

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Fuel and purchased power cost recovery clause with generating performance incentive factor.	DOCKET NO. 040001-EI ORDER NO. PSC-04-0689-CFO-EI ISSUED: July 15, 2004
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ORDER GRANTING CONFIDENTIAL CLASSIFICATION TO PORTIONS OF
PROGRESS ENERGY FLORIDA INC.'S 423 FORMS FOR JUNE, 2003
(DOCUMENT NO. 09135-03)

On September 9, 2003, Progress Energy Florida, Inc. (Progress) filed a request for confidential classification of portions of its Form 423 Fuel Reports for June, 2003. The petition, Document No. 08473-03, however did not accurately reflect the redacted information. Notwithstanding the inaccurate petition, information for which confidential treatment has been requested has never been publicly disclosed. By Order No. PSC-03-1041-CFO-EI, issued September 19, 2003, in Docket No. 030001-EI, the Commission granted confidential classification to the information contained in the inaccurate petition. On September 24, 2003, Progress filed a revised petition that accurately reflects the redacted information. The confidential information is filed with the Commission as Document No. 09135-03. Since the September 24, 2003, petition revised the original request for confidential classification, Order No. PSC-03-1041-CFO-EI is hereby vacated.

INFORMATION FOR WHICH CONFIDENTIAL CLASSIFICATION IS SOUGHT

In its amended petition, Progress requests that the information contained in the following tables be granted confidential classification:

LINE(S)	COLUMN(S)
1-2, 4-12, 15-26	H - O, Q

PLANT NAME	LINE(S)	COLUMN(S)
TRANSF. FACILITY IMT	1-3	G, H
CRYSTAL RIVER 1 & 2	1-4	G, H
CRYSTAL RIVER 4 & 5	1-7	G, H

DOCUMENT NUMBER-DATE

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TABLE 3: 423-2A

PLANT NAME	LINE(S)	COLUMN(S)
TRANSF. FACILITY IMT	1-3	F, H, I, J, K, L
CRYSTAL RIVER 1 & 2	1-4	F, H, I, J, K, L
CRYSTAL RIVER 4 & 5	1-7	F, H, I, J, K, L

TABLE 4: FORM 423-2B

PLANT NAME	LINE(S)	COLUMN(S)
TRANSF. FACILITY IMT	1-3	G, P
CRYSTAL RIVER 1 & 2	1-4	G, I, J, P
CRYSTAL RIVER 4 & 5	1-7	G, I, J, P

PLANT NAME	LINE(S)	COLUMN(S)
TRANSF. FACILITY IMT.	1-4	J, K
CRYSTAL RIVER 1 & 2	1-3	J, K
CRYSTAL RIVER 4 & 5	1-5	J, K

CONCLUSION

Upon review, the information described above appears to be "information concerning bids or other contractual data, the disclosure of which would impair the efforts of the public utility or its affiliates to contract for goods or services on favorable terms." Section 366.093(3)(d), Florida Statutes. This information reveals invoice prices, transportation charges, and coal prices. The public disclosure of any of this information could reduce Progress' competitiveness in the marketplace. This, in turn, could result in higher prices for transportation and coal.

The information described above for which confidential classification is requested shall be granted confidential classification until September 19, 2005.

Based on the foregoing, it is

ORDERED by Rudolph "Rudy" Bradley, as Prehearing Officer, that the revised request by Progress Energy Florida, Inc. for confidential classification of portions of Document No. 09135-03 is granted. It is further

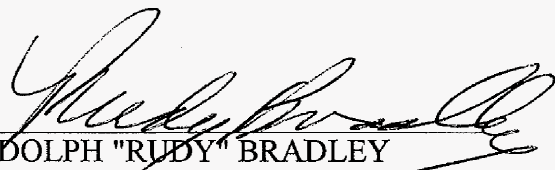
ORDERED that the information described within the body of this Order and contained in Document No. 09135-03 shall be granted confidential classification until September 19, 2005. It is further

ORDER NO. PSC-04-0689-CFO-EI
DOCKET NO. 040001-EI
PAGE 3

ORDERED that Order No. PSC-03-1041-CFO-EI is hereby vacated. It is further

ORDERED that this Order will be the only notification by the Commission to the parties concerning the expiration of the confidentiality time period.

By ORDER of Commissioner Rudolph "Rudy" Bradley, as Prehearing Officer, this 15th day of July, 2004.


RUDOLPH "RUDY" BRADLEY
Commissioner and Prehearing Officer

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NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

Any party adversely affected by this order, which is preliminary, procedural or intermediate in nature, may request: (1) reconsideration within 10 days pursuant to Rule 25-22.0376, Florida Administrative Code; or (2) judicial review by the Florida Supreme Court, in the case of an electric, gas or telephone utility, or the First District Court of Appeal, in the case of a water or wastewater utility. A motion for reconsideration shall be filed with the Director, Division of the Commission Clerk and Administrative Services, in the form prescribed by Rule

ORDER NO. PSC-04-0689-CFO-EI
DOCKET NO. 040001-EI
PAGE 4

25-22.060, Florida Administrative Code. Judicial review of a preliminary, procedural or intermediate ruling or order is available if review of the final action will not provide an adequate remedy. Such review may be requested from the appropriate court, as described above, pursuant to Rule 9.100, Florida Rules of Appellate Procedure.