

**ORIGINAL**

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

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**In re: Progress Energy Florida, Inc.'s )  
petition for approval of long-term fuel )  
supply and transportation contracts for )  
Hines Unit 4 and additional system )  
supply and transportation. )**

Docket No.: 041414-EI

**COMMISSION  
CLERK**

) Submitted for filing: April 14, 2005

**NOTICE OF FILING AFFIDAVIT IN SUPPORT OF PEF'S FIFTH REQUEST  
FOR CONFIDENTIAL CLASSIFICATION**

Progress Energy Florida, Inc. hereby gives notice of filing the affidavit of Pamela

R. Murphy in support of its Fifth Request for Confidential Classification.



R. ALEXANDER GLENN  
Deputy General Counsel – Florida  
PROGRESS ENERGY SERVICE  
COMPANY, LLC  
100 Central Avenue, Ste. 1D  
St. Petersburg, FL 33701  
Telephone: (727) 820-5587  
Facsimile: (727) 820-5519

GARY L. SASSO  
Florida Bar No. 622575  
JAMES MICHAEL WALLS  
Florida Bar No. 0706272  
JOHN T. BURNETT  
Florida Bar No. 173304  
CARLTON FIELDS, P.A.  
Post Office Box 3239  
Tampa, FL 33601-3239  
Telephone: (813) 223-7000  
Facsimile: (813) 229-4133

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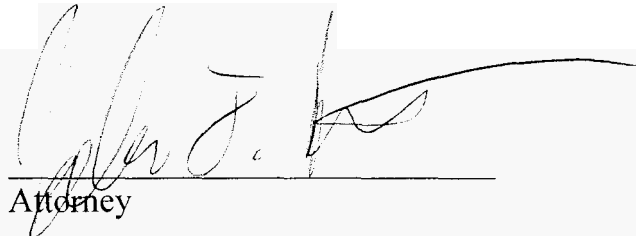
**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true copy of the foregoing has been furnished to the following individuals as indicated in the service list on this 14<sup>th</sup> day of April, 2005.

**Via electronic and U.S. Mail**  
Adrienne E. Vining, Esquire  
Office of the General Counsel  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850

**Via Electronic and U.S. Mail**  
Patricia A. Christensen, Esquire  
Office of the Public Counsel  
c/o The Florida Legislature  
111 West Madison St., Room 812  
Tallahassee, FL 32399-1400

**Via electronic and U.S. Mail**  
David Lyles Cruthirds, Esquire  
4302 Cheena Drive  
Houston, TX 77096  
- and -  
BG LNG Services, LLC c/o  
David N. Keane  
Vice President, Policy and Corporate Affairs  
BG North America, LLC  
5444 Westheimer, Suite 1200  
Houston, TX 77056



Attorney

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

**In re: Progress Energy Florida, Inc.'s )**  
**petition for approval of long-term fuel ) Docket No.: 041414-EI**  
**supply and transportation contracts for )**  
**Hines Unit 4 and additional system )**  
**supply and transportation. ) Submitted for Filing: April 14, 2005**

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**AFFIDAVIT OF PAMELA R. MURPHY IN SUPPORT OF**  
**PROGRESS ENERGY FLORIDA'S**  
**FIFTH 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 Fifth Request for Confidential Classification. The facts attested to in my affidavit are based upon my personal knowledge.

2. I am the director of PEF's Gas and Oil Trading Section in the Regulated Fuels Department. This department is responsible for fuel acquisition for both PEF and Progress Energy Carolinas ("PEC") systems.

3. As the director of PEF's Gas and Oil Trading Section in the Regulated Fuels Department, I am responsible, along with the other members of the department, 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 portions of its response to Staff's Fifth Set of Interrogatories (Nos. 148-164). A detailed description of the confidential information at issue is contained in confidential Appendix A to PEF's Fifth Request for Confidential Classification and is outlined in PEF's Justification Matrix that is attached to PEF's Fifth Request for Confidential Classification as Appendix C. PEF is requesting confidential classification of this information because it contains competitive confidential business information of both PEF and third-party fuel supply and transportation companies that PEF has contracts with.

5. PEF negotiates with potential fuel suppliers and transportation companies to obtain competitive contracts for fuel options that provide economic value to PEF and its ratepayers. In order to obtain such contracts, however, PEF must be able to assure fuel suppliers and transportation companies that sensitive business information, such as the quantity and pricing terms of their contracts, will be kept confidential. PEF has kept confidential and has not publicly disclosed the confidential contract terms or provisions at issue in PEF's Fifth Request for Confidential Classification. Absent such measures, suppliers and transportation companies would run the risk that sensitive business information that they provided in their contracts with PEF would be made available to the public and, as a result, end up in possession of potential competitors. Faced with that risk, persons or companies who otherwise would contract with PEF might decide not to do so if PEF did not keep those terms of their contracts confidential. Without PEF's measures to maintain the confidentiality of sensitive terms in contracts between

PEF and fuel suppliers and transportation contractors, the Company's efforts to obtain competitive fuel supply and transportation contracts would be undermined.

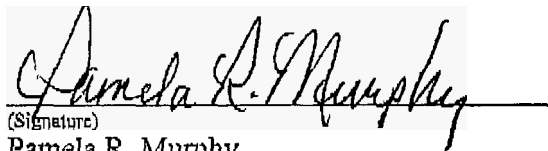
6. Additionally, the disclosure of confidential information in PEF's fuel supply and transportation contracts would adversely impact PEF's competitive business interests. If such information was disclosed to PEF's competitors, PEF's efforts to obtain competitive fuel supply and transportation options that provide economic value to both PEF and its ratepayers would be compromised.

7. Upon receipt of confidential information from fuel suppliers and transportation companies, and with its own confidential information, strict procedures are established and followed to maintain the confidentiality of the terms of the documents and information provided, including restricting access to those persons who need the information to assist the Company, and restricting the number of, and access to the information and contracts. At no time since receiving the contracts and information in question has the Company publicly disclosed that information or contracts. The Company has treated and continues to treat the information and contracts at issue as confidential.

8. This concludes my affidavit.

Further affiant sayeth not.

Dated the 14<sup>th</sup> day of April, 2005.



(Signature)

Pamela R. Murphy

Director

Trading Section, Regulated Fuels Department

Progress Energy Carolinas

Post Office Box 1551

Raleigh, NC. 27602

THE FOREGOING INSTRUMENT was sworn to and subscribed before me this 4th day of April, 2005 by Pamela R. Murphy. She is personally known to me, or has produced her \_\_\_\_\_ driver's license, or her \_\_\_\_\_ as identification.

Sheila R. Sheppard

(Signature)

Sheila R. Sheppard

(Printed Name)

NOTARY PUBLIC, STATE OF DC

8-10-05

(Commission Expiration Date)

(Serial Number, If Any)

(AFFIX NOTARIAL SEAL)

