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<b>DOCUMENT/RESPONSES</b>	<b>PAGE/LINE</b>	<b>JUSTIFICATION</b>
<p>PEF's Response to OPC's First Request for Production, Question No. 1.</p>	<p>Bates No. PEF-FUEL-000096; Coal confirmation letter from COALTRADE; price of coal in column 2.</p>	<p>§366.093(3)(d), F.S. The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S. The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>
<p>PEF's Response to OPC's First Request for Production, Question No. 1.</p>	<p>Bates No. PEF-FUEL-000098; special provisions at top of page listing price, transportation cost, and total cost.</p>	<p>§366.093(3)(d), F.S. The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S. The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>

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<p>PEF's Response to OPC's First Request for Production, Question No. 2.</p>	<p>Bates No. PEF-FUEL-000120; columns 2 &amp; 3 of table listing price of coal and delivery costs.</p>	<p>§366.093(3)(d), F.S.  The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S.  The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>
<p>PEF's Response to OPC's First Request for Production, Question No. 2.</p>	<p>Bates No. PEF-FUEL-000122; columns 2 &amp; 3 of table listing price of coal and delivery costs.</p>	<p>§366.093(3)(d), F.S.  The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S.  The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>

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<p>PEF's Response to OPC's First Request for Production, Question No. 2.</p>	<p>Bates No. PEF-FUEL-000125; price of coal for 2005-2006 coal purchases from Drummond delivered by foreign water.</p> <p>Price of coal for 2005-2006 coal purchases from Central Coal Company delivered by domestic water.</p>	<p>§366.093(3)(d), F.S. The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S. The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>
<p>PEF's Response to OPC's First Request for Production, Question No. 2.</p>	<p>Bates No. PEF-FUEL-000126; 2005-2006 price of delta coal purchased from Massey Energy delivered by domestic rail.</p> <p>2005-2006 price of alpha coal purchased from Massey Energy and B&amp;W Resources delivered by domestic rail.</p>	<p>§366.093(3)(d), F.S. The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S. The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>

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<p>PEF's Response to OPC's First Request for Production, Question No. 2.</p>	<p>Bates No. PEF-FUEL-000128; "Attachment A" Purchases from 2005-2006 RFP corrected copy for CR units 1,2,4&amp;5; last four columns of table listing cash costs and evaluated utilized costs. SO2 Price at bottom of table.</p>	<p>§366.093(3)(d), F.S. The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S. The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>
<p>PEF's Response to OPC's First Request for Production, Question No. 2.</p>	<p>Bates No. PEF-FUEL-000129; "Attachment A" Purchases from 2005-2006 RFP for CR units 1,2,4&amp;5; last four columns of table listing cash costs and evaluated utilized costs. SO2 Price at bottom of table.</p>	<p>§366.093(3)(d), F.S. The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S. The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>

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<p>PEF's Response to OPC's First Request for Production, Question No. 2.</p>	<p>Bates No. PEF-FUEL-000134; "Attachment C" 2005-2006 purchases for CR units 1,2,4&amp;5; last four columns of table listing cash costs and evaluated utilized costs. SO2 Price at bottom of table.</p>	<p>§366.093(3)(d), F.S.  The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S.  The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>
<p>PEF's Response to OPC's First Request for Production, Question No. 2.</p>	<p>Bates No. PEF-FUEL-000135; "Workpapers Only" – May 2004 Solicitation – All bids for CR units 4&amp;5; all prices listed in columns 5, 7, 9 &amp; 11; costs listed in last four columns of table. SO2 Price at bottom of table.</p>	<p>§366.093(3)(d), F.S.  The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S.  The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>

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<p>PEF's Response to OPC's First Request for Production, Question No. 2.</p>	<p>Bates No. PEF-FUEL-000136; "Workpapers Only" – May 2004 Solicitation – All bids for CR units 1&amp;2; all costs listed in last four columns of table. SO2 Price at bottom of table.</p>	<p>§366.093(3)(d), F.S.  The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S.  The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>
<p>PEF's Response to OPC's First Request for Production, Question No. 2.</p>	<p>Bates No. PEF-FUEL-000137; May 2004 Solicitation Purchases for CR units 1,2,4&amp;5; all prices listed in columns 6, 8, 10, 11 &amp; 12; costs listed in columns 20, 22-25 of table. SO2 Price at bottom of table.</p>	<p>§366.093(3)(d), F.S.  The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S.  The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>

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<p>PEF's Response to OPC's First Request for Production, Question No. 2.</p>	<p>Bates No. PEF-FUEL-000140; May 2004 Solicitation Purchases for CR units 1,2,4&amp;5; all prices listed in columns 6, 8, 10, 11 &amp; 12; costs listed in columns 20, 22-25 of table. SO2 Price at bottom of table.</p>	<p>§366.093(3)(d), F.S. The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S. The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>
<p>PEF's Response to OPC's First Request for Production, Question No. 2.</p>	<p>Bates No. PEF-FUEL-000141; May 2004 Solicitation – All bids by Rail/Water for CR units 4&amp;5; all prices listed in columns 5, 7, 9, 11 &amp; 13; all costs listed in columns 14, 15, 23, 25-28 of table. SO2 Price at bottom of table.</p>	<p>§366.093(3)(d), F.S. The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S. The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>

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<p>PEF's Response to OPC's First Request for Production, Question No. 2.</p>	<p>Bates No. PEF-FUEL-000142; May 2004 Solicitation – Rail Bids for CR units 1&amp;2; all prices listed in columns 5, 7, 9, 11 &amp; 13; all costs listed in columns 14, 15, 23, 25-28 of table. SO2 Price at bottom of table.</p>	<p>§366.093(3)(d), F.S.  The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S.  The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>
<p>PEF's Response to OPC's First Request for Production, Question No. 2.</p>	<p>Bates No. PEF-FUEL-000143; May 2004 Solicitation – All Bids for CR units 1&amp;2; all prices listed in columns 5, 7, 9, 11 &amp; 13; all costs listed in columns 14, 15, 23, 25-28 of table. SO2 Price at bottom of table.</p>	<p>§366.093(3)(d), F.S.  The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S.  The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>

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<p>PEF's Response to OPC's First Request for Production, Question No. 2.</p>	<p>Bates No. PEF-FUEL-000144; May 2004 Solicitation – All Bids for CR units 4&amp;5; all prices listed in columns 5, 7, 9, 11 &amp; 13; all costs listed in columns 14, 15, 23, 25-28 of table. SO2 Price at bottom of table.</p>	<p>§366.093(3)(d), F.S. The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S. The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>
<p>PEF's Response to OPC's First Request for Production, Question No. 6.</p>	<p>Bates No. PEF-FUEL-000359; page 3 of Arch Coal Sales bid; bid prices to supply coal for 2005, 2006, &amp; 2007.</p>	<p>§366.093(3)(d), F.S. The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S. The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>

