

Hopping Green & Sams

Attorneys and Counselors

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May 19, 2005

BY HAND DELIVERY

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

Re: Docket No. 041393-EI
CONFIDENTIAL INFORMATION ENCLOSED

Dear Ms. Bayó:

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

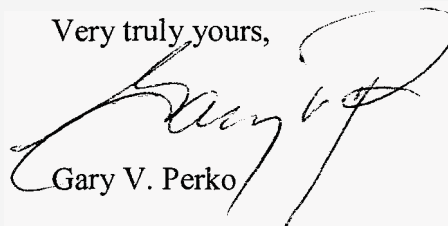
(1) The original and fifteen copies of PEF's Request for Confidential Classification, including Exhibit A, which identifies by page and line the information for which PEF seeks confidential treatment. (A diskette containing the Request in Word format is also included);

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

(3) A CONFIDENTIAL package 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

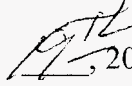
Enclosures

cc: certificate of service

DOCUMENT NUMBER-DATE

04886 MAY 19 05

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of Progress Energy Florida's Request for Confidential Classification has been provided by U.S. Mail, postage pre-paid, on May , 2005, to the following:

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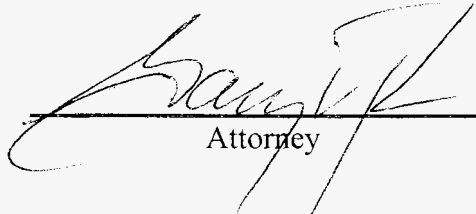
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* also by hand delivery



Attorney

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for approval of two unit power sales agreements with Southern Company Services, Inc. for purposes of cost recovery through capacity and fuel cost recovery clauses, by Progress Energy Florida, Inc.

DOCKET NO. 041393-EI

SERVED: May 10, 2005

**PROGRESS ENERGY FLORIDA'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 certain information provided in responses to Interrogatory Nos. 3 and 6 of Staff’s First Set of Interrogatories and of documents produced in response to Staff’s First Request for Production of Documents (No.1). In support of this Request, Progress Energy states:

1. In response to Staff’s First Set of Interrogatories to Progress Energy Florida, Inc. (Nos. 3 and 6) and to Staff’s First Request for Production of Documents to Progress Energy Florida, Inc., on May 10, 2005, Progress Energy provided documents containing information that is “proprietary business information” under Section 366.093(3), Florida Statutes.

2. Also on May 10, 2005, the Company timely filed with the Commission its Notice of Intent to Request Confidential Classification of the documents described in paragraph 1 above. This formal Request for Confidential Classification is now being filed within the time period specified in Rule 25-22.006(3)(a), Florida Administrative Code.

3. 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 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 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.

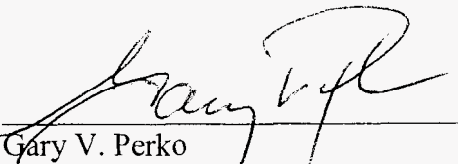
4. The information identified in Exhibit A is "proprietary confidential business information" within the meaning of Section 366.093(3), F.S. All of the information includes contractual data; specifically, information related contractual terms associated with two Unit Power Sales Agreements between PEF and Southern Company. Disclosure of this information would provide potential wholesale power suppliers with knowledge of contractual terms that PEF has negotiated. This knowledge would give suppliers significant competitive advantage in future negotiations because they would no longer need to make their best offers to ensure the competitiveness of their contractual terms. Furthermore, without assurances that the confidential terms of contracts will not be publicly disclosed, potential suppliers may be unwilling to contract with PEF. In either case, FEF's efforts to contract for goods and services on favorable terms would be impaired by disclosure of the information. As such, the information constitutes proprietary confidential information under § 366.093(3)(d), F.S. Furthermore, the information relates to the competitive interests of Progress Energy, its affiliates and Southern Company, the disclosure of which would impair their competitive businesses. *Id.* § 366.093(3)(e). Accordingly, such information is exempt from disclosure under the Public Records Act pursuant to Section 366.093(1), F.S.

5. 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.

6. 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, respectfully requests that this Request for Confidential Classification be granted.

RESPECTFULLY SUBMITTED this 19th day of May, 2005.



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Attorney for PROGRESS ENERGY FLORIDA

EXHIBIT A

**PROGRESS ENGERY FLORIDA
Confidentiality Justification**

Document Description	Page No(s).	Line No(s).	Column (s)	Justification
Letter from Southern Company to Florida Power Corporation d/b/a Progress Energy re: Contracts for the Purchase of Capacity	1	31	N/A	§ 366.093(3)(d)(e)
	2	1-2, 5-6, 12-16, 34	N/A	§ 366.093(3)(d)(e)
	3	2, 4, 12-16, 22, 23-25, 33-35	N/A	§ 366.093(3)(d)(e)
Letter from Southern Company to Florida Power Corporation d/b/a Progress Energy re: Contracts for the Purchase of Capacity and Energy	1	27-31	N/A	§ 366.093(3)(d)(e)
	2	3, 4, 5, 10, 22-26, 32, 33-36	N/A	§ 366.093(3)(d)(e)
Progress Energy Florida's Answer to White Springs' First Set of Interrogatories (No. 3)	1	4-23, 28-29	N/A	§ 366.093(3)(d)(e)
Progress Energy Florida's Answer to White Springs' First Set of Interrogatories (No. 6)	1	8-15, 18-24	N/A	§ 366.093(3)(d)(e)