determination)
of Need of Hines Unit 4 Power)
Plant)
_____)**

DOCKET NO. 040817-EI

Submitted for filing: September 28, 2004

**AFFIDAVIT OF PAMELA R. MURPHY IN SUPPORT OF
PROGRESS ENERGY FLORIDA'S
SECOND REQUEST FOR CONFIDENTIAL CLASSIFICATION**

STATE OF NORTH CAROLINA

COUNTY OF WAKE

BEFORE ME, the undersigned authority duly authorized to administer oaths, personally appeared Pamela R. Murphy, who being first duly sworn, on oath deposes and says that:

1. My name is Pamela R. Murphy. I am over the age of 18 years old and I have been authorized by Progress Energy Florida (hereinafter "PEF" or the "Company") to give this affidavit in the above-styled proceeding on PEF's behalf and in support of PEF's Second Request for Confidential Classification. The facts attested to in my affidavit are based upon my personal knowledge.

2. I am the Director, Gas & Oil Trading section in the Regulated Commercial Operations department. This department is responsible for fuel acquisition for both PEF and Progress Energy Carolinas ("PEC") systems.

3. As the Director of the Gas & Oil Trading section in the Regulated Commercial Operations department, I am responsible, along with the other members of the section, for the procurement of residual fuel oil, distillate oil, and natural gas for PEC's and PEF's electrical power generation facilities, and the administration of PEC's and PEF's gas and oil contracts with various suppliers.

4. PEF is seeking confidential classification for its responses to Staff's First Set of Interrogatories, Interrogatory Number 9. A detailed description of the confidential information in the interrogatory response is contained in confidential Appendix A to PEF's Second Request for Confidential Classification. PEF is requesting confidential classification of this response because contains details and facts regarding confidential, ongoing negotiations between PEF and potential fuel suppliers.

5. PEF keeps confidential and will not publicly disclose the terms of proposals and negotiations between PEF and potential fuel suppliers. Absent such measures, potential suppliers would run the risk that any sensitive business information that they provided in their negotiations and proposals to PEF would be made available to the public and, as a result, end up in possession of potential competitors. Faced with that risk, potential suppliers might withhold such information altogether, denying PEF the ability to fully understand and accurately assess the cost and benefits of the suppliers' proposals and potential contracts with those suppliers. Or, persons or companies who otherwise would have submitted proposals and offers to PEF might decide not to do so if PEF did not keep the terms of their proposals confidential. In either case, without measures to maintain the confidentiality of the terms of proposals and information provided to PEF in ongoing negotiations, the Company's efforts to obtain competitive fuel purchase contracts would be undermined.

6. Upon receipt of the confidential proposals and information from potential fuel suppliers, strict procedures were established and followed to maintain the confidentiality of the terms of the documents and information provided, including restricting access only to those persons who needed the information to assist the Company in its negotiations and its evaluation

of the proposals and restricting the number of, and access to the information and proposals. At no time since receiving the proposals and information has the Company publicly disclosed that information. The Company has treated and continues to treat the information at issue as confidential.

7. This concludes my affidavit.

Further affiant sayeth not.

Dated the 24th day of September, 2004.

Pamela R. Murphy
(Signature)

Pamela R. Murphy
Director
Gas & Oil Trading section
Regulated Commercial Operations department
Progress Energy Carolinas
Post Office Box 1551
Raleigh, NC. 27602

THE FOREGOING INSTRUMENT was sworn to and subscribed before me this 24th day of September, 2004 by Pamela R. Murphy. She is personally known to me, or has produced her NA driver's license, or his _____ as identification.

Rebecca R. Toole
(Signature)

Rebecca R. Toole
(Printed Name)

(AFFIX NOTARIAL SEAL)

NOTARY PUBLIC, STATE OF North Carolina

June 8, 2006
(Commission Expiration Date)

REBECCA R. TOOLE
NOTARY PUBLIC
JOHNSTON COUNTY, N.C.

(Serial Number, If Any)