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<p>PEF's Response to OPC's First Request for Production, Question No. 6.</p>	<p>Bates No. PEF-FUEL-000369; Email from Rolando Sanz-Guerrero to Al Pitcher summarizing bid from DTE Coal Services. The two asterisk paragraphs contain pricing of the coal and transportation.</p>	<p>§366.093(3)(d), F.S. The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S. The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>
<p>PEF's Response to OPC's First Request for Production, Question No. 6.</p>	<p>Bates No. PEF-FUEL-000370; Email from Rolando Sanz-Guerrero to Al Pitcher summarizing bid from DTE Coal Services. The first asterisk paragraph contains pricing of the coal and transportation.</p>	<p>§366.093(3)(d), F.S. The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S. The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>

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<p>PEF's Response to OPC's First Request for Production, Question No. 6.</p>	<p>Bates No. PEF-FUEL-000372; Coal Supply and Transportation Proposal (FOB Barge) of DTE Coal Services; two proposal prices in paragraph 7.</p>	<p>§366.093(3)(d), F.S.  The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S.  The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>
<p>PEF's Response to OPC's First Request for Production, Question No. 6.</p>	<p>Bates No. PEF-FUEL-000376; Coal Transportation Supply Proposal (FOB Barge) of DTE Coal Services; three transportation prices and one storage fee price in paragraph 6.</p>	<p>§366.093(3)(d), F.S.  The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S.  The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>

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<p>PEF's Response to OPC's First Request for Production, Question No. 6.</p>	<p>Bates No. PEF-FUEL-000378; Coal Transportation Supply Proposal (FOB Cora Terminal) of DTE Coal Services; one transportation price in paragraph 6.</p>	<p>§366.093(3)(d), F.S.  The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S.  The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>
<p>PEF's Response to OPC's First Request for Production, Question No. 6.</p>	<p>Bates No. PEF-FUEL-000381; Oxbow Mining LLC's proposal to supply coal; 2005-2008 prices provided in column 3.</p>	<p>§366.093(3)(d), F.S.  The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S.  The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>

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<p>PEF's Response to OPC's First Request for Production, Question No. 6.</p>	<p>Bates No. PEF-FUEL-000389; proposal from Peabody COALSALES Company; price of coal for the years 2005-2007 in column 3.</p>	<p>§366.093(3)(d), F.S. The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S. The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>
<p>PEF's Response to OPC's First Request for Production, Question No. 6.</p>	<p>Bates No. PEF-FUEL-000396; Triton Coal Company bid for coal; mid-page column 3 provides base price for coal.</p>	<p>§366.093(3)(d), F.S. The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S. The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>

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<p>PEF's Response to OPC's First Request for Production, Question No. 6.</p>	<p>Bates No. PEF-FUEL-000398; Triton Coal Company bid for coal; mid-page column 3 provides base price for coal.</p>	<p>§366.093(3)(d), F.S.  The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S.  The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>
<p>PEF's Response to OPC's First Request for Production, Question No. 6.</p>	<p>Bates No. PEF-FUEL-000399; Triton Coal Company bid for coal; mid-page column 3 provides base price for coal.</p>	<p>§366.093(3)(d), F.S.  The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S.  The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>

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<p>PEF's Response to OPC's First Request for Production, Question No. 6.</p>	<p>Bates No. PEF-FUEL-000405; Kennecott Energy Company bid for coal; mid-page column 3 provides base price for coal. Lower mid-page provides transportation component.</p>	<p>§366.093(3)(d), F.S. The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S. The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>
<p>PEF's Response to OPC's First Request for Production, Question No. 6.</p>	<p>Bates No. PEF-FUEL-000443; Kennecott Energy Company bid for coal; mid-page column 3 provides base price for coal for the years 2005-2007.</p>	<p>§366.093(3)(d), F.S. The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S. The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>

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<p>PEF's Response to OPC's First Request for Production, Question No. 7.</p>	<p>Bates No. PEF-FUEL-000477; Spreadsheet model of CR Units 1,2,4 &amp; 5 May 2004 Solicitation Purchases; all prices listed in columns 6, 8, 10, 11 &amp; 12; cash costs and utilization costs listed in columns 20, 22-25 of table. SO2 Price at bottom of table.</p>	<p>§366.093(3)(d), F.S. The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S. The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>
<p>PEF's Response to OPC's First Request for Production, Question No. 7.</p>	<p>Bates No. PEF-FUEL-000478; Spreadsheet model of CR Units 4&amp;5 May 2004 Solicitation – All bids by rail/water; all prices listed in columns 5, 7, 9, 11, 13-15; cash costs and utilization costs listed in columns 23-30 &amp; 38-41 of table. SO2 Price at bottom of table.</p>	<p>§366.093(3)(d), F.S. The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S. The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>

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<p>PEF's Response to OPC's First Request for Production, Question No. 7.</p>	<p>Bates No. PEF-FUEL-000479; Spreadsheet model of CR Units 1&amp;2 May 2004 Solicitation – Rail bids; all prices listed in columns 5, 7, 9, 11, 14-15; cash costs and utilization costs listed in columns 23-30 &amp; 38-41 of table. SO2 Price at bottom of table.</p>	<p>§366.093(3)(d), F.S. The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S. The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>
<p>PEF's Response to OPC's First Request for Production, Question No. 7.</p>	<p>Bates No. PEF-FUEL-000480; Spreadsheet model of CR Units 1&amp;2 May 2004 Solicitation – All bids; all prices listed in columns 5, 7, 9, 11, 14-15; cash costs and utilization costs listed in columns 23 &amp; 25-28 of table. SO2 Price at bottom of table.</p>	<p>§366.093(3)(d), F.S. The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S. The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>

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<p>PEF's Response to OPC's First Request for Production, Question No. 7.</p>	<p>Bates No. PEF-FUEL-000481; Spreadsheet model of CR Units 4&amp;5 May 2004 Solicitation – All bids; all prices listed in columns 5, 7, 9, 11, 13-15; cash costs and utilization costs listed in columns 23-30 &amp; 32-35 of table. SO2 Price at bottom of table.</p>	<p>§366.093(3)(d), F.S.  The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S.  The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>
<p>PEF's Response to OPC's First Request for Production, Question No. 8.</p>	<p>Bates No. PEF-FUEL-000482; revised spreadsheet model of CR Units 1, 2, 4&amp;5 May 2004 Solicitation – Purchases; all prices listed in columns 6, 8, 10-12; cash costs and utilization costs listed in columns 20 &amp; 22-25 of table. SO2 Price at bottom of table.</p>	<p>§366.093(3)(d), F.S.  The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S.  The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>

