

**EXHIBIT C
PROGRESS ENERGY FLORIDA
Confidentiality Justification**

070001-EI

DOCUMENT/RESPONSES	PAGE/LINE	JUSTIFICATION
PEF's Response to OPC's Second Request for Production, Question No. 2.	Bates Nos. PEF-07FL-001339 through PEF-07FL-001346; February 2007 confidential FPSC Form 423-2 & 423-2A reports.	<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>
PEF's Response to OPC's Second Request for Production, Question No. 3.	Bates No. PEF-07FL-001351 through PEF-07FL-001352; quantity, terms and price of coal under contract with coal supplier.	<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 Second Request for Production, Question No. 3.</p>	<p>Bates No. PEF-07FL-001371; demurrage price under coal contract with coal supplier.</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 Second Request for Production, Question No. 3.</p>	<p>Bates No. PEF-07FL-001383 & PEF-07FL-001384; quantity, tons and price of coal on coal supplier invoice; bank account information of coal supplier.</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 Second Request for Production, Question No. 3.</p>	<p>Bates No. PEF-07FL-001385; price, tons & term of coal purchases from Central Coal Co.</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 Second Request for Production, Question No. 3.</p>	<p>Bates No. PEF-07FL-001399 through PEF-07FL-001422; Central Coal invoices for January & February 2007; tons & price coal purchased from Central Coal delivered by barge.</p> <p>Central Coal bank account and routing numbers for electronic payment.</p>	<p>§366.093(3)(d), F.S. The documents in question contain 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 documents in question contain 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>§366.093(3), F.S. The documents in question contain confidential information owned and controlled by the company that is treated by the company as private, the disclosure of which would cause harm to the company's business operations.</p>

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<p>PEF's Response to OPC's Second Request for Production, Question No. 3.</p>	<p>Bates No. PEF-07FL-001423; Coal purchase confirmation between PEF and Keystone Industries, LLC. Contract terms, contract quantity and contract price on bottom 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 Second Request for Production, Question No. 3.</p>	<p>Bates No. PEF-07FL-001437 through PEF-07FL-001439; Invoices from Keystone Industries LLC for delivery of coal; Quantity of coal in tonnage column; price of coal in description column, rate per ton column, and total amount due column; Keystone bank account and routing numbers for electronic payment.</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>§366.093(3), F.S. The documents in question contain confidential information owned and controlled by the company that is treated by the company as private, the disclosure of which would cause harm to the company's business operations.</p>

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<p>PEF's Response to OPC's Second Request for Production, Question No. 3.</p>	<p>Bates No. PEF-07FL-001444; last sentence of page; tons of coal purchased under contract between Progress Fuels Corp. & Progress Fuels Corp. on its own behalf and as agent for Diamond May Coal Co.; Kanawha River Terminals, Inc.; Kentucky May Coal Co.; and Powell Mountain Coal Co., Inc.</p> <p>Bates No. PEF-07FL-001445; four sentence from top; price of coal purchased under same contract.</p> <p>Bates No. PEF-07FL-001446; lower half of page; tons of coal purchased under same contract.</p>	<p>§366.093(3)(d), F.S. The documents in question contain 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 documents in question contain 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 Second Request for Production, Question No. 3.</p>	<p>Bates No. PEF-07FL-001469; Appendix B to coal purchase and transportation agreement listing railroad and railcar charges.</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 Second Request for Production, Question No. 3.</p>	<p>Bates No. PEF-07FL-001472; First Amendment to Agreement for the Sale and Purchase of Coal between Diamond May Coal Co. and Progress Fuels Corp.; price of coal listed twice in Section 5.01..</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 Second Request for Production, Question No. 3.</p>	<p>Bates No. PEF-07FL-001480; Letter from Alpha Natural Resources providing Alpha bank account and routing information for electronic payment.</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), F.S. The document in question contains confidential information owned and controlled by the company that is treated by the company as private, the disclosure of which would cause harm to the company's business operations.</p>

