

Kay Flynn

**ORIGINAL**

**From:** Costello, Jeanne [JCostello@CarltonFields.com]  
**Sent:** Friday, May 27, 2005 8:10 AM  
**To:** Filings@psc.state.fl.us  
**Cc:** miketwomey@talstar.com; tperry@mac-law.com; jmcwhirter@mac-law.com; Jennifer Brubaker; Mclean.harold@leg.state.fl.us; daniel.frank@sablaw.com; everett.boyd@sablaw.com; james.bushee@sablaw.com; KSTorain@potashcorp.com; richzambo@aol.com; McGLOTHLIN.JOSEPH; swright@landersandparsons.com  
**Subject:** Docket No. 050078 Documents for Filing  
**Attachments:** PEF Objections OPC 4th Req Production.pdf; PEF Objections OPC 5th Interrogatories.pdf; PEF Second Notice of Intent Request Conf Classification.pdf



PEF



PEF



PEF Second

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Attached for filing and e-service on behalf of Progress Energy Florida are the following documents:

1. Second Notice of Intent to Request Confidential Classification;
2. PEF's Objections to OPC's Fourth Set of Requests for Production of Documents (No. 125); and
3. PEF's Objections to the Office of Public Counsel's Fifth Set of Interrogatories to Progress Energy Florida, Inc. No. 207.

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## BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

**ORIGINAL**


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In re: Petition for rate increase by  
Progress Energy Florida, Inc.

Docket No. 050078-EI  
Submitted for filing May 27, 2005

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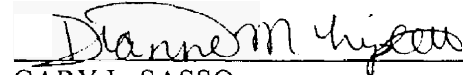
**SECOND NOTICE OF INTENT TO REQUEST  
CONFIDENTIAL CLASSIFICATION**

Progress Energy Florida ("PEF" or the "Company"), pursuant to Section 366.093, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, files this Second Notice of Intent to Request Confidential Classification of confidential portions of PEF's responses to OPC's First Set of Interrogatories (Nos. 1-57) and OPC's First Requests for Production (Nos. 1-75), as Staff has requested copies of PEF's responses to this discovery. Specifically, portions of PEF's responses to Interrogatory Numbers 3, 15, 21, 28, 41, and 45, and portions of the documents produced in response to Requests 5-8, 10, 15, 16, 21, 33, 34, 36, 37, 42, 43, 47, 48, 56, 63, 64, 68, and 73, contain confidential contractual information and information that would adversely impact PEF's competitive business interest if disclosed to the public (such as internal business studies, budgets, employee compensation, financial statements, invoices, internal audits, and sensitive contractual terms). Public disclosure of the information in question would disclose competitive contractual provisions between PEF and service providers, as well as compromise PEF's competitive business interests by disclosing sensitive business information.

Pursuant to Rule 25-22.006(3)(a)(1), PEF will file its Third Request for Confidential Classification for such confidential information contained therein within twenty-one (21) days of filing this request.

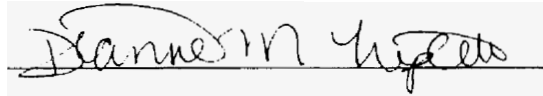
Respectfully submitted this 27th day of May, 2005.

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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished electronically and via U.S. Mail this 27th day of May, 2005 to all counsel of record as indicated below.



Attorney

<p>Jennifer Brubaker Felicia Banks Jennifer Rodan Office of the General Counsel Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0850</p> <p>C. Everett Boyd, Jr. Sutherland Asbill &amp; Brennan LLP 2282 Killearn Center Blvd. Tallahassee, FL 32309 -and- James M. Bushee Daniel E. Frank Andrew K. Soto Sutherland Asbill &amp; Brennan LLP 1275 Pennsylvania Avenue, N.W. Washington, DC 20004-2415 -and- Richard A. Zambo Richard A. Zambo, P.A. 2336 S.E. Ocean Blvd., #309 Stuart, FL 34996 -and- Karin S. Torain PCS Administration, (USA), Inc. Suite 400 Skokie blvd. Northbrook, IL 60062 Counsel for White Springs</p>	<p>John W. McWhirter, Jr. McWhirter, Reeves, Davidson, Kaufman &amp; Arnold, P.A. 400 North Tampa Street, Ste. 2450 Tampa, FL 33601-3350 -and- Timothy J. Perry McWhirter, Reeves, Davidson, Kaufman &amp; Arnold, P.A. 117 South Gadsden Street Tallahassee, FL 32301 Counsel for Florida Industrial Power Users Group</p> <p>Robert Scheffel Wright, John T. LaVia, III, Landers &amp; Parsons, P.A. 310 West College Avenue (ZIP 32301) Post Office Box 271 Tallahassee, Florida 32302 Counsel for Florida Retail Federation</p> <p>Harold McLean Office of the Public Counsel c/o The Florida Legislature 111 W. Madison Street, Room 812 Tallahassee, FL 32399-1400</p> <p>Mike B. Twomey P.O. Box 5256 Tallahassee, FL 32314-5256 Counsel for AARP</p>
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