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<p>PEF's Response to OPC's First Request for Production, Question No. 8.</p>	<p>Bates No. PEF-FUEL-000483; Revised spreadsheet model of CR Units 1&amp;2 May 2004 Solicitation –All bids; all prices listed in columns 5, 7, 9, 11, 14-15; cash costs and utilization costs listed in columns 23 &amp; 25-28 of table. SO2 Price at bottom of table.</p>	<p>§366.093(3)(d), F.S. The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S. The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>
<p>PEF's Response to OPC's First Request for Production, Question No. 8.</p>	<p>Bates No. PEF-FUEL-000484; Revised spreadsheet model of CR Units 1&amp;2 May 2004 Solicitation –Rail bids; all prices listed in columns 5, 7, 9, 11, 14-15; cash costs and utilization costs listed in columns 23 &amp; 25-28 of table. SO2 Price at bottom of table.</p>	<p>§366.093(3)(d), F.S. The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S. The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>

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<p>PEF's Response to OPC's First Request for Production, Question No. 8.</p>	<p>Bates No. PEF-FUEL-000485; Revised spreadsheet model of CR Units 4&amp;5 May 2004 Solicitation –All bids; all prices listed in columns 5, 7, 9, 11, 13-15; cash costs and utilization costs listed in columns 23 &amp; 25-28 of table. SO2 Price at bottom of table.</p>	<p>§366.093(3)(d), F.S. The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S. The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>
<p>PEF's Response to OPC's First Request for Production, Question No. 8.</p>	<p>Bates No. PEF-FUEL-000486; Revised spreadsheet model of CR Units 4&amp;5 May 2004 Solicitation –All bids by rail/water; all prices listed in columns 5, 7, 9, 11, 13-15; cash costs and utilization costs listed in columns 23 &amp; 25-28 of table. SO2 Price at bottom of table.</p>	<p>§366.093(3)(d), F.S. The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S. The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>

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<b>DOCUMENT/RESPONSES</b>	<b>PAGE/LINE</b>	<b>JUSTIFICATION</b>
<p>PEF's Response to OPC's First Request for Production, Question No. 8.</p>	<p>Bates No. PEF-FUEL-000487; Revised spreadsheet model of CR Units 1&amp;2 May 2004 Solicitation –All bids; all prices listed in columns 5, 7, 9, 11, 13-15; cash costs and utilization costs listed in columns 23 &amp; 25-28 of table. SO2 Price at bottom of table.</p>	<p>§366.093(3)(d), F.S. The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S. The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>
<p>PEF's Response to OPC's First Request for Production, Question No. 8.</p>	<p>Bates No. PEF-FUEL-000488; Revised spreadsheet model of CR Units 1&amp;2 May 2004 Solicitation –All bids by rail/water; all prices listed in columns 5, 7, 9, 11, 14-15; cash costs and utilization costs listed in columns 23 &amp; 25-28 of table. All handwritten corrections to prices and costs. SO2 Price at bottom of table.</p>	<p>§366.093(3)(d), F.S. The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S. The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>

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<p>PEF's Response to OPC's First Request for Production, Question No. 8.</p>	<p>Bates No. PEF-FUEL-000489; Revised spreadsheet model of CR Units 1&amp;2 May 2004 Solicitation –All bids; all prices listed in columns 5, 7, 9, 11, 14-15; cash costs and utilization costs listed in columns 23 &amp; 25-28 of table. All handwritten notes &amp; corrections to prices and costs. SO2 Price at bottom of table.</p>	<p>§366.093(3)(d), F.S. The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S. The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>
<p>PEF's Response to OPC's First Request for Production, Question No. 8.</p>	<p>Bates No. PEF-FUEL-000490; Revised spreadsheet model of CR Units 1&amp;2 May 2004 Solicitation –All bids by rail/water; all prices listed in columns 5, 7, 9, 11, 14-15; cash costs and utilization costs listed in columns 23 &amp; 25-28 of table. All handwritten notes &amp; corrections to prices and costs. SO2 Price at bottom of table.</p>	<p>§366.093(3)(d), F.S. The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S. The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>

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<p>PEF's Response to OPC's First Request for Production, Question No. 8.</p>	<p>Bates No. PEF-FUEL-000491; Revised spreadsheet model of CR Units 1&amp;2 May 2004 Solicitation –All bids; all prices listed in columns 5, 7, 9, 11, 14-15; cash costs and utilization costs listed in columns 23 &amp; 25-28 of table. SO2 Price at bottom of table.</p>	<p>§366.093(3)(d), F.S.  The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S.  The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>
<p>PEF's Response to OPC's First Request for Production, Question No. 8.</p>	<p>Bates No. PEF-FUEL-000492; Revised spreadsheet model of CR Units 1&amp;2 May 2004 Solicitation –Short List – 1 year bids; all prices listed in columns 5, 7, 8, &amp;9; cash costs and utilization costs listed in columns 17 &amp; 19-22 of table. SO2 Price at bottom of table.</p>	<p>§366.093(3)(d), F.S.  The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S.  The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>

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<b>DOCUMENT/RESPONSES</b>	<b>PAGE/LINE</b>	<b>JUSTIFICATION</b>
<p>PEF's Response to OPC's First Request for Production, Question No. 8.</p>	<p>Bates No. PEF-FUEL-000493; Revised spreadsheet model of CR Units 1&amp;2 May 2004 Solicitation –Short list – 1 year bids; all prices listed in columns 5, 7, 8, &amp; 9; cash costs and utilization costs listed in columns 17 &amp; 19-22 of table. SO2 Price at bottom of table.</p>	<p>§366.093(3)(d), F.S. The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S. The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>
<p>PEF's Response to OPC's First Request for Production, Question No. 8.</p>	<p>Bates No. PEF-FUEL-000494; Revised spreadsheet model of CR Units 4&amp;5 May 2004 Solicitation –All bids by rail/water; all prices listed in columns 5, 7, 9, 11, 13-15; cash costs and utilization costs listed in columns 23 &amp; 25-28 of table. SO2 Price at bottom of table.</p>	<p>§366.093(3)(d), F.S. The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S. The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>

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<p>PEF's Response to OPC's First Request for Production, Question No. 8.</p>	<p>Bates No. PEF-FUEL-000495; Revised spreadsheet model of CR Units 4&amp;5 May 2004 Solicitation –All bids; all prices listed in columns 5, 7, 9, 11, 13-15; cash costs and utilization costs listed in columns 23 &amp; 25-28 of table. SO2 Price at bottom of table.</p>	<p>§366.093(3)(d), F.S. The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S. The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>
<p>PEF's Response to OPC's First Request for Production, Question No. 8.</p>	<p>Bates No. PEF-FUEL-000496; Revised spreadsheet model of CR Units 4&amp;5 May 2004 Solicitation –All bids by rail/water; all prices listed in columns 5, 7, 9, 11, 13-15; cash costs and utilization costs listed in columns 23 &amp; 25-28 of table. SO2 Price at bottom of table.</p>	<p>§366.093(3)(d), F.S. The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S. The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>

