

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Progress Energy Florida, Inc.'s )  
 petition for approval of storm cost ) Docket No.: 041272  
 recovery clause for extraordinary )  
 expenditures related to Hurricanes )  
 Charley, Frances, Jeanne, and Ivan. ) Submitted for Filing: February 21, 2005

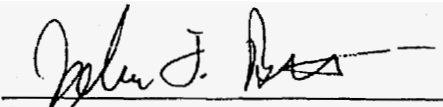
NOTICE OF FILING

Progress Energy Florida ("PEF" or the "Company"), hereby gives notice of filing the following:

1. Affidavit of Javier Portuondo in Support of Progress Energy Florida's Third Request for Confidential Classification;
2. Affidavit of Javier Portuondo in Support of Progress Energy Florida's Fourth Request for Confidential Classification; and
3. Affidavit of Javier Portuondo in Support of Progress Energy Florida's Fifth Request for Confidential Classification.

Respectfully submitted this 21<sup>st</sup> day of February, 2004.

R. ALEXANDER GLENN  
 Deputy General Counsel – Florida  
 PROGRESS ENERGY SERVICE  
 COMPANY, LLC  
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 St. Petersburg, FL 33701  
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 Florida Bar No. 622575  
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- CMP \_\_\_\_\_
- COM \_\_\_\_\_
- CTR \_\_\_\_\_
- ECR \_\_\_\_\_
- GCL \_\_\_\_\_
- OPC \_\_\_\_\_
- MMS \_\_\_\_\_
- RCA \_\_\_\_\_
- SCR \_\_\_\_\_
- SEC 1 TPA#1960830.3
- OTH \_\_\_\_\_

DOCUMENT NUMBER-DATE  
 01793 FEB 21 '08

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true copy of the foregoing has been furnished to the following individuals as indicated in the service list on this 21<sup>ST</sup> day of February, 2005.

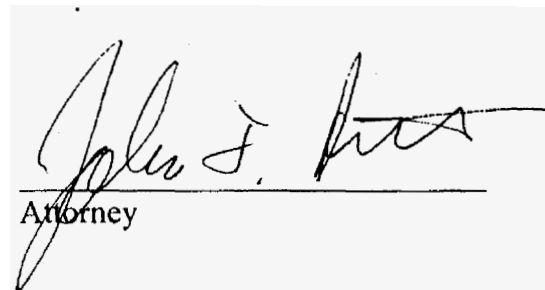
**Via electronic and U.S. Mail**  
Jennifer Brubaker, Esquire  
Office of the General Counsel  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850

**Via electronic and U.S. Mail**  
Vicki Gordon Kaufman, Esquire  
McWhirter Reeves McGlothlin Davidson  
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117 South Gadsden Street  
Tallahassee, FL 32301

**Via Electronic and U.S. Mail**  
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Tampa, FL 33602

**Via Electronic and U.S. Mail**  
Patricia A. Christensen, Esquire  
Office of the Public Counsel  
c/o The Florida Legislature  
111 West Madison St., Room 812  
Tallahassee, FL 32399-1400

**Via electronic and U.S. Mail**  
Michael B. Twomey  
Post Office Box 5256  
Tallahassee, FL 32314-5256  
Attorneys for Buddy L. Hansen and  
Sugarmill Woods Civic  
Association, Inc.



Attorney

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**In re: Progress Energy Florida, Inc.'s )**  
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**expenditures related to Hurricanes )**  
**Charley, Frances, Jeanne, and Ivan. ) Submitted for Filing: February 21, 2005**

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**AFFIDAVIT OF JAVIER PORTUONDO IN SUPPORT OF  
PROGRESS ENERGY FLORIDA'S  
THIRD REQUEST FOR CONFIDENTIAL CLASSIFICATION**

STATE OF FLORIDA

COUNTY OF PINELLAS

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

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

2. I am the Director, Regulatory Services Florida. This department is responsible for the regulatory accounting and reporting activities of Progress Energy Florida, Inc.

