BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re Fuel and purchase power cost)	Docket No. 050001-EI
recovery clause with generating)	
performance incentive factor)	Filed: April 1, 2005
)	

PROGRESS ENERGY FLORIDA'S REQUEST FOR CONFIDENTIAL CLASSIFICATION

Florida Power Corporation d/b/a Progress Energy Florida, Inc. ("PEF" or the "Company"), pursuant to Section 366.093, Florida Statutes (F.S.), and Rule 25-22.006, Florida Administrative Code, submits this Request For Confidential Classification of certain information provided in an exhibit to the direct testimony of PEF witness Albert W. Pitcher filed on this date. In support of this Request, PEF states:

- 1. Contemporaneously with this Request, PEF is pre-filing the direct testimony and exhibits of Albert W. Pitcher and two other witnesses in this docket. As further explained below, Mr. Pitcher's Exhibit No. __ (AWP-4) contains information that is "proprietary business information" under Section 366.093(3), Florida Statutes.
 - 2. The following exhibits are included with this request:
- (a) Exhibit A is a package containing two copies of a redacted version of the documents for which the Company requests confidential classification. The specific information for which confidential treatment is requested has been blocked out by opaque marker or other means.
- (b) Exhibit B is a package containing an unredacted copy of the document for which PEF seeks confidential treatment. Exhibit B is being submitted separately in a sealed envelope labeled "CONFIDENTIAL." In the unredacted version, the information asserted to be confidential is highlighted in yellow.

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- 3. The following identifies by line the information for which Progress Energy seeks confidential classification and the specific statutory bases for seeking confidential treatment:
- The information on lines 1-38 of Mr. Pitcher's single-page Exhibit No. ___ (a) (AWP-4) concerns bids or other contractual data, the disclosure of which would impair the efforts of PEF or its affiliate to contract for goods or services on favorable terms, as well as information relating to competitive interests, the disclosure of which would impair the competitive interests of the provider. See § 366.093(3)(d) and (e), F.S. Specifically, the information includes pricing information for coal purchases by PEF's affiliate, Progress Fuels Corporation (PFC), pricing information from bids received from potential coal suppliers, and pricing information from market publications to which PFC subscribes. Disclosure of this information would provide coal suppliers with knowledge of prices that PFC has paid, the prices other suppliers have offered, and other market indicators used by PFC to evaluate pricing. This knowledge would give suppliers significant competitive advantage in future negotiations because they would no longer need to make their best offers to ensure the competitiveness of their rates. Instead, suppliers could simply offer the highest rates that would allow them to maintain a marginally competitive position. Furthermore, PFC is prohibited under subscriptions agreements form revealing information from the market publications. As such, all of the information is exempt from disclosure under Section 366.093(1), (3)(d) and/or (3)(e), F.S.
- 4. The information for which PEF seeks confidential classified is intended to be and is treated as confidential by the Company. The information has not been disclosed to the public.
- 5. PEF requests that the information identified above be classified as "proprietary confidential business information" within the meaning of section 366.093(3), F.S., that the information remain confidential for a period of at least 18 months as provided in section

366.093(4), F.S., and that the information be returned as soon as it is no longer necessary for the Commission to conduct its business.

WHEREFORE, for the foregoing reasons, Progress Energy Florida, respectfully requests that this Request for Confidential Classification be granted.

RESPECTFULLY SUBMITTED this 1^{st} day of April, 2005.

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