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<p>PEF's Response to OPC's Second Request for Production, Question No. 3.</p>	<p>Bates No. PEF-07FL-001481 through PEF-07FL-001485; Alpha Coal Sales invoices; tons & price of coal purchased from Alpha Coal Sales delivered by rail.</p> <p>Alpha Coal Sales bank account and routing numbers for electronic payment.</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>§366.093(3), F.S. The documents in question contain confidential information owned and controlled by the company that is treated by the company as private, the disclosure of which would cause harm to the company's business operations.</p>
<p>PEF's Response to OPC's Second Request for Production, Question No. 3.</p>	<p>Bates No. PEF-07FL-001486; coal Purchase Confirmation between PEF and B&W Resources, Inc.; term of contract, quantity of coal and price of coal 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>

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<p>PEF's Response to OPC's Second Request for Production, Question No. 3.</p>	<p>Bates No. PEF-07FL-001501 through PEF-07FL-001507; Invoices from B&W Resources, Inc. for delivery of coal shipped by rail in January and February 2007; quantity of coal and price of coal listed in 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 Second Request for Production, Question No. 3.</p>	<p>Bates No. PEF-07FL-001508; Coal Purchase Confirmation between PEF and CAM Mining LLC; term of contract; contract quantity and price of coal listed 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>

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<p>PEF's Response to OPC's Second Request for Production, Question No. 3.</p>	<p>Bates No. PEF-07FL-001524 through PEF-07FL-001527; Invoices from CAM Mining, LLC for January and February 2007; quantity of coal and price of coal listed in invoice.</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 Second Request for Production, Question No. 3.</p>	<p>Bates No. PEF-07FL-001528; Coal Purchase Confirmation between PEF and Constellation Energy Commodities Group, Inc.; term of contract, quantity of coal and contract price on 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>

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<p>PEF's Response to OPC's Second Request for Production, Question No. 3.</p>	<p>Bates No. PEF-07FL-001537; General terms and conditions of Coal Purchase Confirmation between PEF and Constellation Energy Commodities Group; Constellation bank account and routing number for electronic payment.</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), F.S. The documents in question contain confidential information owned and controlled by the company that is treated by the company as private, the disclosure of which would cause harm to the company's business operations.</p>
<p>PEF's Response to OPC's Second Request for Production, Question No. 3.</p>	<p>Bates No. PEF-07FL-001545 through PEF-07FL-001548; Constellation Energy Commodities Group invoices for coal deliveries in January and February 2007 listing tons of coal purchased, price of coal, total owed for coal, bank account number and routing number for electronic payment.</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>§366.093(3), F.S. The documents in question contain confidential information owned and controlled by the company that is treated by the company as private, the disclosure of which would cause harm to the company's business operations.</p>

