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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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In re: Progress Energy Florida, Inc.'s )  
petition for approval of storm cost ) Docket No.: 041272 - EI  
recovery clause for extraordinary )  
expenditures related to Hurricanes )  
Charley, Frances, Jeanne, and Ivan. ) Submitted for Filing: March 16, 2005

COMMISSION  
CLERK

NOTICE OF FILING UNVERIFIED AFFIDAVIT IN SUPPORT OF  
SIXTH REQUEST FOR CONFIDENTIAL CLASSIFICATION

Progress Energy Florida ("PEF" or the "Company"), hereby gives notice of filing  
the unverified affidavit of Javier Portuondo, Director, Regulatory Services - Florida,  
submitted for filing with the Commission on March 16, 2005:

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Deputy General Counsel - Florida  
PROGRESS ENERGY SERVICE  
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FPSC-COMMISSION CLERK

**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 16<sup>th</sup> day of March, 2005.

**Via electronic and US 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**

Tim Perry, Esquire  
McWhirter Reeves McGlothlin Davidson  
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**Via Electronic and U.S. Mail**

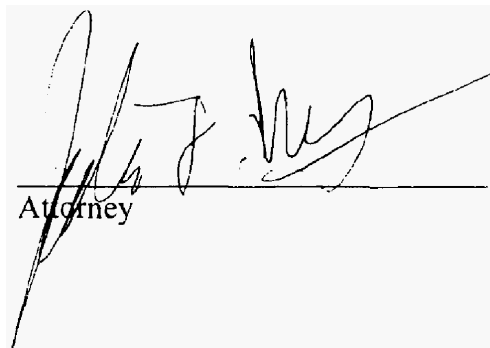
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**Via Electronic and U.S. Mail**

Patricia A. Christensen, Esquire  
Office of the Public Counsel  
c/o The Florida Legislature  
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Tallahassee, FL 32399-1400

**Via electronic and U.S. Mail**

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Attorneys for Buddy L. Hansen and  
Sugarmill Woods Civic  
Association, Inc.



Attorney

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

**In re: Progress Energy Florida, Inc.'s )**  
**petition for approval of storm cost ) Docket No.: 041272**  
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**\_\_\_\_\_ )**

**AFFIDAVIT OF JAVIER PORTUONDO IN SUPPORT OF**  
**PROGRESS ENERGY FLORIDA'S**  
**SIXTH 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 Sixth 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 Sixth Request for Confidential Classification, PEF is seeking confidential classification for PEF's responses to Staff's Third Request for Production of Documents to

Progress Energy Florida, Inc. (No. 12-13). The information for which PEF seeks confidential classification is more specifically described in Attachment C to PEF's Sixth Request for Confidential Classification.

5 Portions of the responses to the requests for production at issue in PEF's Sixth Request for Confidential Classification contain PEF's projected and estimated business budgets and budget variance projections. Portions of those responses 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 March, 2005.

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

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

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

(AFFIX NOTARIAL SEAL)

\_\_\_\_\_  
(Printed Name)  
NOTARY PUBLIC, STATE OF \_\_\_\_\_

\_\_\_\_\_  
(Commission Expiration Date)

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