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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for approval of contract with a qualifying facility for purchase of firm capacity and energy between Progress Energy Florida, Inc. and Florida Biomass Energy Group, LLC.

Docket No. 060387-EQ

Dated: May 31, 2006

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**PROGRESS ENERGY FLORIDA INC.'S  
REQUEST FOR CONFIDENTIAL CLASSIFICATION**

Progress Energy Florida, Inc., ("PEF" or "Company"), pursuant to Section 366.093, Florida Statutes (F.S.), and Rule 25-22.006, Florida Administrative Code (F.A.C.), submits this Request for Confidential Classification for certain information provided in the negotiated contract between PEF and Florida Biomass Energy Group ("Biomass") filed with the Florida Public Service Commission on May 11, 2006 (the "Contract"). In support of this Request, PEF states:

1. The Contract contains negotiated confidential terms that are "proprietary business information" under Section 366.093(3), Florida Statutes.

2. The following exhibits are included with this request:

(a) Sealed Composite Exhibit A is a package containing unredacted copies of all the documents for which PEF seeks confidential treatment. Composite Exhibit A is being submitted separately in a sealed envelope labeled "CONFIDENTIAL." In the unredacted versions, the information asserted to be confidential by PEF is highlighted by yellow marker. The documents for which Biomass seeks confidential treatment is highlighted in red. Biomass will submit their request for confidential classification under separate cover.

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(b) Composite Exhibit B is a package containing two copies of redacted versions of the documents for which PEF requests confidential classification. The specific information for which confidential treatment is requested has been blocked out by opaque marker or other means.

(c) Exhibit C is a table which identifies by page and section the information for which PEF seeks confidential classification and the specific statutory bases for seeking confidential treatment.

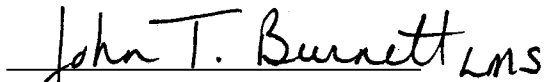
3. As indicated in Exhibit C, the information for which PEF requests confidential classification is “proprietary confidential business information” within the meaning of Section 366.093(3), F.S. Due to the nature of this first-of-a-kind Contract, the competitively negotiated contractual information at issue is especially sensitive in the relevant market. The disclosure of the information in question would impair the efforts of the Company, and/or Biomass, to competitively negotiate renewable energy contracts on favorable terms. *See* § 366.093(3)(d), F.S.; Affidavit of Michael T. Keen at ¶ 5. Furthermore, the terms of the contract relates to the general competitive interests of PEF and Biomass, the disclosure of which would risk their relative competitive negotiating ability. *Id.* § 366.093(3)(e); Affidavit of Michael T. Keen at ¶ 6. Accordingly, such information constitutes “proprietary confidential business information” which is exempt from disclosure under the Public Records Act pursuant to Section 366.093(1), F.S.

4. The information identified as Exhibit “A” is intended to be and is treated as confidential by the Company. Affidavit of Michael T. Keen at ¶ 7. The information has not been disclosed to the public, and the company has treated and continues to treat the information and contracts at issue as confidential. Affidavit of Michael T. Keen at ¶ 7.

5. PEF requests that the information identified in Exhibit A be classified as "proprietary confidential business information" within the meaning of section 366.093(3), F.S., that the information remain confidential for a period of at least 18 months as provided in section 366.093(4) F.S., and that the information be returned as soon as it is no longer necessary for the Commission to conduct its business.

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

RESPECTFULLY SUBMITTED this 31<sup>st</sup> day of May, 2006.

 LMS

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**PROGRESS ENERGY FLORIDA  
Confidentiality Justification Matrix**

DOCUMENT/RESPONSES	PAGE/LINE	JUSTIFICATION
Renewable Energy Contract between PEF and Biomass	<p>Pg. 28 (c) and (f): contract terms, costs and credit rating information.</p> <p>Pg. 29 (g): letter of credit amounts.</p> <p>Pg. 33 (e) thru (f)(i)(ii): ownership interests, contract terms and pricing.</p> <p>Pg. 34 (f)(iii) thru (v): pricing terms.</p> <p>Pg. 38 (b)(ii): pricing terms.</p> <p>Pg. 40 Section 12.4(c): environmental costs.</p> <p>Pg. 48 Section 14.6 (d): restoration estimate costs.</p> <p>Pg. 50 Section 15.3: claim loss amounts.</p> <p>Pg. 62 Section 18.8: negotiated contract terms.</p> <p>Pg. 62 Section 18.10: negotiated contract terms.</p> <p>Appendix 12.1 "Monthly Capacity Payment Calculation": pricing calculations and terms.</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>