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<p>PEF's Response to OPC's Second Request for Production, Question No. 3.</p>	<p>Bates No. PEF-07FL-001549; Email dated March 13, 2007 from Brigit Shaffer to Jon Putnam confirming coal contract price of coal purchased and invoice total.</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 Second Request for Production, Question No. 3.</p>	<p>Bates No. PEF-07FL-001550; Coal Purchase Confirmation between PEF and IGC, LLC for purchase of coal; terms of contract, quantity of coal and price of coal in bottom 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 Second Request for Production, Question No. 3.</p>	<p>Bates No. PEF-07FL-001566 through PEF-07FL-001568; January & February 2007 invoices from IGC, LLC for coal delivered by rail; price and quantity of coal delivered; IGC bank account and routing information for electronic payment.</p>	<p>§366.093(3)(d), F.S. The documents in question contain 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 documents in question contain 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>§366.093(3), F.S. The documents in question contain confidential information owned and controlled by the company that is treated by the company as private, the disclosure of which would cause harm to the company's business operations.</p>
<p>PEF's Response to OPC's Second Request for Production, Question No. 3.</p>	<p>Bates No. PEF-07FL-001573; Agreement for Sale & Purchase of Coal between Progress Fuels Corp. and Massey Utility Sales Co.; quantity, terms, and price of coal under contract from middle to 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 Second Request for Production, Question No. 3.</p>	<p>Bates No. PEF-07FL-001595; Appendix B to Agreement for Sale and Purchase of Coal between Progress Fuels Corp. & Massey Utility Sales Co.; railroad charges under item 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 Second Request for Production, Question No. 3.</p>	<p>Bates No. PEF-07FL-001596; Letter Agreement dated April 7, 2005 to John Parker at Massey Coal Sales Co., Inc. amending Agreement for Sale and Purchase of Coal dated 6/1/1999; quantity and price of coal to be delivered by rail; paragraphs 2, 3 & 4.</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 Second Request for Production, Question No. 3.</p>	<p>Bates No. PEF-07FL-001598; Attachment 1 to 4/7/2005 Letter Agreement to John Parker of Massey Coal Sales Co., Inc. amending Agreement for Sale and Purchase of Coal dated 6/1/1999; coal quantities, rates and total costs under contract.</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 Second Request for Production, Question No. 3.</p>	<p>Bates No. PEF-07FL-001599; Jan. 9, 2006 Amendment to the Agreement for the Sale and Purchase of Coal between Progress Fuels Corp. and Massey Utility Sales Co.; terms of contract and 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 Second Request for Production, Question No. 3.</p>	<p>Bates No. PEF-07FL-001602 and PEF-07FL-001603; Assignment, Assumption and Amendment Agreement dated 1/17/2007 between Progress Fuels Corp. (assignor), PEF (assignee), and Massey Utility Sales Co. (consenting party) amending the 9/8/2004 Agreement for Sale and Purchase of Coal; terms of amendment, quantities of coal to be delivered and price of coal under contract encompassing most of each 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 Second Request for Production, Question No. 3.</p>	<p>Bates No. PEF-07FL-001606 through PEF-07FL-001664; Massey Coal Sales invoices for January and February 2007 coal shipments by rail; tons of coal delivered, price of coal delivered and total cost of coal delivered; each page in its entirety.</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 Second Request for Production, Question No. 3.</p>	<p>Bates No. PEF-07FL-001665; Coal Purchase Confirmation between Trinity Coal Marketing LLC and PEF confirming 1/18/2006 agreement for sale and purchase of coal; terms of agreement, tons of coal contained in agreement and price of coal; 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 Second Request for Production, Question No. 3.</p>	<p>Bates No. PEF-07FL-001680 through PEF-07FL-001687; Trinity Coal Marketing invoices for coal delivered by rail in January and February 2007; quantity of coal shipped, price of coal, and total amount due for coal shipped; Trinity Coal Marketing bank account number and routing number for electronic payment; various places on each 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>§366.093(3), F.S. The documents in question contain confidential information owned and controlled by the company that is treated by the company as private, the disclosure of which would cause harm to the company's business operations.</p>

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<p>PEF's Response to OPC's Second Request for Production, Question No. 3.</p>	<p>Bates No. PEF-07FL-001688; Coal Purchase Confirmation between MC Mining LLC and PEF confirming Agreement for Sale & Purchase of Coal dated 12/14/2005; terms of agreement, contract quantity, and contract price for coal; 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 Second Request for Production, Question No.3.</p>	<p>Bates No. PEF-07FL-001696; Coal Purchase Confirmation between MC Mining LLC and PEF confirming Agreement for Sale & Purchase of Coal dated 12/14/2005; MC Mining bank account and electronic routing information; under paragraph (e).</p>	<p>§366.093(3), F.S. The documents in question contain confidential information owned and controlled by the company that is treated by the company as private, the disclosure of which would cause harm to the company's business operations.</p>

