



**Florida Power**  
A Progress Energy Company

ORIGINAL

JAMES A. MCGEE  
ASSOCIATE GENERAL COUNSEL

October 25, 2002

Ms. Blanca S. Bayo, Director  
Division of Records and Reporting  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, Florida 32399-0850

RECEIVED - FPSC  
02 OCT 28 AM 11:40  
COMMISSION  
CLERK

Re: Docket No. 020001-EI; Request for Specified Confidential Treatment.

Dear Ms. Bayo:

Enclosed for filing is Florida Power Corporation's Request for Specified Confidential Treatment regarding the Company's FPSC 423 Forms for the month of August 2002. Attachment C to the Request is an unedited copy of the forms which denotes the confidential information with shading. **This document should be treated as Specified Confidential.** Edited copies of the forms which may be made public have been submitted for filing this date under separate cover.

Please acknowledge your receipt and filing of the above on the enclosed copy of this letter and return same to me.

Very truly yours,

James A. McGee

JAM:scc  
Enclosures  
cc: Parties of record

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CERTIFICATE OF SERVICE

Docket No. 020001-EI

I HEREBY CERTIFY that a true copy of Florida Power Corporation's Request for Specified Confidential Treatment for the month of August 2002 has been furnished to the following individuals by regular U.S. Mail this 25<sup>th</sup> day of October 2002.

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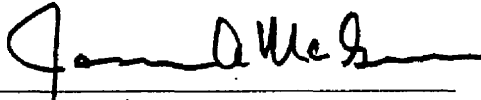
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\_\_\_\_\_  
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August 2002  
Docket No. 020001-EI

Request for Specified Confidential Treatment

FORM 423-1A

<u>Line(s)</u>	<u>Column</u>	<u>Justification</u>
1, 4-11, 14-19	H	(1) The information under Column H, "Invoice Price", identifies the basic component of the contract pricing mechanism. Disclosure of the invoice price, particularly if in conjunction with information under other columns discussed below, would enable suppliers to determine the pricing mechanisms of their competitors. The likely result would be greater price convergence in future bidding. Disclosure would also result in a reduced ability on the part of a major purchaser such as FPC to bargain for price concessions, since suppliers would be reluctant or unwilling to grant concessions that other potential purchasers would then expect.
1, 4-11, 14-19	I	(2) Disclosure of the Invoice Amount, when divided by the Volume figure available from column G, would also disclose the Invoice Price in column
1, 4-11, 14-19	J	(3) Disclosure of the Discount, in conjunction with other information under columns K, L, M or N, could also disclose the Invoice Price shown in column H by mathematical deduction. In addition, disclosure of

<u>Line(s)</u>	<u>Column</u>	<u>Justification</u>
		discounts resulting from bargaining concessions would impair the ability of FPC to obtain such concessions in the future for the reasons discussed in item (1) above.
1, 4-11, 14-19	K	(4) See item (3) above.
1, 4-11, 14-19	L	(5) See item (3) above.
1, 4-11, 14-19	M	(6) See item (3) above.
1, 4-11, 14-19	N	(7) See item (3) above. This column is particularly sensitive because it is usually the same as or only slightly different from the Invoice Price in column H.
1, 4-11, 14-19	O	(8) Disclosure of the Transportation to Terminal Charges, in conjunction with the information under column Q, would also disclose the Effective Purchase Price in column N by subtracting them from the Delivered Price available in column R.
1, 4-11, 14-19	Q	(9) See item (8) above.

## FORM 423-2

<b>Plant Name: Line(s)</b>	<b>Column</b>	<b>Justification</b>
Transf. Facility IMT: 1-6 Crystal River 1&2: 1-5 Crystal River 4&5 : 1-5	G	(10) The Effective Purchase Price is also found on Form 423-2A, column L, and on Form 423-2B, column G. In nearly every case it is the same as the F.O.B. Mine Price found under column F on Form 423-2A, which is the current contract price of coal purchased from each supplier by Electric Fuels Corporation (EFC) for delivery to FPC. Disclosure of this information would enable suppliers to determine the prices of their competitors, which would likely result in greater price convergence in future bidding. Disclosure would also result in a reduced ability on the part of a major purchaser such as EFC to bargain for price concessions on behalf of FPC, since suppliers would be reluctant or unwilling to grant concessions that other potential purchasers would then expect. In addition, disclosure of the Effective Purchase Price would also disclose the Total Transportation Cost in column H by subtracting column G from the F.O.B. Plant Price in column I.
Transf. Facility IMT: 1-6 Crystal River 1&2: 1-5 Crystal River 4&5: 1-5	H	(11) See item (25) below. In addition, disclosure of the Total Transportation Cost, when subtracted from the F.O.B. Plant Price in column I, would also disclose the Effective Purchase Price in column G.

## FORM 423-2A

<b>Plant Name: Line(s)</b>	<b>Column</b>	<b>Justification</b>
Transf. Facility IMT: 1-6	F	(12) The F.O.B. Mine Price is the current contract price of coal purchased from each supplier by EFC for delivery to FPC. Disclosure of this information would enable suppliers to determine the prices of their competitors, which would likely result in greater price convergence in future bidding. Disclosure would also result in a reduced ability on the part of a major purchaser such as EFC to bargain for price concessions on behalf of FPC, since suppliers would be reluctant or unwilling to grant concessions that other potential purchasers would then expect.
Crystal River 1&2: 1-5		
Crystal River 4&5: 1-5		
Transf. Facility IMT: N/A	G	(13) Short haul and loading charges.
Crystal River 1&2: N/A		
Crystal River 4 & 5: N/A		
Transf. Facility IMT: 1-6	H	(14) The Original Invoice Price is the same as the F.O.B. Mine Price in column F, except in rare instances when the supplier is willing and able to disclose its short haul and loading costs (column G), if any, included in the contract price of coal. Disclosure would therefore be detrimental for the reasons identified in item (12) above.
Crystal River 1&2: 1-5		
Crystal River 4&5: 1-5		

