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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 16, 2005

COMMISSION  
CLERK

**AFFIDAVIT OF JAVIER PORTUONDO IN SUPPORT OF  
PROGRESS ENERGY FLORIDA'S  
SECOND 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 Second Request for Confidential Classification. The facts attested to in my affidavit are based upon my personal knowledge.

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

ECR 1  
GCL 1  
DPC \_\_\_\_\_ 3. As PEF's Director of Regulatory Services, I am familiar with certain of PEF's  
internal business plans and projected budgets, as well as PEF's projected dividend payments.

MMS \_\_\_\_\_ 4. In its Second Request for Confidential Classification, PEF is seeking confidential  
RCA \_\_\_\_\_ classification for portions of its responses to Staff's First Set of Interrogatories (Nos. 1-92) and  
SCR \_\_\_\_\_  
SEC 1 Staff's First Requests for Production (Nos. 1-24). The information for which PEF seeks

OTH 1 con records

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

5. A portion of PEF's response to Interrogatory Number 16 contains projected dividend amounts to be paid out by PEF in 2006. This information is proprietary confidential business information that would impair PEF's competitive business interests if it were disclosed to the public or to PEF's investors. Specifically, if PEF's investors were made aware of PEF's projected dividends, they may adjust their investment behavior, which could have an effect on investment in the company, potentially impairing PEF's position in the market.

6. Portions of PEF's responses to Requests 1 and 5-7 contain documents that describe PEF's business strategies and budgets. Such information is proprietary confidential business information that could impair PEF's competitive business interests if it were disclosed to the public or to PEF's competitors. Specifically, if PEF's competitors were to learn PEF's sensitive business strategies, PEF's ability to effectively contract for goods and services would be undermined. Additionally, if PEF's suppliers or competitors were made aware of PEF's estimated budgets, 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.

7. 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 14<sup>th</sup> day of June, 2005.

*[Handwritten Signature]*  
(Signature)

THE FOREGOING INSTRUMENT was sworn to and subscribed before me this 14<sup>th</sup> day of June, 2005 by *[Handwritten Name]*. He/She is personally known to me, or has produced his/her \_\_\_\_\_ driver's license, or his/her \_\_\_\_\_ as identification.

*[Handwritten Signature]*  
(Signature)

SUZANNE H. MILLER  
(Printed Name)

NOTARY PUBLIC, STATE OF FLORIDA

(AFFIX NOTARIAL SEAL)



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

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