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<p>PEF's Response to OPC's Second Request for Production, Question No. 3.</p>	<p>Bates No. PEF-07FL-001704 through PEF-07FL-001716; MC Mining Invoices for coal shipped by rail in January and February 2007; shipment prices, tons, and total costs; MC Mining bank account number and routing information for electronic remittance; each page in its entirety.</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>§366.093(3), F.S. The documents in question contain confidential information owned and controlled by the company that is treated by the company as private, the disclosure of which would cause harm to the company's business operations.</p>
<p>PEF's Response to OPC's Second Request for Production, Question No. 3.</p>	<p>Bates No. PEF-07FL-001721; Agreement for the Sale and Purchase of Coal between Progress Fuels Corp. and Massey Utility Sales Co. dated 8/9/2004; quantity of coal listed in numbered paragraph 3.01 and price of coal listed in paragraph 5.01.</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 Second Request for Production, Question No. 3.</p>	<p>Bates No. PEF-07FL-001745; Appendix B to the Agreement for the Sale and Purchase of Coal between Progress Fuels Corp. and Massey Utility Sales Co. dated 8/9/2004; railroad charges in paragraph 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 Second Request for Production, Question No. 3.</p>	<p>Bates No. PEF-07FL-001746; 1/9/2005 Amendment to the Agreement for the Sale and Purchase of Coal between Progress Fuels Corp. and Massey Utility Sales Co.; price of coal 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>

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<p>PEF's Response to OPC's Second Request for Production, Question No. 3.</p>	<p>Bates No. PEF-07FL-001750 and PEF-07FL-001751; Assignment, Assumption and Amendment Agreement dated 1/19/2007 between Progress Fuels Corp. (assignor), PEF (assignee), and Massey Utility Sales Co. amending the 8/9/2004 Amendment for the Sale and Purchase of Coal; agreement terms, quantity and prices listed in paragraphs a, b, c & d.</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 Second Request for Production, Question No. 3.</p>	<p>Bates No. PEF-07FL-001754 and PEF-07FL-001755; Coal Purchase Confirmation between Glencore Ltd. and PEF dated 8/1/2005; contract terms, quantity and price listed in lower half of PEF-07FL-001754 and coal price listed on 4th line of PEF-07FL-001755.</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 Second Request for Production, Question No. 3.</p>	<p>Bates No. PEF-07FL-001772; 5/30/2006 Amendment to the Coal Purchase Confirmation between PEF and Glencore, Ltd. amending the 8/1/2005 Coal Purchase Confirmation; price of coal listed in numbered paragraphs 2 & 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 Second Request for Production, Question No. 3.</p>	<p>Bates No. PEF-07FL-001774 through PEF-07FL-001778; January & February 2007 Glencore Ltd. invoices; tons of coal shipped, price of coal shipped and calculations arriving at the total price of each invoice; Glencore bank account number and routing number for electronic remittance; various areas on each 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>§366.093(3), F.S. The documents in question contain confidential information owned and controlled by the company that is treated by the company as private, the disclosure of which would cause harm to the company's business operations.</p>

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<p>PEF's Response to OPC's Second Request for Production, Question No. 3.</p>	<p>Bates No. PEF-07FL-001779 & PEF-07FL-001780; Coal Purchase Confirmation dated 12/12/2005 between Guasare Coal International N.V. and PEF; term of coal delivery and coal quantity at bottom of PEF-07FL-001779; additional terms of contract and coal prices on PEF-07FL-001780, top 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 Second Request for Production, Question No. 3.</p>	<p>Bates No. PEF-07FL-001792; coal Purchase Confirmation dated 12/12/2005 between Guasare Coal International N.V. and PEF; Guasare bank account number and routing number for electronic remittance in numbered paragraph 7(a).</p>	<p>§366.093(3), F.S. The documents in question contain confidential information owned and controlled by the company that is treated by the company as private, the disclosure of which would cause harm to the company's business operations.</p>

