

REDACTED

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Fuel and purchased power cost recovery clause with generating performance incentive factor.

Docket No. 120001-EI

Dated: March 1, 2012

~~claim of confidentiality~~

~~notice of intent~~

request for confidentiality

~~filed by OPC~~

PROGRESS ENERGY FLORIDA INC.'S

REQUEST FOR CONFIDENTIAL CLASSIFICATION

For DN 01186-12, which is in locked storage. You must be authorized to view this DN.-CLK

RECEIVED-FHSC
12 MAR - 1 AM 11:48
COMMISSION CLERK

Progress Energy Florida, Inc., ("PEF" or "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 for certain information provided in Exhibit No. __ (WG-3T), specifically Schedule A12 to the direct testimony of Will Garrett filed March 1, 2012. In support of this Request, PEF states:

1. Exhibit No. __ (WG-3T), specifically Schedule A12, contains information that is "proprietary business information" under Section 366.093(3), Florida Statutes.
2. The following exhibits are included with this request:
 - (a) Sealed Composite Exhibit A is a package containing unredacted copies of all the documents for which PEF seeks confidential treatment. Composite Exhibit A is being submitted separately in a sealed envelope labeled "CONFIDENTIAL." In the unredacted versions, the information asserted to be confidential is highlighted by yellow marker.

(b) Composite Exhibit B is a package containing two copies of redacted versions

of the documents for which the Company requests confidential classification. The specific information for which confidential treatment is requested has been blocked out by opaque marker or other means.

COM	_____
APA	_____
ECR	<u>3</u>
GCL	_____
RAD	_____
SRC	_____
ADM	_____
OPC	_____
CLK	<u>1-MM</u>

DOCUMENT NUMBER-DATE

01185 MAR-1 2

FPSC-COMMISSION CLERK

(c) Exhibit C is a table which identifies by page and line the information for which PEF seeks confidential classification and the specific statutory bases for seeking confidential treatment.

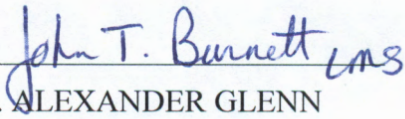
3. As indicated in Exhibit C, the information for which PEF requests confidential classification is “proprietary confidential business information” within the meaning of Section 366.093(3), F.S. Specifically, the information at issue relates to contractual data, such as the MW purchased and contract terms, the disclosure of which would impair the efforts of the Company to negotiate power supply contracts on favorable terms. *See* § 366.093(3)(d), F.S.; Affidavit of Will Garrett at ¶ 5. Furthermore, the information at issue relates to the competitive interests of PEF and its power suppliers, the disclosure of which would impair their competitive businesses. *Id.* § 366.093(3)(e); Affidavit of Will Garrett at ¶ 6. Accordingly, such information constitutes “proprietary confidential business information” which is exempt from disclosure under the Public Records Act pursuant to Section 366.093(1), F.S.

4. The information identified as Exhibit “A” is intended to be and is treated as confidential by the Company. *See* Affidavit of Will Garrett at ¶ 7. The information has not been disclosed to the public, and the Company has treated and continues to treat the information and contracts at issue as confidential. *See* Affidavit of Will Garrett at ¶ 7.

5. PEF requests that the information identified in Exhibit A be classified as “proprietary confidential business information” within the meaning of section 366.093(3), F.S., that the information remain confidential for a period of at least 18 months as provided in section 366.093(4) F.S., and that the information be returned as soon as it is no longer necessary for the Commission to conduct its business.

WHEREFORE, for the foregoing reasons, PEF respectfully requests that this Request for Confidential Classification be granted.

RESPECTFULLY SUBMITTED this 1st day of March, 2012.

Handwritten signature of John T. Burnett in blue ink, with the initials 'ems' written at the end of the signature.

R. ALEXANDER GLENN

General Counsel

JOHN T. BURNETT

Associate General Counsel

DIANNE M. TRIPLETT

Associate General Counsel

Progress Energy Service Company, LLC

Post Office Box 14042

St. Petersburg, Florida 33733-4042

Telephone: 727-820-5184

Facsimile: 727-820-5249

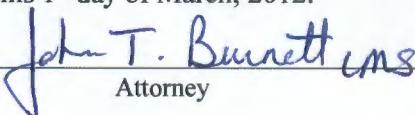
Email: john.burnett@pgnmail.com

Attorneys for

PROGRESS ENERGY FLORIDA, INC.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished via electronic (* via hand delivery) to the following this 1st day of March, 2012.