Transf. Facility IMT: 1-6	I	(15) Retroactive Price Increases are normally received well after the reporting month and are included on Form 423-2C at that time, along with the resulting new price. Disclosure of this information would therefore disclose the F.O.B. mine price.
Crystal River 1&2 1-5		
Crystal River 4&5 1-5		
Transf. Facility IMT: 1-6	J	(16) The Base Price is the same as the Original Invoice Price in column H, since retroactive price adjustments (column I) are normally received well after the reporting month and are included on Form 423-2C at that time. Disclosure would therefore be detrimental for the reasons identified in item (12) above.
Crystal River 1&2: 1-5		
Crystal River 4&5: 1-5		
Transfer Facility IMT 1-6	K	(17) Quality Adjustments are normally received well after the reporting month and are therefore included on Form 423-2C at that time. These adjustments are based on variations in coal quality characteristics (usually BTU content) between contract specifications and actual deliveries. Disclosure of this information would allow the F.O.B. mine price to be calculated using the associated tonnage and available contract BTU specifications.
Crystal River 1&2 1-5		
Crystal River 4&5 1-5		

Transf. Facility IMT:  
1-6

Crystal River 1&2:  
1-5

Crystal River 4&5:  
1-5

L

(18) The Effective Purchase Price is the same as the Base Price in column J, since quality adjustments are normally not reported in column K. Disclosure would therefore be detrimental for the reasons identified in item (12) above.



FORM 423-2B

<u>Plant Name: Line(s)</u>	<u>Column</u>	<u>Justification</u>
Transf. Facility IMT: 1-6	G	(19) See item (10) above.
Crystal River 1&2: 1-5		
Crystal River 4&5: 1-5		
Trans. Facility IMT: N/A	I	(20) The information under Rail Rate is a function of EFC's contract rate with the railroad and the distance between each coal supplier and Crystal River. Since these distances are readily available, disclosure of the Rail Rate would effectively disclose the contract rate. This would impair the ability of a high volume user such as EFC to obtain rate concessions, since railroads would be reluctant to grant concessions that other rail users would then expect.
Crystal River 1&2: n/a		
Crystal River 4&5 n/a		
Trans. Facility IMT: N/A	J	(21) Other Rail Charges consist of EFC's railcar ownership cost. This cost is internal trade secret information which is not available to any party with whom EFC contracts, railroads or otherwise. If this information were disclosed to the railroad, their existing knowledge of EFC's rail rates would allow them to determine EFC's total rail cost and be better able to evaluate EFC's opportunity to economically use competing transportation alternatives.
Crystal River 1&2: 1-5		
Crystal River 4&5: 1-5		

Transf. Facility IMT: 1-6	P	(22) The figures under Transportation Charges are the same as the Total Transportation Cost under column H on Form 423-2. See item (11) above. In the case of rail deliveries to the Crystal River Plants, these figures represent EFC's current rail transportation rate. In the case of waterborne deliveries to the Crystal River Plants, the figures represent EFC's current Gulf barge transportation rate. In the case of waterdeliveries to the IMT "Plant", the figures represent EFC's current river transportation rate. Disclosure of these transportation rates would enable coal suppliers to bid a F.O.B. mine price calculated to produce a delivered plant price at or marginally below FPC's current delivered price, which is available on Form 423-2, column I. Without this opportunity to calculate a perceived maximum acceptable price, suppliers would be more likely to bid their best price.
Crystal River 1&2: 1-5		
Crystal River 4&5: 1-5		

FORM 423-2C

Plant Name:

<u>Line(s)</u>	<u>Column</u>	<u>Justification</u>
Transf. Facility IMT: 1-15	J	(23) The type of information under this column and column K relates to the particular column on Form 423-2, 2A, or 2B to which the adjustment applies (identified in column I). The column justifications above also apply to the adjustments for those column reported on Form 423-2C. In particular, see item (14), Retroactive Price Increases, and item (16), Quality Adjustments, which apply to the majority of the adjustments on Form 423-2C.
Crystal River 1&2: 1-18		
Crystal River 4&5: 1-9		
Transf. Facility IMT: 1-15	K	(24) See item (26) above.
Crystal River 1&2: 1-18		
Crystal River 4&5: 1-9		

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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

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Docket No. 020001-EI

Submitted for filing: 10/25/02

**REQUEST FOR SPECIFIED CONFIDENTIAL TREATMENT**

Florida Power Corporation (FPC), pursuant to section 366.093, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, requests Specified Confidential treatment of certain information on its FPSC Form 423 Fuel Reports for the month of **August 2002** as set forth below. In support of its request, FPC states as follows:

1. FPC's Forms 423-1A, 423-2, 423-2A, 423-2B and 423-2C contain sensitive pricing information concerning contracts for the purchase of fuel and transportation services. Disclosure of this information to suppliers of such services would impair the ability of FPC or Electric Fuels Corporation (EFC), its affiliated coal supplier acting on FPC's behalf, to negotiate future fuel and transportation contracts on favorable terms. As such, the information constitutes proprietary confidential business information entitled to protection from disclosure pursuant to section 366.093(1) and (3)(d), Florida Statutes.

WHEREFORE, Florida Power Corporation requests that the information on its FPSC 423 Forms identified as confidential in Attachment C be accorded Specified Confidential treatment for a period of 24 months.

Florida Power Corporation  
Docket No. 020001-EI

**Request for Specified Confidential Treatment**

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**423 Forms for August 2002**

**CONFIDENTIAL COPY**

(Confidential information denoted with shading)

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