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<p>PEF's Response to OPC's First Request for Production, Question No. 8.</p>	<p>Bates No. PEF-FUEL-000497; Revised spreadsheet model of CR Units 4&amp;5 May 2004 Solicitation – Short List; all prices listed in columns 5, 7, 8, &amp; 9; cash costs and utilization costs listed in columns 17 &amp; 19-22 of table. All handwritten notes &amp; corrections to prices and costs. SO2 Price at bottom of table.</p>	<p>§366.093(3)(d), F.S.  The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S.  The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>
<p>PEF's Response to OPC's First Request for Production, Question No. 8.</p>	<p>Bates No. PEF-FUEL-000498; Revised spreadsheet model of CR Units 4&amp;5 May 2004 Solicitation –All bids by rail/water; all prices listed in columns 5, 7, 9, 11, 13-15; cash costs and utilization costs listed in columns 23 &amp; 25-28 of table. All handwritten notes &amp; corrections to prices and costs. SO2 Price at bottom of table.</p>	<p>§366.093(3)(d), F.S.  The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S.  The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>

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<p>PEF's Response to OPC's First Request for Production, Question No. 8.</p>	<p>Bates No. PEF-FUEL-000499; Revised spreadsheet model of CR Units 4&amp;5 May 2004 Solicitation –All bids; all prices listed in columns 5, 7, 9, 11, 13-15; cash costs and utilization costs listed in columns 23 &amp; 25-28 of table. SO2 Price at bottom of table.</p>	<p>§366.093(3)(d), F.S. The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S. The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>
<p>PEF's Response to OPC's First Request for Production, Question No. 12.</p>	<p>Bates No. PEF-FUEL-000541-542; two emails from Al Pitcher to Sasha Weintraub dated August 2, 2005 &amp; August 5, 2005. On page 1 of these emails there are 15 references to coal prices. On page 2 of the emails there are 2 references to coal prices.</p>	<p>§366.093(3)(d), F.S. The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S. The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>

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<p>PEF's Response to OPC's First Request for Production, Question No. 12.</p>	<p>Bates No. PEF-FUEL-000543; 8/4/2005            Spreadsheet of Guasare Reopener Offer Analysis for CR 4&amp;5, 3<sup>rd</sup> quarter 2005; prices &amp; costs listed in columns 6, 8-11, 19, 21-24; prices within handwritten notes.</p>	<p>§366.093(3)(d), F.S.            The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S.            The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>
<p>PEF's Response to OPC's First Request for Production, Question No. 12.</p>	<p>Bates No. PEF-FUEL-000544; 8/2/2005            Spreadsheet of Guasare Reopener Offer Analysis for CR 4&amp;5, 3<sup>rd</sup> quarter 2005; prices &amp; costs listed in columns 6, 8-11, 19, 21-24.</p>	<p>§366.093(3)(d), F.S.            The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S.            The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>

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<p>PEF's Response to OPC's First Request for Production, Question No. 12.</p>	<p>Bates No. PEF-FUEL-000545; 8/1/2005 Spreadsheet of Guasare Reopener Offer Analysis for CR 4&amp;5, 3<sup>rd</sup> quarter 2005; prices &amp; costs listed in columns 6, 8-11, 19, 21-24.</p>	<p>§366.093(3)(d), F.S. The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S. The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>
<p>PEF's Response to OPC's First Request for Production, Question No. 12.</p>	<p>Bates No. PEF-FUEL-000546; 7/29/2005 Spreadsheet of Guasare Reopener Offer Analysis for CR 4&amp;5, 3<sup>rd</sup> quarter 2005; prices &amp; costs listed in columns 6, 8-11, 19, 21-24; prices within handwritten notes.</p>	<p>§366.093(3)(d), F.S. The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S. The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>

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<p>PEF's Response to OPC's First Request for Production, Question No. 12.</p>	<p>Bates No. PEF-FUEL-000547; Email confirmation page of letter sent to Andrew Lawson dated August 9, 2005; middle of page reflects price of coal.</p>	<p>§366.093(3)(d), F.S. The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S. The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>
<p>PEF's Response to OPC's First Request for Production, Question No. 12.</p>	<p>Bates No. PEF-FUEL-000548-549; body of confidential email sent from Al Pitcher to Sasha Weintraub on August 2, 2005; 6 coal prices referenced in paragraphs 1 &amp; 2; next to the last paragraph also reflects two coal prices.</p>	<p>§366.093(3)(d), F.S. The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S. The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>

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<p>PEF's Response to OPC's First Request for Production, Question No. 12.</p>	<p>Bates No. PEF-FUEL-000550; email sent from Al Pitcher to Sasha Weintraub on August 2, 2005; 6 coal prices referenced in paragraphs 1 &amp; 2; the last paragraph also reflects two coal prices.</p>	<p>§366.093(3)(d), F.S.  The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S.  The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>
<p>PEF's Response to OPC's First Request for Production, Question No.12.</p>	<p>Bates No. PEF-FUEL-000552; letter agreement for purchase and sale of coal dated September 12, 2005; Price of coal mentioned mid-page.</p>	<p>§366.093(3)(d), F.S.  The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S.  The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>

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<p>PEF's Response to OPC's First Request for Production, Question No. 12.</p>	<p>Bates No. PEF-FUEL-000555; page 2 of 9/9/05 draft coal purchase confirmation; contract price listed mid-page.</p>	<p>§366.093(3)(d), F.S. The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S. The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>
<p>PEF's Response to OPC's First Request for Production, Question No. 12.</p>	<p>Bates No. PEF-FUEL-000559; page 6 of 9/9/05 draft coal purchase confirmation; numbered paragraphs 2 &amp; 3 provide price adjustment calculations of coal.</p>	<p>§366.093(3)(d), F.S. The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S. The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>

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<p>PEF's Response to OPC's First Request for Production, Question No. 12.</p>	<p>Bates No. PEF-FUEL-000584; draft coal purchase confirmation; contract price paragraph provides price of coal.</p>	<p>§366.093(3)(d), F.S.  The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S.  The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>
<p>PEF's Response to OPC's First Request for Production, Question No. 12.</p>	<p>Bates No. PEF-FUEL-000588; draft coal purchase confirmation; numbered paragraphs 2 &amp; 3 provide price adjustment calculations of coal.</p>	<p>§366.093(3)(d), F.S.  The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S.  The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>

