

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Environmental Cost Recovery Clause.

Docket No. 060007-EI

Filed: March 31, 2006

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

Progress Energy Florida, Inc., ("PEF" or "the 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 of certain information on pages 46 and 47 of PEF's Integrated Clean Air Compliance Plan submitted as Exhibit No. __ (DJR-1), with the direct testimony of Daniel J. Roeder, filed on March 31, 2006. In support of this Request for Confidential Classification, PEF states as follows:

1. The following exhibits are included with this request:

(a) Exhibit A is a package containing two copies of redacted versions of the document for which PEF requests confidential classification. The specific information for which confidential treatment is requested has been blocked out by opaque marker or other means.

(b) Exhibit B is a package containing an unredacted copy of the document for which PEF seeks confidential treatment. Exhibit B is being submitted separately in a sealed envelope labeled "CONFIDENTIAL." In the unredacted version, the information asserted to be confidential is highlighted in yellow.

2. The document at issue in this request is a report titled "Progress Energy Florida - Integrated Clean Air Compliance Plan," which is being submitted as Exhibit No. __ (DJR-1), with the direct testimony of Daniel J. Roeder, filed on March 31, 2006.

DOCUMENT NUMBER-DATE

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3. Subsection 366.093(1), F.S., provides that any records “found by the commission to be proprietary confidential business information shall be kept confidential and shall be exempt from s. 119.07(1) [requiring disclosure under the Public Records Act].” Proprietary confidential business information includes, but is not limited to, “[i]nformation concerning . . . contractual data, the disclosure of which would impair the efforts of the public utility or its affiliates to contract for goods or services on favorable terms.” § 366.093(3)(d), F.S. The information identified in Exhibit A for which Progress Energy requests confidential classification is “proprietary confidential business information” within the meaning of Section 366.093(3), F.S. The information concerns costs for rail and barge transportation service and, thus, constitutes propriety confidential business information entitled to protection under Section 366.093 and Rule 25-22.006, F.A.C.

4. The highlighted information, on Lines 1-6 on page 46 and Lines 1-2 and 3-4 on page 47, identifies PEF's estimates of future costs for rail and barge transportation services. Disclosure of this information would provide a supplier of future rail and barge transportation services knowledge of what the Company expects to pay for transportation services in the future. This knowledge could give potential suppliers of rail and barge transportation services a significant competitive advantage in future contract negotiations because the suppliers would no longer need to make their best offers to ensure the competitiveness of their rates against PEF's estimates of future costs. Instead, the supplier would simply offer the highest rates that allowed it to maintain a marginally competitive position against Progress Energy's estimates of transportation costs. As a result, PEF could incur higher fuel costs than if the company's rail or barge transportation supplier was not forearmed with this sensitive and competitively damaging

information. Because these higher fuel costs would ultimately be borne by customers of PEF through the fuel charge on their electric bills, disclosure of the estimated future rail and barge transportation costs contained in the Integrated Clean Air Compliance Plan would be contrary to the best interests of PEF's customers.

5. The designated information for which confidential classification is sought by this Request is intended to be and is treated by the Company as private and has not been publicly disclosed.

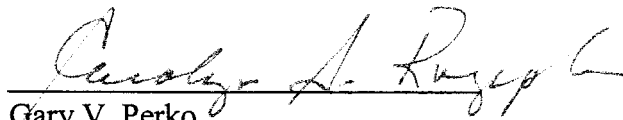
6. Progress Energy requests an 18-month confidentiality period, consistent with Rule 25-22.006(9)(a), F.A.C.

WHEREFORE, for the foregoing reasons, Progress Energy Florida, Inc., respectfully requests that this Request for Confidential Classification be granted.

RESPECTFULLY SUBMITTED this 31st day of March, 2006.

HOPPING GREEN & SAMS, P.A.

By:



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