

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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

Docket No. 050078-EI  
Submitted for filing June 14, 2005

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**PROGRESS ENERGY FLORIDA, INC.'S**  
**THIRD MOTION FOR TEMPORARY PROTECTIVE ORDER**

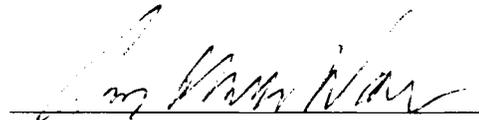
Progress Energy Florida, Inc. ("PEF"), by and through undersigned counsel, hereby moves pursuant to Section 366.093, Florida Statutes, and Rule 25-22.006(6), Florida Administrative Code, for entry of a temporary protective order covering confidential documents and information sought in discovery by the Office of Public Counsel ("OPC") and as grounds therefore states as follows:

In its Fifth Request for Production of Documents (Nos. 126-144), OPC has requested confidential information, specifically, portions of the documents produced in response to Requests 127, 128, and 130. Portions of the responses to these requests for production contain confidential business information relating to PEF's business strategies and budgets and, thereby, the disclosure of such sensitive business information to the public would adversely impact PEF's competitive business interest.

WHEREFORE, PEF requests that the Commission enter an Order granting its Motion for Temporary Protective Order relating to information identified as confidential and produced in response to OPC's Fifth Request for Production of Documents, instructing Public Counsel to continue to treat it as confidential, and requiring Public

Counsel to provide PEF with notice of its intent to use such confidential information in connection with the hearing in accord with the prehearing order governing procedure.

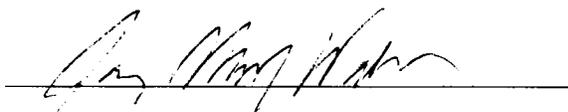
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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished electronically and via U.S. Mail this 14<sup>th</sup> day of June, 2005 to all counsel of record as indicated below.



Attorney

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