

ORIGINAL  
FILE COPY

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Petition for Declaratory  
Statement Regarding Eligibility  
For Standard Offer Contract And  
Payment Thereunder By Florida  
Power Corporation

DOCKET NO. 950110-EI

NOTICE OF INTENT TO REQUEST CONFIDENTIAL CLASSIFICATION

COMES NOW, PANDA-KATHLEEN, L.P./PANDA ENERGY CORPORATION, [hereinafter "Panda"], by and through its undersigned counsel of record, and pursuant to Rule 25-22.006, Florida Administrative Code, and, to the extent applicable, pursuant to the August 3, 1995 Agreed Order for the Handling of Confidential Information in Panda-Kathleen L.P. v. Florida Power Corporation, United States District Court (Middle District of Florida), case No. 95-992-CIV-T-24C<sup>1</sup>, Panda hereby files this Notice of Intent to Request Confidential Classification herein. In support thereof, Panda provides the following:

1. Florida Power Corporation has filed herein the rebuttal testimony of Brian A. Morrison, which contains information derived from documents which Panda contends and asserts are confidential.
2. A Request for Confidential Classification, and pursuant to Rule 25-22.006(4) (a), Florida Administrative Code, one copy of

<sup>1</sup>On December 29, 1995, Florida Power Corporation filed herein a Motion Requesting Approval of Stipulation Confirming Agreement Regarding Discovery, wherein Florida Power requested for the Commission to grant approval of Florida Power and Panda's Stipulation Confirming Agreement Regarding Discovery and the August 3, 1995 Agreed Order for the Handling of Confidential Information. Such motion is presently pending before the Commission.

<sup>1</sup>  
This Notice of Intent was filed with Confidential Document No. 00844-96. The document has been placed in the confidential files pending receipt of a request for confidential treatment.

DOCUMENT NUMBER-DATE

00870 JAN 24 1996 1328

FPSC-RECORDS/REPORTING

the material for which confidential treatment is requested, will be filed within the applicable time constraints.

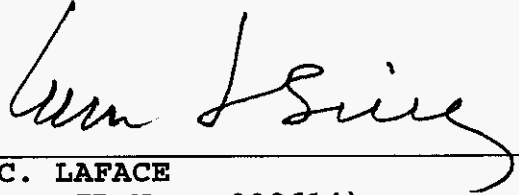
3. Pursuant to Rule 25-22.006, Florida Administrative Code, and further pursuant to the August 3, 1995 Agreed Order for the Handling of Confidential Information from Panda-Kathleen, L.P. v. Florida Power Corporation, United States District Court (Middle District of Florida), Case No. 95-992-CIV-T-24C, two copies of all material for which confidential treatment is requested has been filed by Florida Power in a sealed fashion along with an original plus fifteen (15) copies of Mr. Morrison's testimony which have been redacted, pending a ruling on the Request for Confidential Classification.

4. Counsel for Florida Power Corporation has been contacted, and has authorized undersigned counsel to represent that Florida Power has no objection to this Notice of Intent to Request Confidential Classification, and also has no objection to the later Request for Confidential Classification being granted.

Respectfully submitted,

**GREENBERG, TRAURIG, HOFFMAN, LIPOFF,  
ROSEN & QUENTEL, P.A.**

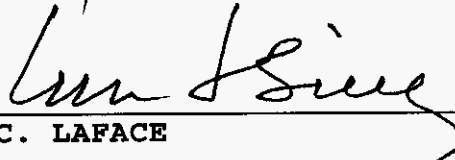
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(904) 222-6891



**RONALD C. LAFACE**  
(Fla Bar ID No. 098614)  
**LORENCE JON BIELBY,**  
(Fla Bar ID No. 0393517)

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by U.S. Mail/~~Hand Delivery/Telecopy~~ to Donald R. Schmidt, Esquire, and Steven Dupre, Esquire, Post Office Box 2861, Saint Petersburg, Florida 33731, by U.S. Mail/~~Hand Delivery/Telecopy~~ to Robert Vandiver, Esquire, and Martha Carter-Brown, Esquire, Florida Public Service Commission, 2450, Shumard Oak Boulevard, Tallahassee, Florida 32399-0892, by U.S. Mail/~~Hand Delivery/Telecopy~~ to James A. McGee, Esquire, and Jeffery A. Froeschloe, Esquire, Post Office Box 14042, St. Petersburg, Florida 33733-4042, this 24<sup>th</sup> day of JANUARY, 1996.



**RONALD C. LAFACE**