

**ORIGINAL**

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

**In re: Petition for Determination )  
of Need of Hines Unit 3 Power )  
Plant )**

**DOCKET NO. 020953-EI**

Submitted for filing: September 4, 2002

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COMMISSION  
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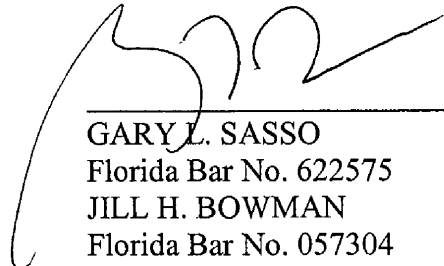
**NOTICE OF FILING AFFIDAVIT IN SUPPORT OF  
REQUEST FOR CONFIDENTIAL CLASSIFICATION**

Florida Power Corporation hereby gives notice of filing the following item in support of its Request for Confidential Classification:

1. Affidavit of Daniel J. Roeder in Support of Florida Power Corporation's First Request for Confidential Classification.

Respectfully submitted this 4<sup>th</sup> day of September, 2002.

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for Determination )  
of Need of Hines Unit 3 Power )  
Plant )  
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DOCKET NO. 020953-EI

Submitted for filing: September 4, 2002

**AFFIDAVIT OF DANIEL J. ROEDER IN SUPPORT  
OF FLORIDA POWER'S FIRST REQUEST FOR CONFIDENTIAL CLASSIFICATION**

STATE OF NORTH CAROLINA

COUNTY OF Wake

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

1. My name is Daniel J. Roeder. I am over the age of 18 years old and I have been authorized by Florida Power Corporation (hereinafter "Florida Power" or the "Company") to give this affidavit in the above-styled proceeding on Florida Power's behalf and in support of Florida Power's First Request for Confidential Classification. The facts attested to in my affidavit are based upon my personal knowledge.

2. I am a Project Leader in the System and Resource Planning Section of the System Planning and Operations Department. This department is responsible for the resource planning for both the Florida Power and CP&L systems. My responsibilities are usually for special projects, such as the Request for Proposals and bid evaluation that Florida Power performed in connection with this case.

3. As Project Manager over the Request for Proposals, I was and am responsible, along with the other members of the System Resource Planning, for the receipt, handling, and evaluation of the proposals received in response to Florida Power's Request for Proposals, issued November 26, 2001 pursuant to Rule 25-22.082. In the RFP, I was designated as the Company contact. I have read the RFP proposals received by the Company, I participated in Florida

Power's evaluation of the proposals, and I am familiar with the details of each proposal and Florida Power's evaluation of them.

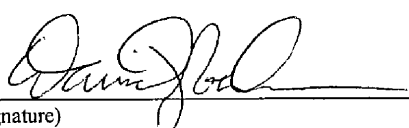
4. Florida Power is seeking confidential classification of the detail of the proposals and Florida Power's evaluation of the same. A detailed description of the confidential information in each of the proposals is contained in the confidential Appendix J to the Need Study filed as Exhibit 1 to Mr. Crisp's testimony. This confidential Appendix J contains a detailed description of the bids, their pricing terms, characteristics, locations, and other proprietary information. Florida Power is requesting confidential classification of these materials because the bidder who submitted the proposals in response to the Company's RFP asked the Company to keep this information confidential by declaring their terms confidential.

5. The Company provided for the confidentiality of the bids it received in response to its RFP by including a confidentiality provision in the RFP. Florida Power included the confidentiality provision in the RFP to assure bidders that the terms of their bids would be kept confidential and would not be publicly disclosed. Absent such assurances, potential bidders would run the risk that any sensitive engineering, construction, cost or other business information that they provided in their bids would be made available to the public and, as a result, end up in possession of potential competitors. Faced with that risk, potential bidders might withhold such information altogether, denying Florida Power the ability to fully understand and accurately assess the cost and benefits of the bidders' proposals. Or, persons or companies who otherwise would have submitted bids in response to Florida Power's RFP might decide not to do so, if Florida Power did not assure them that the terms of their bids would be kept confidential. In either case, without the assurance of confidentiality for the terms of the bids in response to Florida Power's RFP, Florida Power's efforts to obtain competitive alternative proposals to its next-planned generating unit through its RFP would be undermined.

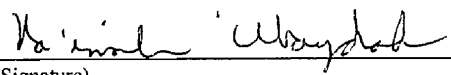
6. For these reasons, Florida Power declared its intent in the RFP to keep the terms of the bidders' proposals in response to the RFP confidential. Upon receipt of the bids, strict procedures were established and followed to maintain the confidentiality of the terms of bidders' proposals, including restricting access to those persons who needed the information to assist the Company in its evaluation of the bids and restricting the number of, and access to, copies of the proposals. At no time since receiving the bidders' proposals has the Company publicly disclosed the terms of the proposals, even to the other bidders. The Company has treated and continues to treat the bidders' proposals as confidential.

7. This concludes my affidavit.  
Further affiant sayeth not.

Dated the 3<sup>rd</sup> day of September, 2002.

  
\_\_\_\_\_  
(Signature)  
Daniel J. Roeder  
Project Leader  
System Planning & Operations Department  
Progress Energy MC PEB 7A  
Post Office Box 1551  
Raleigh, NC. 27602

THE FOREGOING INSTRUMENT was sworn to and subscribed before me this 3<sup>rd</sup> day of September, 2002 by Daniel J. Roeder. He is personally known to me, or has produced his  driver's license, or his \_\_\_\_\_ as identification.

  
\_\_\_\_\_  
(Signature)

Na'imah 'Ubaydah  
\_\_\_\_\_  
(Printed Name)

NOTARY PUBLIC, STATE OF North Carolina  
July 6, 2003  
\_\_\_\_\_  
(Commission Expiration Date)

\_\_\_\_\_  
(Serial Number, If Any)

