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Ruth Nettles

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**From:** Costello, Jeanne [jcostello@carltonfields.com]  
**Sent:** Thursday, April 16, 2009 4:07 PM  
**To:** Filings@psc.state.fl.us  
**Cc:** cecilia.bradley@myfloridalegal.com; jbrew@bbrslaw.com; john.burnett@pgnmail.com; Katherine Fleming; alex.glenn@pgnmail.com; vkaufman@kagmlaw.com; Caroline Klancke; John T. Lavia, III; paul.lewisjr@pgnmail.com; jmoyle@kagmlaw.com; Charles Rehwinkel; Erik Saylor; Stright, Lisa; ataylor@bbrslaw.com; KSTorain@potashcorp.com; Schef Wright; Keino Young; Walls, J. Michael; Triplett, Dianne; Bernier, Matthew R.  
**Subject:** Filing Docket No. 090079-EI  
**Attachments:** Progress Energy Notice of Filing Revised Affidavit.pdf



Progress  
Energy Notice of Filing

<<Progress Energy Notice of Filing Revised Affidavit.pdf>> Docket 090079-EI  
Filing and e-service

1. The filing is to be made in Docket 090079-EI, In re: Petition for rate increase in rates by Progress Energy Florida, Inc.
2. The total number of pages is 5
3. The attached document is Progress Energy Florida, Inc.'s Notice of Filing

This filing is made by

Jeanne Costello on behalf of Dianne M. Triplett Legal Administrative Assistant Carlton Fields, P.A.  
4221 W. Boy Scout Boulevard, Suite 1000  
Tampa, Florida 33607-5780

Direct: 813.229.4917  
Fax: 813.229.4133  
jcostello@carltonfields.com  
www.carltonfields.com

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition for increase in rates  
By Progress Energy Florida

DOCKET NO. 090079-EI  
Submitted for filing: April 16, 2009

**PROGRESS ENERGY FLORIDA, INC.'S NOTICE OF FILING**

Notice is hereby given, through the undersigned counsel, on behalf of Progress Energy Florida, Inc. of filing the Revised Affidavit of Thomas R. Sullivan in support of Progress Energy Florida's Amended Request for Confidential Classification Regarding certain schedules to PEF's Minimum Filing Requirements.

Respectfully submitted,

R. Alexander Glenn  
[alex.glenn@pgnmail.com](mailto:alex.glenn@pgnmail.com)  
John T. Burnett  
[john.burnett@pgnmail.com](mailto:john.burnett@pgnmail.com)  
Progress Energy Service Company, LLC  
299 First Avenue North  
P.O.Box 14042 (33733)  
St. Petersburg, Florida 33701  
(727) 820-5184  
(727) 820-5249(fax)

Paul Lewis, Jr.  
[Paul.lewisjr@pgnmail.com](mailto:Paul.lewisjr@pgnmail.com)  
Progress Energy Service Company, LLC  
106 East College Avenue  
Suite 800  
Tallahassee, Florida 32301  
(850) 222-8738 / (850) 222-9768 (fax)

  
James Michael Walls  
[mwalls@carltonfields.com](mailto:mwalls@carltonfields.com)  
Florida Bar No. 0706242  
Dianne M. Triplett  
[dtriplett@carltonfields.com](mailto:dtriplett@carltonfields.com)  
Florida Bar No. 0872431  
Matthew Bernier  
[mbernier@carltonfields.com](mailto:mbernier@carltonfields.com)  
Florida Bar No. 059886  
Carlton Fields  
4221 W. Boy Scout Boulevard  
P.O. Box 3239  
Tampa, Florida 33607-5736  
(813) 223-7000 / (813) 229-4133 (fax)

Richard Melson  
[rick@rmelsonlaw.com](mailto:rick@rmelsonlaw.com)  
Florida Bar No. 0201243  
705 Piedmont Drive  
Tallahassee, FL 32312  
(850) 894-1351

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been served via electronic and U.S. Mail to the following counsel of record as indicated below on this 16<sup>th</sup> day of April, 2009.

