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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: May 7, 2012

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- claim of confidentiality
- notice of intent
- request for confidentiality
- filed by OPC

PROGRESS ENERGY FLORIDA INC.'S

For DN 02912-12, which REQUEST FOR CONFIDENTIAL CLASSIFICATION is in locked storage. You must be authorized to view this DN.-CLK

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 response to FIPUG’s First Set of Interrogatories (Nos. 1-12) propounded on PEF. In support of this Request, PEF states:

1. In response to FIPUG’s First Set of Interrogatories (specifically Interrogatory No. 9), PEF has provided responses containing 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 1
- ECR 3
- GCL 1
- RAD 1
- SRC _____
- ADM _____
- OPC _____
- CLK 1

DOCUMENT NUMBER / DATE

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(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.

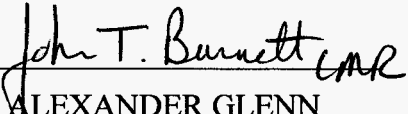
3. As indicated in Exhibit C, the information for which PEF requests confidential classification is “proprietary confidential business information” within the meaning of Section 366.093(3), F.S. Specifically, the information at issue relates to release notes provided by the vendor, PCI, regarding GenTrader model changes, the disclosure of which would impair the efforts of the Company to contract for goods or services on favorable terms. *See* § 366.093(3)(d), F.S.; Affidavit of Robert M. Oliver at ¶ 4. 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 Robert M. Oliver at ¶ 5. 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 Robert M. Oliver at ¶ 5.

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 7th day of May, 2012.



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JOHN T. BURNETT

Associate General Counsel

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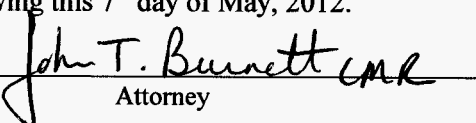
Email: john.burnett@pgnmail.com

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 mail (* via hand delivery) to the following this 7th day of May, 2012.


Attorney

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Exhibit B

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**PEF Response to
FIPUG 1st ROG #9**

Bates Nos. PEF-12FL-00407

Docket No. 120001

Exhibit C

**PROGRESS ENERGY FLORIDA
Confidentiality Justification Matrix**

DOCUMENT/RESPONSES	PAGE/LINE	JUSTIFICATION
PEF Response to FIPUG's First Set of Interrogatories (No. 9)	Bates Nos. PEF-12FL-00407: release notes provided by vendor, PCI, regarding GenTrader model changes.	§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.

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DOCUMENT NUMBER-DATE

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