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<p>PEF's Response to OPC's Second Request for Production, Question No. 3.</p>	<p>Bates No. PEF-07FL-001807 through PEF-07FL-001811; Guasare Coal International invoices for coal shipped in January & February 2007; quantity of coal shipped, price of coal, and calculations arriving at total amount due on invoice; Guasare bank account number and routing number for electronic remittance; various areas on each 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>§366.093(3), F.S. The documents in question contain confidential information owned and controlled by the company that is treated by the company as private, the disclosure of which would cause harm to the company's business operations.</p>
<p>PEF's Response to OPC's Second Request for Production, Question No. 3.</p>	<p>Bates No. PEF-07FL-001812; Coal Purchase Confirmation between Koch Carbon LLC and PEF dated 2/1/2007; contract term, quantity of coal and coal price; middle 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 Second Request for Production, Question No. 3.</p>	<p>Bates No. PEF-07FL-001817 & PEF-07FL-001820; Koch Carbon invoices for coal shipped by barge in February 2007; quantity of coal shipped and price of coal ; Koch Carbon bank account number and routing number for electronic remittance.</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>§366.093(3), F.S. The documents in question contain confidential information owned and controlled by the company that is treated by the company as private, the disclosure of which would cause harm to the company's business operations.</p>
<p>PEF's Response to OPC's Second Request for Production, Question No. 3.</p>	<p>Bates No. PEF-07FL-001825 & PEF-07FL-001826; Agreement for the Sale & Purchase of Coal between Electric Fuels Corp. and Consol of Kentucky, Inc. and Consol Sales Co.; quantity of coal under contract under numbered paragraph 1.03 and price of coal under numbered paragraph 1.05.</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 Second Request for Production, Question No. 3.</p>	<p>Bates No. PEF-07FL-001848; Appendix B to Agreement for the Sale & Purchase of Coal between Electric Fuels Corp. and Consol of Kentucky, Inc. and Consol Sales Co.; railroad charges under numbered paragraph 3 & railcar charges listed in numbered paragraphs 1a and 1b.</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 Second Request for Production, Question No. 3.</p>	<p>Bates No. PEF-07FL-001849; confirmation letter from Dennis P. Duffy of Consol Energy to Al Pitcher dated 4/29/2003 confirming tons and price of coal under contract; second 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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PEF's Response to OPC's Second Request for Production, Question No. 3.	Bates No. PEF-07FL-001850 & PEF-07FL-001851; Amendment to Agreement for the Sale and Purchase of Coal between Progress Fuels Corp. and Consol of Kentucky Inc. and Consol Sales Co. dated 12/8/2004 amending the Agreement for the Sale and Purchase of Coal dated 1/1/2002; quantity of coal in paragraph 1B; price of coal in paragraph 1D; quantity of coal in paragraph 1F.	<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>
PEF's Response to OPC's Second Request for Production, Question No. 3.	Bates No. PEF-07FL-001854; 2 nd Amendment to Agreement for the Sale and Purchase of Coal between Progress Fuels Corp. and Consol of Kentucky Inc. and Consol Sales Co. dated 1/13/2006 amending the Agreement for the Sale and Purchase of Coal dated 1/1/2002; quantity of coal and price of coal list in bottom half of page.	<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 Second Request for Production, Question No. 3.</p>	<p>Bates No. PEF-07FL-001856 & PEF-07FL-001857; 3rd Amendment to Agreement for the Sale and Purchase of Coal between Progress Fuels Corp. and Consol of Kentucky Inc. and Consol Sales Co. dated 2/13/2007 amending the Agreement for the Sale and Purchase of Coal dated 1/1/2002; quantity and price of coal listed in paragraph 2; quantity of coal listed in paragraph 3; term of contract provided in paragraph 1.04.</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 Second Request for Production, Question No. 3.</p>	<p>Bates No. PEF-07FL-001859 & PEF-07FL-001860; invoices of coal shipments by Consol Energy Sales via rail; tons of coal shipped; price of coal shipped and calculations arriving at total price of coal shipments; Consol Energy bank account number and routing number for electronic remittance; captured in various places of each 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>§366.093(3), F.S. The documents in question contain confidential information owned and controlled by the company that is treated by the company as private, the disclosure of which would cause harm to the company's business operations.</p>

