

RECEIVED-FPSC
08 APR 23 PM 1:24

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition for Determination of)
Need for Levy Units 1 and 2 Nuclear)
Power Plants.)
_____)

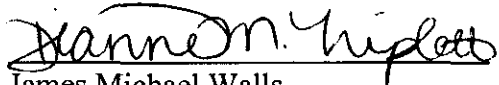
Docket No: 080148-EI
Submitted for Filing: April 23, 2008
COMMISSION CLERK

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

Progress Energy Florida, Inc. hereby gives notice of filing the affidavit of Dale Oliver in support of its Third Request for Confidential Classification.

Respectfully submitted,


R. Alexander Glenn
Deputy General Counsel
PROGRESS ENERGY SERVICE
COMPANY, LLC
Post Office Box 14042
St. Petersburg, FL 33733-4042
Telephone: (727) 820-5587
Facsimile: (727) 820-5519


James Michael Walls
Florida Bar No. 0706242
Dianne M. Triplett
Florida Bar No. 0872431
CARLTON FIELDS, P.A.
Post Office Box 3239
Tampa, FL 33601-3239
Telephone: (813) 223-7000
Facsimile: (813) 229-4133

- OMP _____
- COM _____
- CTR _____
- ECP 1 _____
- CCL 1 _____
- OPC _____
- FCA _____
- SCR _____
- SGP _____
- SEC _____
- CTA _____

CERTIFICATE OF SERVICE

I HEREBY CERTIFY a true and correct copy of the foregoing has been furnished to counsel and parties of record as indicated below via electronic and U.S. Mail this 23rd day of April, 2008.


Attorney

DOCUMENT NUMBER-DATE
03306 APR 23 8
FPSC-COMMISSION CLERK

Mr. Paul Lewis, Jr.
Progress Energy Florida, Inc.
106 East College Avenue, Ste. 800
Tallahassee, FL 32301-7740
Phone: (850) 222-8738
Facsimile: (850) 222-9768
Email: paul.lewisjr@pgnmail.com

Stephen C. Burgess
Associate Counsel
Office of Public Counsel
c/o The Florida Legislature
111 West Madison Street
Room 812
Tallahassee, FL 32399-1400
Phone: (850) 488-9330
Email: burgess.steve@leg.state.fl.us

Michael P. Halpin
Siting Coordination Office
2600 Blairstone Road, MS 48
Tallahassee, FL 32301
Phone: (850) 245-8002
Facsimile: (850) 245-8003
Email: Mike.Halpin@dep.state.fl.us

E. Leon Jacobs, Jr.
Williams & Jacobs, LLC
1720 S. Gadsden St. MS 14
Suite 201
Tallahassee, FL 32301
Phone: (850) 222-1246
Fax: (850) 599-9079
Email: Ljacobs50@comcast.net

Katherine Fleming
Staff Attorney
Florida Public Service Commission
2540 Shumard Oak Blvd
Tallahassee 32399
Phone: (850) 413-6218
Facsimile: (850) 413-6184
Email: keflemin@psc.state.fl.us

Charles Gauthier
Division of Community Planning
2555 Shumard Oak Blvd.
Tallahassee, FL 32399-2100
Phone: (850) 487-4545
Facsimile: (850) 488-3309
Email: charles.gauthier@dca.state.fl.us

James W. Brew
Brickfield Burchette Ritts & Stone, PC
1025 Thomas Jefferson St NW
8th FL West Tower
Washington, DC 20007-5201
Phone: (202) 342-0800
Fax: (202) 342-0807
Email: jbrew@bbrslaw.com

-and-

Karin S. Torain
PCS Administration (USA), Inc.
Suite 400
Skokie Blvd.
Northbrook, IL 60062
Phone: (847) 849-4291
Email: KSTorain@potashcorp.com

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for determination of need
for Levy Units 1 and 2 nuclear power plants,
by Progress Energy Florida, Inc.