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<p>PEF's Response to OPC's First Request for Production, Question No. 12.</p>	<p>Bates No. PEF-FUEL-000610; Paso Diablo coal purchase letter; price paragraph provides price of coal.</p>	<p>§366.093(3)(d), F.S.  The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S.  The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>
<p>PEF's Response to OPC's First Request for Production, Question No. 12.</p>	<p>Bates No. PEF-FUEL-000612; letter to Eladio Bueno of Guasare Coal International; price paragraph provides price of coal.</p>	<p>§366.093(3)(d), F.S.  The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S.  The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>

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<p>PEF's Response to OPC's First Request for Production, Question No. 12.</p>	<p>Bates No. PEF-FUEL-000613; email sent from Al Pitcher to Sasha Weintraub on August 5, 2005 reveals eight coal prices; August 2, 2005 email reveals two coal prices in paragraph 1 &amp; four coal prices in paragraph 2.</p>	<p>§366.093(3)(d), F.S.  The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S.  The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>
<p>PEF's Response to OPC's First Request for Production, Question No. 12.</p>	<p>Bates No. PEF-FUEL-000614; page 2 of email sent from Al Pitcher to Sasha Weintraub on August 2, 2005; next to the last paragraph reflects two coal prices.</p>	<p>§366.093(3)(d), F.S.  The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S.  The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>

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<p>PEF's Response to OPC's First Request for Production, Question No. 12.</p>	<p>Bates No. PEF-FUEL-000615; 8/4/2005            Spreadsheet of Guasare Reopener Offer Analysis for CR 4&amp;5, 3<sup>rd</sup> quarter 2005; coal prices &amp; costs listed in columns 6, 8-11, 19, 21-24; 3 coal prices within handwritten notes.</p>	<p>§366.093(3)(d), F.S.            The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S.            The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>
<p>PEF's Response to OPC's First Request for Production, Question No. 12.</p>	<p>Bates No. PEF-FUEL-000616; 8/2/2005            Spreadsheet of Guasare Reopener Offer Analysis for CR 4&amp;5, 3<sup>rd</sup> quarter 2005; coal prices &amp; costs listed in columns 6, 8-11, 19, 21-24;</p>	<p>§366.093(3)(d), F.S.            The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S.            The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>

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<p>PEF's Response to OPC's First Request for Production, Question No. 12.</p>	<p>Bates No. PEF-FUEL-000617; 8/1/2005            Spreadsheet of Guasare Reopener Offer Analysis for CR 4&amp;5, 3<sup>rd</sup> quarter 2005; coal prices &amp; costs listed in columns 6, 8-11, 19, 21-24;</p>	<p>§366.093(3)(d), F.S.            The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S.            The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>
<p>PEF's Response to OPC's First Request for Production, Question No. 12.</p>	<p>Bates No. PEF-FUEL-000618; 7/29/2005            Spreadsheet of Guasare Reopener Offer Analysis for CR 4&amp;5, 3<sup>rd</sup> quarter 2005; coal prices &amp; costs listed in columns 6, 8-11, 19, 21-24; 12 coal prices within handwritten notes.</p>	<p>§366.093(3)(d), F.S.            The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S.            The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>

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<p>PEF's Response to OPC's First Request for Production, Question No. 12.</p>	<p>Bates No. PEF-FUEL-000621; 8/18/2005 letter to Mr. Eladio Bueno at Guasare Coal; price of coal under bulleted price paragraph.</p>	<p>§366.093(3)(d), F.S.  The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S.  The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>
<p>PEF's Response to OPC's First Request for Production, Question No. 12.</p>	<p>Bates No. PEF-FUEL-000623; 8/18/2005 letter to Mr. Eladio Bueno at Guasare Coal; price of coal under bulleted price paragraph.</p>	<p>§366.093(3)(d), F.S.  The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S.  The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>

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<p>PEF's Response to OPC's First Request for Production, Question No. 12.</p>	<p>Bates No. PEF-FUEL-000624; Email dated 8/11/2005 to Eladio Bueno; price of coal in numbered paragraph 2.</p>	<p>§366.093(3)(d), F.S.  The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S.  The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>
<p>PEF's Response to OPC's First Request for Production, Question No. 12.</p>	<p>Bates No. PEF-FUEL-000626; Email dated 8/10/2005 to Eladio Bueno; price of coal in numbered paragraph 2.</p>	<p>§366.093(3)(d), F.S.  The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S.  The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>

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<p>PEF's Response to OPC's First Request for Production, Question No. 12.</p>	<p>Bates No. PEF-FUEL-000628; Email dated 8/11/2005 to Eladio Bueno; price of coal in numbered paragraph 2.</p>	<p>§366.093(3)(d), F.S.  The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S.  The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>
<p>PEF's Response to OPC's First Request for Production, Question No. 12.</p>	<p>Bates No. PEF-FUEL-000630; Email dated 8/11/2005 to Eladio Bueno; price of coal in numbered paragraph 2.</p>	<p>§366.093(3)(d), F.S.  The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S.  The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>

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<p>PEF's Response to OPC's First Request for Production, Question No. 12.</p>	<p>Bates No. PEF-FUEL-000631; Email dated 8/10/2005 to Eladio Bueno; price of coal in numbered paragraph 2 and handwritten price of coal at top of page.</p>	<p>§366.093(3)(d), F.S. The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S. The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>

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<p>PEF's Response to OPC's First Request for Production, Question No. 12.</p>	<p>Bates No. PEF-FUEL-000634; Email dated 7/21/2005 from Eladio Bueno to Al Pitcher; price of coal in lettered paragraphs a &amp; b.</p>	<p>§366.093(3)(d), F.S. The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S. The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>
<p>PEF's Response to OPC's First Request for Production, Question No. 12.</p>	<p>Bates No. PEF-FUEL-000635; page 2 of Email from Eladio Bueno to Al Pitcher dated 7/20/2005; price of coal in numbered paragraph 2 and in handwriting on side of page.</p>	<p>§366.093(3)(d), F.S. The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S. The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>

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<p>PEF's Response to OPC's First Request for Production, Question No. 12.</p>	<p>Bates No. PEF-FUEL-000637; page 2 of Email from Eladio Bueno to Al Pitcher dated 7/20/2005; price of coal in numbered paragraph 2.</p>	<p>§366.093(3)(d), F.S. The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S. The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>
<p>PEF's Response to OPC's First Request for Production, Question No. 12.</p>	<p>Bates No. PEF-FUEL-000638; Email from Eladio Bueno to Al Pitcher dated 7/20/2005; price of coal in numbered paragraph 2.</p>	<p>§366.093(3)(d), F.S. The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S. The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>