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<p>PEF's Response to OPC's Second Request for Production, Question No. 4.</p>	<p>Bates No. PEF-07FL-001864; Affreightment Contract between Dixie Fuels Limited and Progress Fuels Corp. dated 3/28/2002; shipping rates in numbered paragraph 10, second 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 Second Request for Production, Question No. 4.</p>	<p>Bates No. PEF-07FL-001868; Affreightment Contract between Dixie Fuels Limited and Progress Fuels Corp. dated 3/28/2002; shipping rates and tons in paragraph a.</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 Second Request for Production, Question No. 4.</p>	<p>Bates No. PEF-07FL-001869; Affreightment Contract between Dixie Fuels Limited and Progress Fuels Corp. dated 3/28/2002; shipping rates in columns 2 and 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 Second Request for Production, Question No. 4.</p>	<p>Bates No. PEF-07FL-001870; Affreightment Contract between Dixie Fuels Limited and Progress Fuels Corp. dated 3/28/2002; shipping rates in column 2 at top; demurrage rate in paragraph 17; Dixie Fuels bank account number and credit account number 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>§366.093(3), F.S. The documents in question contain confidential information owned and controlled by the company that is treated by the company as private, the disclosure of which would cause harm to the company's business operations.</p>

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<p>PEF's Response to OPC's Second Request for Production, Question No. 4.</p>	<p>Bates No. PEF-07FL-001881; Amendment One to the Affreightment Contract between Dixie Fuels Limited and Progress Fuels Corp. dated 3/28/2002; shipping rates in first two lines.</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 Second Request for Production, Question No. 4.</p>	<p>Bates No. PEF-07FL-001882 & PEF-07FL-001883; Contribution Agreement between PEF & Dixie Offshore Transportation Co. dated 8/7/2006; contract price in paragraph 1; Dixie bank account number & routing number for electronic remittance in paragraph 1; transportation rate; tons of coal to be transported and commencement date of agreement 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>§366.093(3), F.S. The documents in question contain confidential information owned and controlled by the company that is treated by the company as private, the disclosure of which would cause harm to the company's business operations.</p>

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<p>PEF's Response to OPC's Second Request for Production, Question No. 4.</p>	<p>Bates No. PEF-07FL-001886 through PEF-07FL-001893; PEF-07FL-001896; PEF-07FL-001901; PEF-07FL-001902; PEF-07FL-001904; through PEF-07FL-001916; PEF-07FL-001919; PEF-07FL-001922 through PEF-07FL-001930; PEF-07FL-1933; PEF-07FL-001940; Dixie Offshore Transportation Co. invoices for coal shipped in January & February 2007; price of coal, tons of coal and calculations arriving at total price per invoice; Dixie bank account and routing information for electronic remittance; various; each page entirely confidential.</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>§366.093(3), F.S. The documents in question contain confidential information owned and controlled by the company that is treated by the company as private, the disclosure of which would cause harm to the company's business operations.</p>
<p>PEF's Response to OPC's Second Request for Production, Question No.4.</p>	<p>Bates No. PEF-07FL-001943; Lease Transfer and Assumption Agreement for purchase and sale of coal between CSX Transportation and Progress Fuels Corp. dated November 3, 2005; Term and amount of lease listed in paragraph 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 Second Request for Production, Question No. 4.</p>	<p>Bates No. PEF-07FL-001959 & PEF-07FL-001960 & PEF-07FL-001965; Schedule 13 to Master Car Lease Agreement between Flex Leasing and CSX Transportation dated 5/28/98; quantity of coal cars and amount of rent under paragraphs 1 & 2; these pages are duplicates.</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 Second Request for Production, Question No. 4.</p>	<p>Bates No. PEF-07FL-001963 & PEF-07FL-001970; 1/1/2005 Amendment 1 to Schedule 13 to the Master Car Lease Agreement between Flex Leasing & CSX Transportation dated 5/28/1998; terms of agreement and leasing price in paragraphs 1 & 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 Second Request for Production, Question No. 4.</p>	<p>Bates No. PEF-07FL-001978 through PEF-07FL-001985; January & February 2007 invoices from Flex Leasing for rail cars leased and maintenance on the rail cars; number & cost of cars leased; Flex leasing bank account and routing information for electronic remittance; each page entirely confidential.</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>§366.093(3), F.S. The documents in question contain confidential information owned and controlled by the company that is treated by the company as private, the disclosure of which would cause harm to the company's business operations.</p>
<p>PEF's Response to OPC's Second Request for Production, Question No. 4.</p>	<p>Bates No. PEF-07FL-001987; Car Service Agreement Supplement No. 1 dated 9/7/2006 between PEF Statutory Trust 2006-1 and PEF; term of agreement 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 Second Request for Production, Question No. 4.</p>	<p>Bates No. PEF-07FL-001991; Schedule 1 to Car Service Agreement Supplement No. 1 dated 9/7/2006; equipment cost in item 2; term of agreement in item 4.</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 Second Request for Production, Question No. 4.</p>	<p>Bates No. PEF-07FL-002007; Car Service Agreement Supplement No. 2 dated 9/26/2006 between PEF Statutory Trust 2006-1 and PEF; term of contract in item 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 Second Request for Production, Question No. 4.</p>	<p>Bates No. PEF-07FL-002011; Schedule 1 to Car Service Agreement Supplement No. 2 dated 9/26/2006; equipment cost in paragraph 2 and term of agreement in paragraph 4; entirely confidential.</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 Second Request for Production, Question No. 4.</p>	<p>Bates No. PEF-07FL-002012 through PEF-07FL-002031; Schedule A to Schedule 1 to Car Service Agreement Supplement No. 2; rental payments and notes; entirely confidential.</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 Second Request for Production, Question No. 4.</p>	<p>Bates No. PEF-07FL-002039; Exhibit A to Lessee Acknowledgment of and Consent to Assignment dated 8/29/2006; bank account and routing information under wire instructions 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), F.S. The documents in question contain confidential information owned and controlled by the company that is treated by the company as private, the disclosure of which would cause harm to the company's business operations.</p>
<p>PEF's Response to OPC's Second Request for Production, Question No. 4.</p>	<p>Bates No. PEF-07FL-002042 through PEF-07FL-002044; Rail car rental invoices for January & February 2007 from Wells Fargo & Co.; rate charged, Wells Fargo bank account number and routing number for electronic remittance.; 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>§366.093(3), F.S. The documents in question contain confidential information owned and controlled by the company that is treated by the company as private, the disclosure of which would cause harm to the company's business operations.</p>