Attorney

Martha Barrera, Esq. *
Office of General Counsel
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850
mbarrera@psc.state.fl.us

James D. Beasley, Esq.
Jeffry Wahlen, Esq.
Ausley & McMullen Law Firm
P.O. Box 391
Tallahassee, FL 32302
jbeasley@ausley.com

John T. Butler, Esq.
Florida Power & Light Co.
700 Universe Boulevard
Juno Beach, FL 33408
John.butler@fpl.com

Ken Hoffman
Florida Power & Light
215 S. Monroe Street, Ste. 810
Tallahassee, FL 32301-1859
Ken.hoffman@fpl.com

Jeffrey A. Stone, Esq.
Russell A. Badders, Esq.
Steven R. Griffin
Beggs & Lane Law Firm
P.O. Box 12950
Pensacola, FL 32591
jas@beggslane.com
rab@beggslane.com
srg@beggslane.com

Ms. Paula K. Brown
Tampa Electric Company
P.O. Box 111
Tampa, FL 33601
regdept@tecoenergy.com

Ms. Susan D. Ritenour
Gulf Power Company
One Energy Place
Pensacola, FL 32520-0780
sdriteno@southernco.com

Beth Keating
Gunster, Yoakley & Stewart, P.A.
215 S. Monroe St., Ste 618
Tallahassee, FL 32301
bkeating@gunster.com

J.R.Kelly/Charles Rehwinkel
Office of Public Counsel
c/o The Florida Legislature
111 West Madison Street, #812
Tallahassee, FL 32399
Kelly_jr@leg.state.fl.us
Rehwinkel.charles@leg.state.fl.us

Tom Geoffroy
Florida Public Utilities Company
P.O. Box 3395
West Palm Beach, FL 33402-3395
tgeoffroy@cfgas.com

James W. Brew, Esq.
c/o Brickfield Law Firm
1025 Thomas Jefferson St., NW
8th Floor, West Tower
Washington, DC 20007
jbrew@bbrslaw.com

Keefe Law Firm
Vicki Gordon Kaufman/Jon C. Moyle, Jr.
118 North Gadsden Street
Tallahassee, FL 32301
vkaufman@kagmlaw.com
jmoyle@kagmlaw.com

Florida Retail Federation
Robert Scheffel Wright/John T. LaVia,
c/o Gardner, Bist, Wiener Law Firm
1300 Thomaswood Drive
Tallahassee, FL 32308
schef@gbwlegal.com

Karen S. White
c/o AFLSA/JACL-ULT
139 Barnes Drive, Suite 1
Tyndall AFB, FL 32403-5319
karen.white@tyndall.af.mil

Exhibit A

“CONFIDENTIAL”