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<p>PEF's Response to OPC's First Request for Production, Question No. 12.</p>	<p>Bates No. PEF-FUEL-000639; Email from Eladio Bueno to Al Pitcher dated 7/20/2005; price of coal in numbered paragraph 2.</p>	<p>§366.093(3)(d), F.S. The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S. The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>
<p>PEF's Response to OPC's First Request for Production, Question No. 12.</p>	<p>Bates No. PEF-FUEL-000641; Email from Eladio Bueno to Al Pitcher dated 7/20/2005; price of coal in numbered paragraph 2 and in handwriting near bottom of page.</p>	<p>§366.093(3)(d), F.S. The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S. The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>

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<p>PEF's Response to OPC's First Request for Production, Question No. 12.</p>	<p>Bates No. PEF-FUEL-000642; Email from Eladio Bueno to Al Pitcher dated 7/21/2005; price of coal in lettered paragraphs a &amp; b.</p>	<p>§366.093(3)(d), F.S.  The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S.  The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>
<p>PEF's Response to OPC's First Request for Production, Question No. 12.</p>	<p>Bates No. PEF-FUEL-000643; Email from Eladio Bueno to Al Pitcher dated 7/20/2005; price of coal in numbered paragraph 2.</p>	<p>§366.093(3)(d), F.S.  The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S.  The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>

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<p>PEF's Response to OPC's First Request for Production, Question No. 12.</p>	<p>Bates No. PEF-FUEL-000645; spreadsheet titled Guasare (2)Coal 2005; price of coal listed 19 times.</p>	<p>§366.093(3)(d), F.S.  The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S.  The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>
<p>PEF's Response to OPC's First Request for Production, Question No. 12.</p>	<p>Bates No. PEF-FUEL-000646; Invoice from Guasare Coal dated 6/29/2005; price of coal listed six times.</p>	<p>§366.093(3)(d), F.S.  The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S.  The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>

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<p>PEF's Response to OPC's First Request for Production, Question No. 12.</p>	<p>Bates No. PEF-FUEL-000647; document titled Response to GCI regarding price re-opener; price of coal listed in 2<sup>nd</sup> paragraph.</p>	<p>§366.093(3)(d), F.S. The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S. The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>
<p>PEF's Response to OPC's First Request for Production, Question No. 12.</p>	<p>Bates No. PEF-FUEL-000648; letter to Mr. Eladio Bueno dated 8/5/2005; price of coal in bulleted price paragraph.</p>	<p>§366.093(3)(d), F.S. The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S. The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>

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<p>PEF's Response to OPC's First Request for Production, Question No. 12.</p>	<p>Bates No. PEF-FUEL-000650; draft of Coal purchase confirmation; price of coal at bottom of page.</p>	<p>§366.093(3)(d), F.S.  The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S.  The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>
<p>PEF's Response to OPC's First Request for Production, Question No. 12.</p>	<p>Bates No. PEF-FUEL-000669; draft of Coal purchase confirmation; price of coal at bottom of page.</p>	<p>§366.093(3)(d), F.S.  The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S.  The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>

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<p>PEF's Response to OPC's First Request for Production, Question No. 12.</p>	<p>Bates No. PEF-FUEL-000686; draft of Coal purchase confirmation; price of coal at bottom of page.</p>	<p>§366.093(3)(d), F.S.  The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S.  The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>
<p>PEF's Response to OPC's First Request for Production, Question No. 12.</p>	<p>Bates No. PEF-FUEL-000704; Glencore bid dated 7/22/2005; price of coal listed at bottom of page.</p>	<p>§366.093(3)(d), F.S.  The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S.  The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>

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<p>PEF's Response to OPC's First Request for Production, Question No. 12.</p>	<p>Bates No. PEF-FUEL-000707; Glencore bid dated 7/22/2005; price of coal listed at bottom of page.</p>	<p>§366.093(3)(d), F.S. The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S. The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>
<p>PEF's Response to OPC's First Request for Production, Question No. 12.</p>	<p>Bates No. PEF-FUEL-000710; Email from Andrew Lawson to Al Pitcher dated 7/26/2005; price of coal listed 3 times mid-page.</p>	<p>§366.093(3)(d), F.S. The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S. The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>

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<p>PEF's Response to OPC's First Request for Production, Question No. 12.</p>	<p>Bates No. PEF-FUEL-000727; letter to Andrew Lawson dated 8/9/2005; price of coal under bulleted price paragraph.</p>	<p>§366.093(3)(d), F.S. The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S. The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>
<p>PEF's Response to OPC's First Request for Production, Question No. 12.</p>	<p>Bates No. PEF-FUEL-000734; letter to Andrew Lawson dated 8/9/2005; price of coal under bulleted price paragraph.</p>	<p>§366.093(3)(d), F.S. The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S. The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>

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<p>PEF's Response to OPC's First Request for Production, Question No. 12.</p>	<p>Bates No. PEF-FUEL-000746; letter to Andrew Lawson dated 8/9/2005; price of coal under bulleted price paragraph.</p>	<p>§366.093(3)(d), F.S. The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S. The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>
<p>PEF's Response to OPC's First Request for Production, Question No. 12.</p>	<p>Bates No. PEF-FUEL-000748; letter to Andrew Lawson dated 8/5/2005; price of coal under bulleted price paragraph</p>	<p>§366.093(3)(d), F.S. The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S. The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>

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<p>PEF's Response to OPC's First Request for Production, Question No. 12.</p>	<p>Bates No. PEF-FUEL-000750; document titled Response to Glencore regarding price re-opener; price of coal in 2<sup>nd</sup> paragraph.</p>	<p>§366.093(3)(d), F.S. The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S. The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>
<p>PEF's Response to OPC's First Request for Production, Question No. 12.</p>	<p>Bates No. PEF-FUEL-000755; Email from Andrew Lawson to Al Pitcher dated 8/4/2005; price of coal at bottom of page.</p>	<p>§366.093(3)(d), F.S. The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S. The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>

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<p>PEF's Response to OPC's First Request for Production, Question No. 12.</p>	<p>Bates No. PEF-FUEL-000756; 2<sup>nd</sup> page of Email from Andrew Lawson to Al Pitcher dated 8/4/2005; price of coal twice at top of page.</p>	<p>§366.093(3)(d), F.S.  The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S.  The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>
<p>PEF's Response to OPC's First Request for Production, Question No. 12.</p>	<p>Bates No. PEF-FUEL-000766; Coal Marketing Company bid dated 7/26/2005; price of coal listed near bottom of page.</p>	<p>§366.093(3)(d), F.S.  The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S.  The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>

