

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION 10 AUG 17 PM 2: 12

COMMISSION
CLERK

IN RE: NUCLEAR POWER PLANT COST
RECOVERY CLAUSE

Docket No. 100009-EI
Submitted for filing: Aug. 16, 2010

**PROGRESS ENERGY FLORIDA'S NOTICE OF PARTIAL WITHDRAWAL OF AND
MODIFICATION TO ITS FIFTH REQUEST FOR CONFIDENTIAL CLASSIFICATION**

Progress Energy Florida, Inc., ("PEF" or the "Company"), files its notice of partial withdrawal of its Fifth Request for Confidential Classification (the "Request"), filed with the Commission on April 30, 2010 and states:

Upon further review, and in consideration of the passage of time, PEF agrees to partially withdraw its Request as it pertains to Exhibit JE-1 to the testimony of John Elnitsky (the "Exhibit") and not to seek confidential classification of that document in its entirety as originally contemplated by the Request. The Company maintains its claim of confidentiality of portions of the Exhibit, as represented in the redacted version of that document attached hereto as Exhibit A. It is PEF's understanding that this agreement resolves any objections regarding the confidentiality of the information in the Exhibit. PEF reiterates its request for confidential classification regarding the remaining information outlined in the Request, i.e., certain portions of the testimony, and exhibits thereto, of Jeffrey Lyash, John Elnitsky and Thomas G. Foster (including the Nuclear Filing Requirement or "NFRs"), as well as portions of the testimony of Sue Hardison, Kenneth Karp and Dr. Patricia D. Galloway and nothing contained in this partial

withdrawal should be construed as waiving the Company's right to seek the continued confidentiality of those documents.

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CLAIM OF CONFIDENTIALITY
 NOTICE OF INTENT
 REQUEST FOR CONFIDENTIALITY
 FILED BY OPC

FOR DN 06792-10, WHICH
IS IN LOCKED STORAGE. YOU MUST BE
AUTHORIZED TO VIEW THIS DN. - CLK

DOCUMENT NUMBER CAL

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FPSC-COMMUNICATIONS

Respectfully submitted this 16th day of August, 2010.

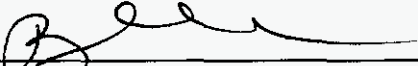
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CERTIFICATE OF SERVICE

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 16th day of August, 2010.



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Public Service Commission

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Re: Acknowledgement of Confidential Filing in Docket No. 100009-EI

This will acknowledge receipt by the Florida Public Service Commission, Office of Commission Clerk, of a **CONFIDENTIAL DOCUMENT** filed on August 17, 2010, in the above-referenced docket.

Document Number 06792-10 has been assigned to this filing, which will be maintained in locked storage.

If you have any questions regarding this document, please contact Kim Peña, Records Management Assistant, at (850) 413-6393.