3. As PEF's Director of Regulatory Services, I help prepare, use, and am familiar with PEF's projected budgets and budget variance reports.

4. In its Third Request for Confidential Classification, PEF is seeking confidential classification for portions of the Direct Testimony of Michael J. Majoros, Jr. on behalf of The Citizens of the State of Florida. The information for which PEF seeks confidential classification

is more specifically described in Attachment C to PEF's Third Request for Confidential Classification.

5. Page 12 of Mr. Majoros' testimony, Lines 8-15, contains information regarding PEF's projected budgets and budget variances. This information is proprietary confidential business information that would impair PEF's competitive business interests if it were disclosed to the public, to PEF's suppliers, or to PEF's competitors. Specifically, if PEF's suppliers or competitors were made aware of PEF's estimated budgets or budget variances, they may adjust their behavior in the market place with respect to activity such as pricing and the acquisition and provision of goods, materials, and services.

6. With respect to the confidential information at issue, strict procedures are established and followed to maintain the confidentiality of that information, including restricting access to those persons who need the information to assist the Company, and restricting the number of, and access to the information. At no time has the Company publicly disclosed that information. The Company has treated and continues to treat the information at issue as confidential.

7 This concludes my affidavit.

Further affiant sayeth not.

Dated the \_\_\_\_ day of February, 2005.

  
(Signature)

THE FOREGOING INSTRUMENT was sworn to and subscribed before me this 21st day of February, 2005 by JAVIER Fortuondo He/She is personally known to me, or has produced his/her \_\_\_\_ driver's license, or his/her PERSONALLY as identification.

(AFFIX NOTARIAL SEAL)

OFFICIAL NOTARY SEAL  
GREGORY R PIERCE  
NOTARY PUBLIC STATE OF FLORIDA  
COMMISSION NO. DD014191  
MY COMMISSION EXP. APR. 28, 2005

Gregory R Pierce  
(Signature)  
Gregory R Pierce  
(Printed Name)  
NOTARY PUBLIC, STATE OF FL  
4-28-05  
(Commission Expiration Date)  
DD014191  
scpm  
(Serial Number, If Any)

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

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**AFFIDAVIT OF JAVIER PORTUONDO IN SUPPORT OF  
PROGRESS ENERGY FLORIDA'S  
FOURTH REQUEST FOR CONFIDENTIAL CLASSIFICATION**

STATE OF FLORIDA

COUNTY OF PINELLAS

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

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

2. I am the Director, Regulatory Services – Florida. This department is responsible for the regulatory accounting and reporting activities of Progress Energy Florida, Inc.

3. As PEF's Director of Regulatory Services, I help prepare, use, and am familiar with PEF's projected budgets and budget variance reports. I am also familiar and often participate in communications and exchanges of information with PEF's outside accountants.

4. In its Fourth Request for Confidential Classification, PEF is seeking confidential classification for portions of the Direct Testimony of Sherec L. Brown on behalf of The Florida

Industrial Power Users Group. The information for which PEF seeks confidential classification is more specifically described in Attachment C to PEF's Fourth Request for Confidential Classification.


5. Page 13 of Ms. Brown's testimony, lines 6-12, contains the substance of e-mail exchanges between PEF and its outside accountants. This information is confidential and should not be publically disclosed because such disclosure would have a chilling effect on communications between PEF and its accountants and would impair PEF's competitive business interest by obstructing PEF's ability to have open communications with its accountants regarding PEF's business. Page 15 of Ms. Brown's testimony, Lines 4-18, contains information regarding PEF's projected budgets and budget variances. This information is proprietary confidential business information that would impair PEF's competitive business interests if it were disclosed to the public, to PEF's suppliers, or to PEF's competitors. Specifically, if PEF's suppliers or compctitors were made aware of PEF's estimated budgets or budget variances, they may adjust their behavior in the market place with respect to activity such as pricing and the acquisition and provision of goods, materials, and services.