Docket No. 080148-EI

Submitted for Filing: April 23, 2008

**AFFIDAVIT OF DALE OLIVER IN SUPPORT OF PROGRESS ENERGY FLORIDA'S
REQUEST FOR CONFIDENTIAL CLASSIFICATION REGARDING
WHITE SPRINGS' FIRST REQUEST FOR PRODUCTION OF DOCUMENTS**

STATE OF FLORIDA

COUNTY OF PINELLAS

BEFORE ME, the undersigned authority duly authorized to administer oaths, personally appeared Dale Oliver, who being first duly sworn, on oath deposes and says that:

1. My name is Dale Oliver. 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 Request for Confidential Classification. The facts attested to in my affidavit are based upon my personal knowledge.

2. I am the Vice President of Transmission Operations & Planning. This department is responsible for oversight of PEF's transmission system, including current operation and planning.

3. As the Vice President of Transmission Operations & Planning, I am responsible for the provision of transmission service on PEF's system, the operation of the Company's transmission system, the planning for the expansion of the PEF transmission system to meet

PEF's retail and wholesale customer service requirements, and the integration of PEF's transmission system with the Florida transmission grid.

4. PEF is seeking confidential classification for portions of its responses to White Springs' First Request for Production (Nos. 1-2), specifically portions of the responses to request 2. A detailed description of the confidential information at issue is contained in confidential Exhibit A to PEF's Third Request for Confidential Classification and is outlined in PEF's Justification Matrix that is attached to PEF's Third Request for Confidential Classification as Exhibit C. PEF is requesting confidential classification of this portion of the response, because it calls for the production of a confidential and proprietary transmission study, the disclosure of which would compromise PEF's competitive business interests and place PEF's critical energy infrastructure at risk.

5. White Springs' Request for Production number 2 calls for the production of a confidential transmission study, which provides details regarding PEF's existing transmission line system as well as information and recommendations for future transmission infrastructure development. Disclosure of this study would impair PEF's competitive business interests by providing third parties with information regarding PEF's future plans for expanding and improving its transmission system. For example, if third party real property owners were to know the planned locations of new transmission line corridors, they may raise the asking price of their property, thus making it more expensive for PEF to purchase necessary easements and property for those transmission corridors. Likewise, if third party contractors with whom PEF contracts to construct the transmission lines were to know PEF's specific transmission needs, they could increase the price of those goods and services.

6. Disclosure of the information in this transmission study would also threaten the security of PEF's existing and proposed transmission lines, which are considered to be critical energy infrastructure. Specifically, portions of the transmission study contain critical energy infrastructure information, which is specific engineering, vulnerability, or detailed information about proposed or existing critical infrastructure (physical or virtual) that relates details about the production, generation, transmission or distribution of energy and could be useful to a person planning an attack on critical infrastructure.

7. Upon receipt of this confidential information, and with its own confidential information, strict procedures are established and followed to maintain the confidentiality 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. At no time since receiving the information in question has the Company publicly disclosed that information. The Company has treated and continues to treat the information at issue as confidential.

8. This concludes my affidavit.

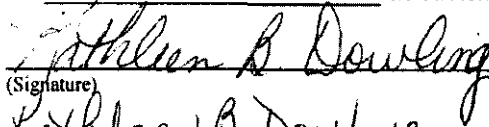
Further affiant sayeth not.

Dated the 21 day of April, 2008.

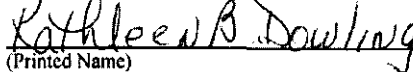


(Signature)
Dale Oliver
Vice President
Transmission Operations & Planning
299 First Avenue North
St. Petersburg, Florida 33701

THE FOREGOING INSTRUMENT was sworn to and subscribed before me this 21 day of April, 2008 by Dale Oliver. He is personally known to me, or has produced his driver's license, or his as identification:



(Signature)



(Printed Name)

(AFFIX NOTARIAL SEAL)

NOTARY PUBLIC, STATE OF _____

(Commission Expiration Date)

(Serial Number, If Any)

