

ORIGINAL

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition on behalf of Citizens of)
the State of Florida to require)
Progress Energy Florida, Inc. to)
refund to customers \$143 million)
_____)

DOCKET NO. 060658-EI

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COMMISSION
CLERK

PROGRESS ENERGY FLORIDA, INC.'S MOTION FOR TEMPORARY PROTECTIVE ORDER

Progress Energy Florida, Inc. ("PEF"), by and through undersigned counsel, hereby moves pursuant to Section 366.093, Florida Statutes, and Rule 25-22.006(6), Florida Administrative Code, for entry of a temporary protective order covering confidential documents and information sought in discovery by the Office of Public Counsel ("OPC") and as grounds therefore states as follows:

1. In its Seventh Request for Production (Nos. 38-47), questions #41 & #45, OPC has requested confidential information, specifically, the Updated Final Safety Analysis Report mentioned at page 10 of the direct testimony of Jon Franke and analyses mentioned at page 28, line 19 of the direct testimony of Jon Franke (tests and analyses of exhaust from emergency diesel generator). Portions of the Updated Final Safety Analysis Report and analyses contain confidential information pertaining to the Crystal River Nuclear Plant.

2. The documents and information at issue meet the criteria of confidential business information as defined by Florida Statutes Section 366.093(3)(c). Specifically, the documents and information relate, in part, to issues impacting on security measures and systems that should not be made generally available to the public. Disclosure of this information may cause harm to the company's business operations and this information

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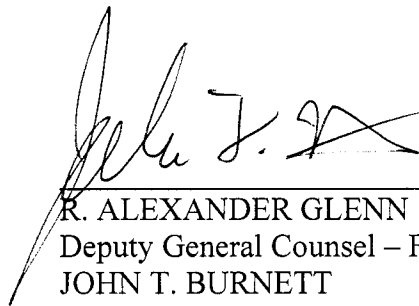
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has not been disclosed or released to the public.

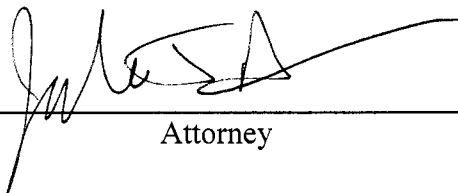
WHEREFORE, PEF requests that the Commission enter an Order granting its Motion for Temporary Protective Order relating to information identified as confidential and produced in response to OPC's Seventh Request for Production, instructing Public Counsel to continue to treat it as confidential, and requiring Public Counsel to provide PEF with notice of its intent to use such confidential information in connection with the hearing in accord with the prehearing order governing procedure.



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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of Progress Energy Florida, Inc.'s Notice of Temporary Protective Order, in Docket No. 060658-EI has been furnished by regular U.S. mail to the following this 28th day of February, 2007.



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