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<p>PEF's Response to OPC's First Request for Production, Question No. 12.</p>	<p>Bates No. PEF-FUEL-000774; Coal Marketing Company bid dated 7/26/2005; price of coal listed near bottom of page.</p>	<p>§366.093(3)(d), F.S.  The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S.  The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>
<p>PEF's Response to OPC's First Request for Production, Question No. 12.</p>	<p>Bates No. PEF-FUEL-000775; Coal Marketing Company bid dated 7/26/2005; price of coal listed twice at top of page.</p>	<p>§366.093(3)(d), F.S.  The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S.  The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>

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<p>PEF's Response to OPC's First Request for Production, Question No. 12.</p>	<p>Bates No. PEF-FUEL-000779; Email from Dennis Steul to Al Pitcher dated 7/29/2005; coal price listed near mid-page.</p>	<p>§366.093(3)(d), F.S. The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S. The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>
<p>PEF's Response to OPC's First Request for Production, Question No. 14.</p>	<p>Bates No. PEF-FUEL-000900; spreadsheet of coal contracts; column 4; price of coal.</p>	<p>§366.093(3)(d), F.S. The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S. The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>

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<p>PEF's Response to OPC's First Request for Production, Question No. 14.</p>	<p>Bates No. PEF-FUEL-000901; amendment to contract with B&amp;W Resources; price of coal mid-page.</p>	<p>§366.093(3)(d), F.S.  The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S.  The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>
<p>PEF's Response to OPC's First Request for Production, Question No. 14.</p>	<p>Bates No. PEF-FUEL-000907; agreement for sale and purchase of coal between Progress Fuels Corp. and B&amp;W Resources; price of coal near bottom of page.</p>	<p>§366.093(3)(d), F.S.  The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S.  The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>

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<p>PEF's Response to OPC's First Request for Production, Question No. 14.</p>	<p>Bates No. PEF-FUEL-000911; agreement for sale and purchase of coal between Progress Fuels Corp. and B&amp;W Resources; price of coal near bottom of page.</p>	<p>§366.093(3)(d), F.S.  The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S.  The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>
<p>PEF's Response to OPC's First Request for Production, Question No. 14.</p>	<p>Bates No. PEF-FUEL-000912; agreement for sale and purchase of coal between Progress Fuels Corp. and B&amp;W Resources; price of coal mid-page.</p>	<p>§366.093(3)(d), F.S.  The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S.  The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>

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<p>PEF's Response to OPC's First Request for Production, Question No. 14.</p>	<p>Bates No. PEF-FUEL-000928; Appendix B to agreement for sale and purchase of coal between Progress Fuels Corp. and B&amp;W Resources; price of coal listed three times mid-page.</p>	<p>§366.093(3)(d), F.S.  The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S.  The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>
<p>PEF's Response to OPC's First Request for Production, Question No. 14.</p>	<p>Bates No. PEF-FUEL-000929; Amendment to coal purchase confirmation between Progress Fuels Corp. and Coal Marketing Company; price of coal listed in numbered paragraph 1 and in handwritten note on side of page.</p>	<p>§366.093(3)(d), F.S.  The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S.  The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>

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<p>PEF's Response to OPC's First Request for Production, Question No. 14.</p>	<p>Bates No. PEF-FUEL-000933; Coal Purchase Confirmation with Coal Marketing Company; coal price listed mid-page.</p>	<p>§366.093(3)(d), F.S. The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S. The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>
<p>PEF's Response to OPC's First Request for Production, Question No. 14.</p>	<p>Bates No. PEF-FUEL-000934; Coal Purchase Confirmation with Coal Marketing Company; coal price listed near bottom of page.</p>	<p>§366.093(3)(d), F.S. The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S. The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>

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<b>DOCUMENT/RESPONSES</b>	<b>PAGE/LINE</b>	<b>JUSTIFICATION</b>
<p>PEF's Response to OPC's First Request for Production, Question No. 14.</p>	<p>Bates No. PEF-FUEL-000935; Coal Purchase Confirmation with Coal Marketing Company; coal price listed twice near top of page.</p>	<p>§366.093(3)(d), F.S.  The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S.  The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>
<p>PEF's Response to OPC's First Request for Production, Question No. 14.</p>	<p>Bates No. PEF-FUEL-000948; First Amendment to Coal Sales Agreement with Massey Coal Sales Co.; price of coal listed 3 times in numbered paragraph 4 and twice in handwritten notes.</p>	<p>§366.093(3)(d), F.S.  The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S.  The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>

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DOCUMENT/RESPONSES	PAGE/LINE	JUSTIFICATION
<p>PEF's Response to OPC's First Request for Production, Question No. 14.</p>	<p>Bates No. PEF-FUEL-000950; Amendment to Agreement for Sale and Purchase of Coal between Progress Fuels Corp. and Massey Utility Sales Co.; price of coal listed twice in numbered paragraph 2.</p>	<p>§366.093(3)(d), F.S.  The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S.  The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>
<p>PEF's Response to OPC's First Request for Production, Question No. 14.</p>	<p>Bates No. PEF-FUEL-000955; Coal Sales Agreement between Electric Fuels Corp. and Massey Coal Sales Co.; price of coal listed twice near bottom of page.</p>	<p>§366.093(3)(d), F.S.  The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S.  The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>

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DOCUMENT/RESPONSES	PAGE/LINE	JUSTIFICATION
<p>PEF's Response to OPC's First Request for Production, Question No. 14.</p>	<p>Bates No. PEF-FUEL-000956; Coal Sales Agreement between Electric Fuels Corp. and Massey Coal Sales Co.; price of coal listed at top of page</p>	<p>§366.093(3)(d), F.S. The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S. The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>
<p>PEF's Response to OPC's First Request for Production, Question No. 14.</p>	<p>Bates No. PEF-FUEL-000959; Coal Sales Agreement between Electric Fuels Corp. and Massey Coal Sales Co.; price of coal listed near bottom of page</p>	<p>§366.093(3)(d), F.S. The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S. The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>

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<p>PEF's Response to OPC's First Request for Production, Question No. 14.</p>	<p>Bates No. PEF-FUEL-000974; Appendix A to Coal Sales Agreement between Electric Fuels Corp. and Massey Coal Sales Co.; price of coal listed three times mid-page.</p>	<p>§366.093(3)(d), F.S. The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S. The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>
<p>PEF's Response to OPC's First Request for Production, Question No. 14.</p>	<p>Bates No. PEF-FUEL-000975; First Amendment for the Sale and Purchase of Coal between Electric Fuels Corp. and Massey Coal Sales Co.; price of coal listed twice mid-page.</p>	<p>§366.093(3)(d), F.S. The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S. The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>