6. With respect to the confidential information at issue, strict procedures are established and followed to maintain the confidentiality of that information, including restricting access to those persons who need the information to assist the Company, and restricting the number of, and access to the information. At no time has the Company publicly disclosed that information. The Company has treated and continues to treat the information at issue as confidential.

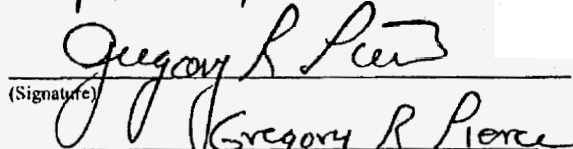
7. This concludes my affidavit.

Further affiant sayeth not.

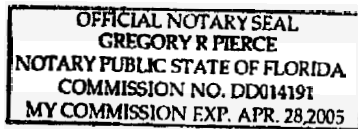
Dated the 21st day of February, 2005.

  
(Signature)

THE FOREGOING INSTRUMENT was sworn to and subscribed before me this 21st day of February, 2005 by Jayme Portuondo He/She is personally known to me, or has produced his/her \_\_\_\_\_ driver's license, or his/her personally as identification.

  
(Signature)  
Gregory R Pierce  
(Printed Name)

(AFFIX NOTARIAL SEAL)



NOTARY PUBLIC, STATE OF FL  
4-28-05  
(Commission Expiration Date)  
DD014191  
Comm  
(Serial Number, If Any)



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**AFFIDAVIT OF JAVIER PORTUONDO IN SUPPORT OF  
PROGRESS ENERGY FLORIDA'S  
FIFTH REQUEST FOR CONFIDENTIAL CLASSIFICATION**

STATE OF FLORIDA

COUNTY OF PINELLAS

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

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

2. I am the Director, Regulatory Services -- Florida. This department is responsible for the regulatory accounting and reporting activities of Progress Energy Florida, Inc.

3. As PEF's Director of Regulatory Services, I help prepare, use, and am familiar with PEF's projected budgets, budget variance reports, and certain of PEF's business operations plans.

4. In its Fifth Request for Confidential Classification, PEF is seeking confidential classification for exhibits to the deposition testimony of Mark Vincent Wimberly and Javier J.

Portuondo. The information for which PEF seeks confidential classification is more specifically described in Attachment C to PEF's Fifth Request for Confidential Classification.

5. Portions of the deposition exhibits at issue in PEF's Fifth Request for Confidential Classification contain PEF's projected and estimated business budgets and budget variance projections. Portions of those exhibits also contain some of PEF's confidential and proprietary internal business operations plans. The information at issue is proprietary confidential business information that would impair PEF's competitive business interests if it were disclosed to the public, PEF's suppliers, or to PEF's competitors. Specifically, if PEF's suppliers or competitors, were made aware of PEF's estimated budgets, budget variances, or internal business plans, they may adjust their behavior in the market place with respect to activity such as pricing and the acquisition and provision of goods, materials, and services.

6. With respect to the confidential information at issue, strict procedures are established and followed to maintain the confidentiality of that information, including restricting access to those persons who need the information to assist the Company, and restricting the number of, and access to the information. At no time has the Company publicly disclosed that information. The Company has treated and continues to treat the information at issue as confidential.

7. This concludes my affidavit.

Further affiant sayeth not.

Dated the \_\_\_\_ day of February, 2005.

  
(Signature)

THE FOREGOING INSTRUMENT was sworn to and subscribed before me this 21st day of February, 2005 by Janina Portuondo. He/She is personally known to me, or has

produced his/her \_\_\_\_\_ driver's license, or his/her personally as identification.

Gregory R Pierce  
(Signature)

Gregory R Pierce  
(Printed Name)

NOTARY PUBLIC, STATE OF FL

4-28-05  
(Commission Expiration Date)

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(AFFIX NOTARIAL SEAL)

