

ORIGINAL

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

RECEIVED-PPSC

06 MAR 31 AM 10: 50

In re: Petition for approval of revised underground residential distribution tariffs, by Progress Energy Florida, Inc.

Docket No. 060017-EI

Dated: March 31, 2006

COMMISSION CLERK

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

Progress Energy Florida, Inc., ("PEF" or "Company"), pursuant to Section 366.093, Florida Statutes (F.S.), and Rule 25-22.006, Florida Administrative Code (F.A.C.), submits this Request for Confidential Classification for certain information provided in response to Staff's Data Request dated February 17, 2006. In support of this Request, PEF states:

1. In response to Staff's Data Request, PEF will provide responses containing information that is "proprietary business information" under Section 366.093(3), Florida Statutes.

2. The following exhibits are included with this request:

(a) Sealed Composite Exhibit A is a package containing unredacted copies

the documents for which PEF seeks confidential treatment. Composite Exhibit A is being submitted separately in a sealed envelope labeled "CONFIDENTIAL." In the unredacted versions, the information asserted to be confidential is highlighted by yellow marker.

(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

DMP \_\_\_\_\_  
DOM \_\_\_\_\_  
DTR \_\_\_\_\_  
ECR 1  
ECL 1  
DPC \_\_\_\_\_  
RCA \_\_\_\_\_  
ICR \_\_\_\_\_  
IGA \_\_\_\_\_  
IEC 1  
DTH 1 copy records

RECEIVED & FILED

PPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE

02864 MAR 31 06

PPSC-COMMISSION CLERK

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

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

3. As indicated in Exhibit C, the information for which Progress Energy requests confidential classification is “proprietary confidential business information” within the meaning of Section 366.093(3), F.S. Specifically, the information at issue relates to competitively negotiated contractual data, such as hourly rates, the disclosure of which would impair the efforts of the Company to negotiate contracts on favorable terms. *See* § 366.093(3)(d), F.S.; Affidavit of Donald Gower at ¶ 5. Furthermore, the information at issue relates to the competitive interests of PEF and its contract labor suppliers, the disclosure of which would impair their competitive businesses. *Id.* § 366.093(3)(e); Affidavit of Donald Gower at ¶ 6. Accordingly, such information constitutes “proprietary confidential business information” which is exempt from disclosure under the Public Records Act pursuant to Section 366.093(1), F.S.

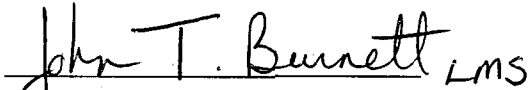
4. The information identified as Exhibit “A” is intended to be and is treated as confidential by the Company. The information has not been disclosed to the public, and the company has treated and continues to treat the information and contracts at issue as confidential. See affidavit of Donald Gower at ¶ 7.

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 respectfully requests that this Request for Confidential Classification be granted.

RESPECTFULLY SUBMITTED this 31<sup>st</sup> day of March, 2006.



R. ALEXANDER GLENN  
Deputy General Counsel - Florida  
JOHN T. BURNETT  
Associate General Counsel - Florida  
Progress Energy Service Company, LLC  
Post Office Box 14042  
St. Petersburg, Florida 33733-4042  
Telephone: 727-820-5184  
Facsimile: 727-820-5249  
Email: [john.burnett@pgnmail.com](mailto:john.burnett@pgnmail.com)

Attorneys for  
PROGRESS ENERGY FLORIDA, INC.