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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION AUG 29 AM 9:17

COMMISSION CLERK

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

Docket No. 060001-EI

Dated: August 29, 2006

**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 Exhibit JP-1R to the direct testimony of PEF witness Javier Portuondo dated August 8, 2006, specifically Schedule E12. In support of this Request, PEF states:

1. In Exhibit JP-1R, Schedule E12 contains information that is "proprietary business information" under Section 366.093(3), Florida Statutes.

2. The following exhibits are included with this request:

(a) Composite Exhibit A, the document for which PEF seeks confidential treatment, which was previously filed with PEF's Notice of Intent filed on August 8, 2006.

(b) Composite Exhibit B is a package containing two copies of redacted versions of the documents for which the Company 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 line the information for

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

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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. Specifically, the highlighted information provides the number of megawatts for each purchase or sale. In combination with other non-confidential cost data provided in the exhibit, this information could be used to determine the capacity charges for each contract. Disclosure of this information would enable wholesale providers to determine the prices of their competitors, which could result in greater price convergence in future negotiations. Suppliers would no longer need to make their best offers to ensure the competitiveness of their prices against the disclosed prices. Instead, suppliers could simply offer the highest prices that would allow them to maintain a marginally competitive position against the disclosed prices. As such, disclosure of the information would impair the Company’s efforts to contract for goods or services on favorable terms. *See* § 366.093(3)(d), F.S.; Affidavit of Javier Portuondo at ¶ 5. Additionally, disclosure of the capacity charges paid by PEF wholesale customers would provide an unfair advantage to competitors pursuing such customers, the disclosure of which would impair their competitive businesses. *Id.* § 366.093(3)(e); Affidavit of Javier Portuondo 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.

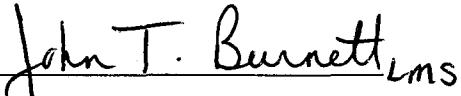
4. The information identified as Exhibit “A” is intended to be and is treated as

confidential by the Company. See Affidavit of Javier Portuondo 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. See Affidavit of Javier Portuondo 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.

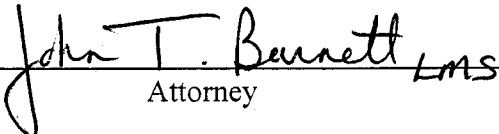
RESPECTFULLY SUBMITTED this 29<sup>th</sup> day of August, 2006.

  
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of Progress Energy Florida, Inc.'s Request for Confidential Classification relating to Exhibit JP-1R to the Direct Testimony of Javier Portuondo in Docket No. 060001-EI has been furnished by regular U.S. mail to the following this 29<sup>th</sup> day of August, 2006.

  
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# EXHIBIT A

(A separate sealed envelope labeled “confidential” was previously filed on August 8, 2006 with PEF’s Notice of Intent to Request Confidential Classification. The envelope contains one copy of the confidential documents for which PEF seeks confidential treatment)

**PROGRESS ENERGY FLORIDA  
Confidentiality Justification Matrix**

<b>DOCUMENT/RESPONSES</b>	<b>PAGE/LINE</b>	<b>JUSTIFICATION</b>
Exhibit JP-1R, Schedule E12	Page 2 of 2, Lines 1-8; Purchased MW from OUC, Osceola, Energy Authority, Chattahoochee & Central Power & Lime.	<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>