  
Attorney

Katherine Fleming  
Staff Counsel  
Florida Public Service Commission  
2540 Shumard Oak Blvd  
Tallahassee, FL 32399

J.R. Kelly/Charles Rehwinkle  
Office of the Public Counsel  
c/o The Florida Legislature  
111 W. Madison Street – Room 812  
Tallahassee, FL 32399-1400

Bill McCollum/Cecilia Bradley  
Office of the Attorney General  
The Capitol – PL01  
Tallahassee, FL 32399-1050

Vicki G. Kaufman/Jon C. Moyle, Jr.  
Keefe Law Firm, The Perkins House  
118 North Gadsden Street  
Tallahassee, FL 32301

James W. Brew/Alvin Taylor  
Brickfield Law Firm  
1025 Thomas Jefferson Street, NW, 8<sup>th</sup> Fl  
Washington, D.C. 20007

R. Scheffel Wright / John T. LaVia  
Young Law Firm  
225 South Adams Street, Ste. 200  
Tallahassee, FL 32301

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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

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Docket No. 090079-EI

**AFFIDAVIT OF THOMAS R. SULLIVAN IN SUPPORT OF PROGRESS ENERGY  
FLORIDA'S FIRST REQUEST FOR CONFIDENTIAL CLASSIFICATION**

STATE OF FLORIDA

COUNTY OF CITRUS

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

1. My name is Thomas R. Sullivan. 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 First Request for Confidential Classification ("the Request"). The facts attested to in my affidavit are based upon my personal knowledge.

2. I am the Treasurer at PEF. I am also Vice President and Treasurer of Progress Energy Service Company. As Treasurer, I am responsible for Financial Operations, Corporate Insurance, Financial Analysis, Investment Management, and Enterprise Risk Management. As Treasurer, I help prepare, use, and am familiar with Progress Energy's projected figures for short term and long term debt, off balance sheet obligations, preferred stock and common equity.

3. In its First Request for Confidential Classification, PEF is seeking confidential classification for certain schedules to PEF's Minimum Filing Requirements ("MFRs") attached to PEF's Petition for Rate Increase. An unredacted version of the Schedule at issue is contained in confidential Appendix A to PEF's Request and the confidential portions thereof are outlined in

PEF's Justification Matrix attached to the Request as Appendix C. PEF is requesting confidential classification of portions of this Schedule because it contains proprietary confidential business information, the disclosure of which would compromise PEF's competitive business interests.

4. Certain portions of the schedules to the MFRs at issue contain projected and estimated figures for short and long term debt, off balance sheet obligations, preferred stock, and common equity for Progress Energy, Inc., Progress Energy Carolinas, and Progress Energy's non-regulated companies, along with other sensitive business information that PEF does not make publicly available. The information at issue is proprietary confidential business information that would impair Progress Energy's competitive business interests if it were disclosed to the public, Progress Energy's suppliers, or Progress Energy's competitors. Specifically, if Progress Energy's suppliers, investors, or competitors were made aware of Progress Energy's estimated figures for short and long term debt, off balance sheet obligations, preferred stock, and common equity, they may adjust their behavior in the market place with respect to activities such as pricing and the acquisition and provision of goods, materials and services. Disclosure of this information could negatively impact the debt and equity issuances by Progress Energy, thus changing the position of the Company in the financial markets. This information could also influence investors to change their behavior in the marketplace, perhaps causing them to invest their dollars in another utility company. Public disclosure of the information in D-2 could also negatively affect the price of the Progress Energy stock. In sum, the Company would be at a competitive disadvantage with respect to the other utilities with which it competes for investor dollars.

5. With respect to the confidential information at issue, strict procedures are established and followed to maintain the confidentiality of that information; such procedures include, but are not limited to, restricting access to the information to only those persons who

require it to assist the Company. PEF has treated and continues to treat the information contained in the schedules as confidential

6. This concludes my affidavit.

Dated this 15 day of April, 2009.

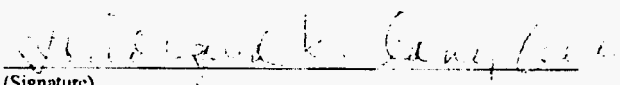


(Signature)

Thomas R. Sullivan

Treasurer, Progress Energy Florida, Inc.

THE FOREGOING INSTRUMENT was sworn to and subscribed before me this 15<sup>th</sup> day of April, 2009 by Thomas R. Sullivan. He is personally known to me, or has produced his ✓ driver's license, or his \_\_\_\_\_ as identification.



(Signature)

Hildegard K. Campbell  
(Printed Name)

NOTARY PUBLIC, STATE OF N.C.

April 17, 2009  
(Commission Expiration Date)

19991200018  
(Serial Number, If Any)