Exhibit B

REDACTED

COM _____
APA _____
ECR 1 _____
GCL _____
RAD _____
SRC _____
ADM _____
OPC _____
CLK _____

REDACTED

PROGRESS ENERGY FLORIDA, INC
 SCHEDULE A12 - CAPACITY COSTS
 FOR THE PERIOD JAN - DEC 2011

Counterparty	Type	MW	Start Date - End Date	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	YTD
Auburndale Power Partners L P (AUBDPLAS)	QF	0.00	8/1/94 - 12/31/13													
1 Auburndale Power Partners L P (AUBDPLFC)	QF	17.00	1/1/95 - 12/31/13	728,960	728,960	728,960	728,960	728,960	728,960	728,960	728,960	728,960	728,960	728,960	728,960	8,747,520
2 Auburndale Power Partners L P (AUBDSET)	QF	114.18	8/1/94 - 12/31/13	3,270,177	3,270,177	3,270,177	3,270,177	3,270,177	3,270,177	3,270,177	3,270,177	3,270,177	3,270,177	3,270,177	3,270,177	39,242,125
3 Lake County (LAKCOJHT)	QF	12.75	1/1/95 - 6/30/14	683,528	683,528	683,528	683,528	683,528	683,528	683,528	683,528	683,528	683,528	683,528	683,528	8,202,330
4 Lake Cogen Limited (LAKORDER)	QF	110.00	7/1/93 - 7/31/13	3,381,506	3,381,506	3,381,506	3,381,506	3,381,506	3,381,506	3,381,506	3,381,506	3,381,506	3,381,506	3,381,506	3,381,506	40,578,072
5 Metro-Dade County (METRDADE)	QF	43.00	11/1/91 - 11/30/13	1,269,790	1,269,790	1,269,790	1,269,790	1,269,790	1,269,790	1,269,790	1,269,790	1,269,790	1,269,790	1,269,790	1,269,790	15,237,480
6 Orange Cogen (ORANGECC)	QF	74.00	7/1/95 - 12/31/24	2,905,606	2,905,606	2,905,606	2,905,606	2,905,606	2,905,606	2,905,606	2,905,606	2,905,606	2,905,606	2,905,606	2,905,606	34,867,268
7 Orlando Cogen Limited (ORLACOGL)	QF	79.20	9/1/93 - 12/31/23	2,607,453	2,607,453	2,607,453	2,607,453	2,607,453	2,607,453	2,607,453	2,607,453	2,607,453	2,607,453	2,607,453	2,607,453	30,558,000
8 Pasco County Resource Recovery (PASCOUNT)	QF	23.00	1/1/95 - 12/31/24	1,233,030	1,233,030	1,233,030	1,233,030	1,233,030	1,233,030	1,233,030	1,233,030	1,233,030	1,233,030	1,233,030	1,233,030	14,796,363
9 Pinellas County Resource Recovery (PINCOUNT)	QF	54.75	1/1/95 - 12/31/24	2,935,148	2,935,148	2,935,148	2,935,148	2,935,148	2,935,148	2,935,148	2,935,148	2,935,148	2,935,148	2,935,148	2,935,148	35,221,770
10 Polk Power Partners, L.P. (MULBERRY)	QF	115.00	8/1/94 - 8/8/24	5,167,518	5,167,518	5,167,518	5,167,518	5,167,518	5,167,518	5,167,518	5,167,518	5,167,518	5,167,518	5,167,518	5,167,518	62,010,217
11 Wheelabrator Ridge Energy Inc (RIDGEGEN)	QF	38.60	8/1/94 - 12/31/23	907,798	907,798	907,798	907,798	907,798	907,798	907,798	907,798	907,798	907,798	907,798	907,798	10,895,576
12 UPS Purchase (414 total mw) - Southern	Other	414	7/1/98 - 5/31/10	0	0	0	0	0	(497,784)	0	0	0	0	0	0	(27,231)
13 Southern purchase - Scherer	Other	74	6/1/10 - 5/31/16	1,129,912	1,519,867	1,322,689	1,322,689	2,696,712	1,552,980	1,844,501	2,240,870	1,084,492	1,664,492	1,664,492	1,664,492	19,708,198
14 Southern purchase - Frankel	Other	350	8/1/10 - 5/31/16	2,163,000	2,163,000	2,163,000	2,163,000	2,163,000	2,163,000	2,163,000	2,163,000	2,163,000	2,163,000	2,163,000	2,163,000	26,280,450
15 TECO Power Purchase (70 mw)	Other	70	3/30/93 - 2/28/11	659,767	659,767	0	0	0	0	0	0	0	0	0	0	1,319,534
16 Other: NEIL insurance proceeds				0	0	0	0	0	0	0	0	0	0	0	0	0
17 Retail Wheeling				(27,046)	(3,353)	(13,748)	(3,819)	(3,373)	(4,853)	(3,297)	(707)	(2,148)	(1,512)	(1,831)	(1,190)	(86,477)
18 Levy Protected Expense				12,767,783	14,846,909	11,839,054	11,912,481	12,385,453	11,896,778	11,064,739	12,322,182	11,919,038	11,831,602	12,556,039	11,831,830	147,573,865
19 CR-3 Protected Expense				1,047,741	1,086,610	1,128,524	1,147,351	1,178,446	1,250,940	1,567,143	1,388,903	1,418,873	1,477,338	1,724,075	1,592,850	16,006,795
SUBTOTAL				42,831,671	45,056,451	41,421,179	41,525,562	43,324,546	41,265,628	42,139,818	43,016,063	41,810,900	41,953,749	43,008,710	42,022,191	509,974,477
Confidential Capacity Contracts (Aggregated):																
Purchases/Sales (Net)	Other	MW	Contracts													
Chattahoochee Capacity Purchase	1			14,050	11,636	13,364	12,231	12,769	12,231	12,769	12,500	12,231	12,769	12,231	12,769	151,550
Reliant - Vandolah Capacity Purchase	1			709,420	709,420	507,180	507,180	1,025,420	1,025,420	5,060,740	3,043,086	3,043,086	(608,880)	1,014,360	1,418,640	17,454,260
Schedule H Capacity Sales-NSB	1			(11,243)	(10,155)	(11,243)	(10,880)	(11,243)	(11,489)	(11,552)	(11,552)	(11,179)	(11,552)	(11,179)	(11,552)	(134,819)
Shady Hill Tolling	1			1,960,764	1,960,764	1,400,546	1,358,739	1,910,302	3,876,747	3,876,747	3,876,747	1,809,149	1,362,100	1,362,100	1,965,615	26,720,320
Total:		837.25	4	2,672,992	2,671,895	1,909,847	1,867,270	2,937,248	4,902,909	8,938,704	6,920,775	4,853,280	753,437	2,377,512	3,385,672	44,191,311
TOTAL				45,504,663	47,728,127	43,331,027	43,392,832	46,261,794	46,168,534	51,078,521	49,936,837	46,664,180	42,707,185	45,384,222	46,007,863	554,165,788

131

Exhibit C

PROGRESS ENERGY FLORIDA Confidentiality Justification Matrix

DOCUMENT/RESPONSES	PAGE/LINE	JUSTIFICATION
Exhibit No. __ (WG-3T)	Schedule A12; Lines 1-4 (confidential portion): MW purchased & contract terms.	<p>§366.093(3)(d), F.S. The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S. The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>