

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: NUCLEAR POWER PLANT COST
RECOVERY CLAUSE

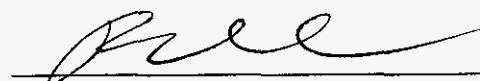
Docket No. 100009-EI
Submitted for Filing: April 23, 2010

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COMMISSION
CLERK

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

Notice is hereby given, through the undersigned counsel, on behalf of Progress Energy Florida, Inc. ("PEF") of filing the affidavit of John Elnitsky in support of Progress Energy Florida's Fourth Request for Confidential Classification as to PEF's responses to Staff's First Request for Production of Documents and First Set of Interrogatories.

Respectfully submitted,



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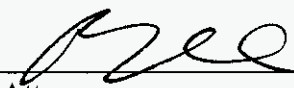
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FPSC-COMMISSION CLERK

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, 2010.



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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Nuclear Power Plant Cost
Recovery Clause

Docket No. 100009-EI
April 21, 2010

**AFFIDAVIT OF JOHN ELNITSKY IN SUPPORT OF PROGRESS ENERGY FLORIDA'S
REQUEST FOR CONFIDENTIAL CLASSIFICATION REGARDING ITS
RESPONSES TO STAFF'S FIRST REQUEST FOR PRODUCTION
OF DOCUMENTS AND FIRST SET OF INTRROGATORIES**

STATE OF FLORIDA

COUNTY OF PINELLAS

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

1. My name is John Elnitsky. I am over the age of 18 years 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 "Request"). The facts attested to in my affidavit are based upon my personal knowledge.

2. As Vice President of the Nuclear Plant Development ("NPD") department, I am responsible for the licensing and construction of the Levy Nuclear Project ("LNP"), including the direct management of the Engineering, Procurement, and Construction ("EPC") agreement with Westinghouse and Shaw, Stone & Webster (the "Consortium"). The Company reorganized the NPD in May 2009 to focus the NPD on overall program management of the LNP including the associated base load transmission projects. The revised NPD Program Management Team ("PMT") included the nuclear plant licensing, engineering, construction, operational readiness,

and base load transmission sections and matrixed support from representatives of project controls, business and financial services, and contract management and administration.

3. PEF is seeking confidential classification for portions of its Responses to Staff's First Request for Production of Documents (Nos. 1-3), specifically numbers 1 and 3, and Staff's First Set of Interrogatories (Nos. 1-3), specifically number 1A (collectively, the "Responses"). A detailed description of the confidential information at issue is contained in confidential Attachment A to PEF's Request and is outlined in PEF's Justification Matrix that is attached to PEF's Request as Appendix C.

4. The Company is requesting confidential classification of this information because the documents and information sought include proprietary and confidential information that would impair PEF's competitive business interests if publicly disclosed. The information sought also includes contractual data and trade secrets of the Company and its contract partners, the disclosure of which would impair the Company's ability to contract on favorable terms in the future. In many instances, the disclosure of this information would violate contractual confidentiality provisions.

5. The public disclosure of these documents would allow other parties to discover how the Company analyzes risk options, scheduling, and cost, and would impair PEF's ability to contract for such goods and services on competitive and favorable terms. Portions of these documents reflect the Company's internal strategies for evaluating projects and meeting deadlines. If such information was disclosed to PEF's competitors and/or other potential suppliers, PEF's efforts to obtain competitive nuclear equipment and service options that provide economic value to both the Company and its ratepayers could be compromised by the Company's competitors and/or suppliers changing their offers, consumption, or purchasing

behavior within the relevant markets.

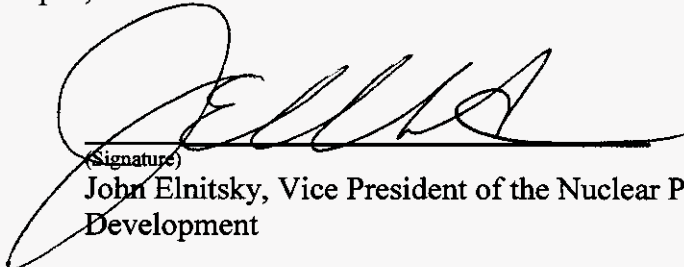
6. PEF must be able to assure these vendors that sensitive business information, such as the terms of their contracts, will be kept confidential. Additionally, as discussed above, some of the contracts at issue contain confidentiality provisions that prohibit the disclosure of the terms of the contract to third parties. The information at issue relates to competitively negotiated contractual data, such as quantity and pricing of goods and services, and other contractual terms, the disclosure of which would impair the efforts of the Company to negotiate these contracts on favorable terms. If other third parties were made aware of confidential contractual terms that PEF has with other parties, they may offer less competitive contractual terms in future contractual negotiations.

7. Upon receipt of all this confidential information, strict procedures are established and followed to maintain the confidentiality of the terms of the documents and information provided, including restricting access to those persons who need the information to assist the Company. At no time since negotiating and receiving the contracts and doing the project analyses in question has the Company publicly disclosed the information or the terms of the contracts at issue. The Company has treated and continues to treat the information at issue as confidential.

8. This concludes my affidavit.

Further affiant sayeth not.

Dated this 21st day of April, 2010.


(Signature)
John Elnitsky, Vice President of the Nuclear Plant
Development

THE FOREGOING INSTRUMENT was sworn to and subscribed before me this 21st day of April, 2010 by John Elnitsky. He is personally known to me, or has produced his _____ driver's license, or his _____ as identification.

Joanne A. Godsey-Baur
(Signature)


Joanne A. Godsey-Baur
(Printed Name)

(AFFIX NOTARIAL SEAL)

NOTARY PUBLIC, STATE OF Florida

August 08, 2011
(Commission Expiration Date)

DD 703482
(Serial Number, If Any)

NOTARY PUBLIC-STATE OF FLORIDA
 Joanne A. Godsey-Baur
Commission # DD703482
Expires: AUG. 08, 2011
BONDED THRU ATLANTIC BONDING CO., INC.