

ORIGINAL

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Fuel and purchased power cost recovery clause with generating performance incentive factor

Docket No. 060001-EI

Dated: July 17, 2006

06 JUL 17 PM 1:23

RECEIVED-FPSC

COMMISSION CLERK

**AFFIDAVIT OF ALEXANDER WEINTRAUB IN SUPPORT OF PROGRESS ENERGY FLORIDA'S REQUEST FOR CONFIDENTIAL CLASSIFICATION**

STATE OF NORTH CAROLINA

COUNTY OF WAKE

BEFORE ME, the undersigned authority duly authorized to administer oaths, personally appeared Alexander Weintraub, who being first duly sworn, on oath deposes and says that:

1. My name is Alexander Weintraub. I am over the age of 18 years old and I have been authorized by Progress Energy Florida (hereinafter "PEF" or the "Company") to give this affidavit in the above-styled proceeding on PEF's behalf and in support of PEF's Request for Confidential Classification. The facts attested to in my affidavit are based upon my personal knowledge.

2. I am the director of PEF's Coal section in the Regulated Fuels & Capital Planning Department. This section is responsible for coal acquisition and transportation for both PEF and Progress Energy Carolinas ("PEC") systems.

3. As the director of PEF's Coal section, I am responsible, along with the other members of the section, for the procurement of coal for PEC's and PEF's electrical

- CMP \_\_\_\_\_
- COM \_\_\_\_\_
- CTR \_\_\_\_\_
- ECR 1
- GCL 1
- OPC \_\_\_\_\_
- RCA \_\_\_\_\_
- SCR \_\_\_\_\_
- SGA \_\_\_\_\_
- SEC 1

RECEIVED & FILED

OTH leaf Dem  
records EPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE

06258 JUL 17 06

FPSC-COMMISSION CLERK

power generation facilities, and the administration of PEC's and PEF's coal contracts with various suppliers.

4. PEF is seeking confidential classification for portions of its responses to Staff's Fourth Set of Interrogatories (Nos. 14-17) and Staff's Third Request for Production of Documents (Nos. 6-7). A detailed description of the confidential information at issue is contained in confidential Exhibit A to PEF's Request for Confidential Classification and is outlined in PEF's Justification Matrix that is attached to PEF's Request for Confidential Classification as Exhibit C. PEF is requesting confidential classification of this information because it contains competitive confidential business information of both PEF and third-party fuel supply and transportation companies that PEF has contracts with.

5. PEF negotiates with potential coal suppliers and transportation companies to obtain competitive contracts for coal options that provide economic value to PEF and its ratepayers. In order to obtain such contracts, however, PEF must be able to assure coal suppliers and transportation companies that sensitive business information, such as the quantity and pricing terms of their contracts, will be kept confidential. With respect to the information at issue in this Request, PEF has kept confidential and has not publicly disclosed confidential contract terms such as quantity, pricing, and similar competitive information. Absent such measures, coal suppliers and transportation companies would run the risk that sensitive business information that they provided in their contracts with PEF would be made available to the public and, as a result, end up in possession of potential competitors. Faced with that risk, persons or companies who otherwise would contract with PEF might decide not to do so if PEF did not keep those terms of their

contracts confidential. Without PEF's measures to maintain the confidentiality of sensitive terms in contracts between PEF and coal suppliers and transportation contractors, the Company's efforts to obtain competitive coal supply and transportation contracts could be undermined.

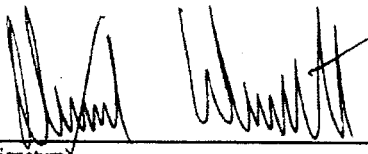
6. Additionally, the disclosure of confidential information in PEF's coal supply and transportation contracts could adversely impact PEF's competitive business interests. If such information was disclosed to PEF's competitors, PEF's efforts to obtain competitive coal supply and transportation options that provide economic value to both PEF and its ratepayers could be compromised by PEF's competitors changing their consumption or purchasing behavior within the relevant markets.

7. Upon receipt of confidential information from coal suppliers and transportation companies, and with its own confidential information, strict procedures are established and followed to maintain the confidentiality of the terms of the documents and information provided, including restricting access to those persons who need the information to assist the Company, and restricting the number of, and access to the information and contracts. At no time since receiving the contracts and information in question has the Company publicly disclosed that information or contracts. The Company has treated and continues to treat the information and contracts at issue as confidential.

8. This concludes my affidavit.

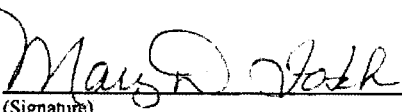
Further affiant sayeth not.

Dated the 13 day of July, 2006.

  
\_\_\_\_\_  
(Signature)  
Alexander Weintraub  
Director  
Coal Trading  
Regulated Fuels Department  
Progress Energy Carolinas  
Post Office Box 1551  
Raleigh, NC. 27602

13<sup>th</sup> THE FOREGOING INSTRUMENT was sworn to and subscribed before me this  
13<sup>th</sup> day of July, 2006 by Alexander Weintraub. He is personally known to me, or has  
produced his \_\_\_\_\_ driver's license, or his \_\_\_\_\_  
as identification.

(AFFIX NOTARIAL SEAL)

  
\_\_\_\_\_  
(Signature)  
Mary D Fatch  
\_\_\_\_\_  
(Printed Name)  
NOTARY PUBLIC, STATE OF NC  
\_\_\_\_\_  
12/14/2006  
\_\_\_\_\_  
(Commission Expiration Date)  
\_\_\_\_\_  
(Serial Number, If Any)