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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

SEP 30 AM 10: 57

In re: Petition for Determination of Need of Hines Unit 4 Power Plant

DOCKET NO. 040817-EI

COMMISSION CLERK

Submitted for filing: September 28, 2004

SECOND NOTICE OF INTENT TO REQUEST CONFIDENTIAL CLASSIFICATION

Progress Energy Florida ("PEF" or the "Company"), pursuant to Section 366.093, Fla. Stats., and Rule 25-22.006, F.A.C., files this Second Notice of Intent to Request Confidential Classification of PEF's responses to Staff's First Set of Interrogatories, Interrogatory Numbers 7 and 9, and PEF's response to Staff's First Request for Production of Documents, Request 15. PEF's response to Staff's Interrogatory Number 7 contains detailed cost information from the proposals PEF received in response to the Company's Request for Proposals issued on October 7, 2003, pursuant to Rule 25-22.082, F.A.C. PEF's response to Staff's Interrogatory Number 9 contains details and facts regarding confidential, ongoing negotiations between PEF and potential fuel suppliers. PEF's response to Staff's Request for Production 15 contains copies of confidential proposals submitted to PEF by potential fuel suppliers. Accordingly, PEF hereby submits the following.

- 1. A separate, sealed envelope containing one copy of the confidential Appendix A to PEF's Second Request for Confidential Classification for which PEF intends to request confidential classification with the appropriate section, pages, or lines containing the confidential information highlighted. This information should be accorded confidential treatment pending the filing of PEF's request and a decision on PEF's request by the Florida Public Service Commission.

CMP COM CTR ECR GCL OPC MMS RCA SCR SEC OTH

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DOCUMENT NUMBER-DATE 10537 SEP 30 FPSC-COMMISSION CLERK

This docketed notice of intent was filed with Confidential Document No. OS38-04. The document has been placed in confidential storage pending timely receipt of a request for confidentiality.

2 Two copies of the confidential responses with the information for which PEF intends to request confidential classification redacted by section, page, or lines where appropriate.

Respectfully submitted this 28th day of September 2004.

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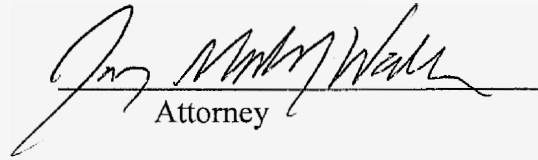

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been served by e-mail and U.S. Mail to Wm. Cochran Keating, IV, Senior Attorney, Office of the General Counsel, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0850 and via U.S. Mail to all other interested parties as listed on the attached this 20th day of September, 2004.


Attorney

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