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Timolyn Henry*****1

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Sent: Tuesday, June 14, 2005 4:07 PM
To: Filings@psc.state.fl.us
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Subject: Docket No. 050078 Documents for Filing

Attachments: PEF Objections Staff's 3rd RFP.pdf; PEF Notice Service Resp OPC 4th RFP & 5th Interr.pdf; PEF Objections FRF 2nd RFP.pdf; PEF Objections OPC 5th RFP.pdf; PEF Objections OPC's 6th Interr.pdf; PEF Objections Staff 3rd Interrogatories.pdf; PEF 3rd Motion for Protective Order.pdf; PEF Notice of Service Resp OPC 6th interr & 5th RFP.pdf



PEF Objections Staff's 3rd RFP..vice Resp OPC 4th RFP & 5th Interr.pdf.PC 5th RFP.pdfJPC's 6th Inter.Staff 3rd Inter..for Protective ...vice Resp OPC

Attached for filing and e-service on behalf of Progress Energy Florida are the following documents:

1. Progress Energy Florida, Inc.'s Notice of Service of PEF Responses to Citizen's Fifth Request for Production and Citizen's Sixth Set of Interrogatories (Nos. 208-225); and *05688-05*
2. Progress Energy Florida, Inc.'s Third Motion for Temporary Protective Order. *05687-05*

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FPSC-COMMISSION CLERK

ORIGINAL

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for rate increase by
Progress Energy Florida, Inc.

Docket No. 050078-EI
Submitted for filing June 14, 2005

PROGRESS ENERGY FLORIDA, INC.'S
THIRD MOTION FOR TEMPORARY PROTECTIVE ORDER

Progress Energy Florida, Inc. ("PEF"), by and through undersigned counsel, hereby moves pursuant to Section 366.093, Florida Statutes, and Rule 25-22.006(6), Florida Administrative Code, for entry of a temporary protective order covering confidential documents and information sought in discovery by the Office of Public Counsel ("OPC") and as grounds therefore states as follows:

In its Fifth Request for Production of Documents (Nos. 126-144), OPC has requested confidential information, specifically, portions of the documents produced in response to Requests 127, 128, and 130. Portions of the responses to these requests for production contain confidential business information relating to PEF's business strategies and budgets and, thereby, the disclosure of such sensitive business information to the public would adversely impact PEF's competitive business interest.

WHEREFORE, PEF requests that the Commission enter an Order granting its Motion for Temporary Protective Order relating to information identified as confidential and produced in response to OPC's Fifth Request for Production of Documents, instructing Public Counsel to continue to treat it as confidential, and requiring Public

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FPSC-COMMISSION CLERK

Counsel to provide PEF with notice of its intent to use such confidential information in connection with the hearing in accord with the prehearing order governing procedure.

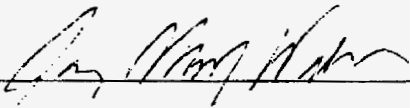
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished electronically and via U.S. Mail this 14th day of June, 2005 to all counsel of record as indicated below.



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