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<b>DOCUMENT/RESPONSES</b>	<b>PAGE/LINE</b>	<b>JUSTIFICATION</b>
<p>PEF's Response to OPC's First Request for Production, Question No. 14.</p>	<p>Bates No. PEF-FUEL-000976; Second Amendment for the Sale and Purchase of Coal between Electric Fuels Corp. and Massey Coal Sales Co.; price of coal listed near bottom of page.</p>	<p>§366.093(3)(d), F.S. The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S. The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>
<p>PEF's Response to OPC's First Request for Production, Question No. 12.</p>	<p>Bates No. PEF-FUEL-000977; Second Amendment for the Sale and Purchase of Coal between Electric Fuels Corp. and Massey Coal Sales Co.; price of coal listed mid-page.</p>	<p>§366.093(3)(d), F.S. The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S. The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>

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<p>PEF's Response to OPC's First Request for Production, Question No. 14.</p>	<p>Bates No. PEF-FUEL-000978; Second Amendment for the Sale and Purchase of Coal between Electric Fuels Corp. and Massey Coal Sales Co.; price of coal listed near top of page.</p>	<p>§366.093(3)(d), F.S. The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S. The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>
<p>PEF's Response to OPC's First Request for Production, Question No. 14.</p>	<p>Bates No. PEF-FUEL-000979; letter to John R. Parker at Massey Coal Sales Co. dated 9/8/2003; price of coal listed twice in third bulleted paragraph; price of coal also in handwritten notation.</p>	<p>§366.093(3)(d), F.S. The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S. The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>

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<p>PEF's Response to OPC's First Request for Production, Question No. 14.</p>	<p>Bates No. PEF-FUEL-000980; letter to John R. Parker at Massey Coal Sales Co. dated 4/7/2005; price of coal listed three times in lower half of page.</p>	<p>§366.093(3)(d), F.S. The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S. The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>
<p>PEF's Response to OPC's First Request for Production, Question No. 14.</p>	<p>Bates No. PEF-FUEL-000982; Attachment 1 to letter addressed to John R. Parker at Massey Coal Sales Co. dated 4/7/2005; contract price listed 3 times near top of table; coal prices listed 8 times mid-page.</p>	<p>§366.093(3)(d), F.S. The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S. The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>

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<p>PEF's Response to OPC's First Request for Production, Question No. 14.</p>	<p>Bates No. PEF-FUEL-000983; Amendment to Agreement for Sale and Purchase of Coal between Progress Fuels Corp. and Massey Utility Sales Co.; price of coal listed in numbered paragraph 2.</p>	<p>§366.093(3)(d), F.S.  The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S.  The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>
<p>PEF's Response to OPC's First Request for Production, Question No. 14.</p>	<p>Bates No. PEF-FUEL-000989; Agreement between Electric Fuels Corp. and Massey Coal Sales Co.; price of coal listed near bottom of page.</p>	<p>§366.093(3)(d), F.S.  The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S.  The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>

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<p>PEF's Response to OPC's First Request for Production, Question No. 14.</p>	<p>Bates No. PEF-FUEL-001009; Appendix B to Agreement between Electric Fuels Corp. and Massey Coal Sales Co.; price of coal listed four times mid-page.</p>	<p>§366.093(3)(d), F.S. The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S. The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>
<p>PEF's Response to OPC's First Request for Production, Question No. 14.</p>	<p>Bates No. PEF-FUEL-001013; letter to Joseph B. Jefferson at Progress Fuels Corp. dated 2/3/2005; price of coal listed twice in second paragraph of letter.</p>	<p>§366.093(3)(d), F.S. The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S. The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>

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<p>PEF's Response to OPC's First Request for Production, Question No. 14.</p>	<p>Bates No. PEF-FUEL-001015; letter to Brett Phipps at Progress Fuels Corp. dated 2/14/2005; price of fuel listed in paragraph 2.</p>	<p>§366.093(3)(d), F.S. The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S. The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>
<p>PEF's Response to OPC's First Request for Production, Question No. 14.</p>	<p>Bates No. PEF-FUEL-001023; Agreement for the Sale &amp; Purchase of Coal between Progress Fuels Corp. and Progress Fuels Corp. on its own behalf and as agent for Kanawha River Terminals; price of coal listed near bottom of page.</p>	<p>§366.093(3)(d), F.S. The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S. The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>

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<p>PEF's Response to OPC's First Request for Production, Question No. 14.</p>	<p>Bates No. PEF-FUEL-001047; Appendix B to Agreement for the Sale &amp; Purchase of Coal between Progress Fuels Corp. and Progress Fuels Corp. on its own behalf and as agent for Kanawha River Terminals; price of coal listed at top of page.</p>	<p>§366.093(3)(d), F.S. The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S. The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>
<p>PEF's Response to OPC's First Request for Production, Question No. 14.</p>	<p>Bates No. PEF-FUEL-001055; Agreement for the Sale &amp; Purchase of Coal between Progress Fuels Corp. and Progress Fuels Corp. on its own behalf and as agent for Diamond May Coal; price of coal listed near top of page.</p>	<p>§366.093(3)(d), F.S. The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S. The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>

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<p>PEF's Response to OPC's First Request for Production, Question No. 14.</p>	<p>Bates No. PEF-FUEL-001059; Agreement for the Sale &amp; Purchase of Coal between Progress Fuels Corp. and Progress Fuels Corp. on its own behalf and as agent for Diamond May Coal; price of coal listed in first and third paragraphs.</p>	<p>§366.093(3)(d), F.S. The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S. The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>
<p>PEF's Response to OPC's First Request for Production, Question No. 14.</p>	<p>Bates No. PEF-FUEL-001079; Appendix B to Agreement for the Sale &amp; Purchase of Coal between Progress Fuels Corp. and Progress Fuels Corp. on its own behalf and as agent for Diamond May Coal; price of coal listed three times in upper half of page.</p>	<p>§366.093(3)(d), F.S. The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S. The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>

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<p>PEF's Response to OPC's First Request for Production, Question No. 14.</p>	<p>Bates No. PEF-FUEL-001086; Agreement for the Sale &amp; Purchase of Coal between Progress Fuels Corp. and Sequoia Energy, LLC; price of coal listed near bottom of page.</p>	<p>§366.093(3)(d), F.S.  The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S.  The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>
<p>PEF's Response to OPC's First Request for Production, Question No. 14.</p>	<p>Bates No. PEF-FUEL-001090; Agreement for the Sale &amp; Purchase of Coal between Progress Fuels Corp. and Sequoia Energy, LLC; price of coal listed near bottom of page.</p>	<p>§366.093(3)(d), F.S.  The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S.  The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>

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<p>PEF's Response to OPC's First Request for Production, Question No. 14.</p>	<p>Bates No. PEF-FUEL-001108; Appendix B to Agreement for the Sale &amp; Purchase of Coal between Progress Fuels Corp. and Sequoia Energy, LLC; price of coal listed three times in upper half of page.</p>	<p>§366.093(3)(d), F.S. The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S. The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>