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<p>PEF's Response to OPC's Second Request for Production, Question No. 4.</p>	<p>Bates No. PEF-07FL-002064 and PEF-07FL-002065; 3/1/2005 Amendment to Contract for Railcar Repair and Maintenance between Progress Fuels Corp. and Progress Rail Services Corp.; term of agreement and hourly repair rate in paragraphs 2a and 2b.</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 Second Request for Production, Question No. 4.</p>	<p>Bates No. PEF-07FL-002071 & PEF-07FL-002072; 3/1/2005 Amendment to Contract for Railcar Repair and Maintenance between Progress Fuels Corp. and Progress Rail Services Corp.; hourly repair rate and term of agreement in paragraph 7; amount paid to Florida Northern for Florida Facility in paragraph 9; terms and hourly repair rates in paragraphs 11a and 11b.</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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PEF's Response to OPC's Second Request for Production, Question No. 4.	Bates No. PEF-07FL-002075 through PEF-07FL-002123; Progress Rail invoices for railcar repair for January & February 2007; quantity, rate, and total charged; each page entirely confidential. .	<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>
PEF's Response to OPC's Second Request for Production, Question No. 4.	Bates No. PEF-07FL-002134; Solid Fuel Transportation Contract between Progress Fuels Corp. and CSX Transportation, Inc. and Florida Southern Railway Co. effective 2/1/2005; term of agreement; last line of paragraph 2.1.	<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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PEF's Response to OPC's Second Request for Production, Question No. 4.	Bates No. PEF-07FL-002136 & PEF-07FL-002148; PEF-07FL-002150; Solid Fuel Transportation Contract between Progress Fuels Corp. and CSX Transportation, Inc. and Florida Southern Railway Co. effective 2/1/2005; terms and quantity under contract; mid-page.	<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>
PEF's Response to OPC's Second Request for Production, Question No. 4.	Bates No. PEF-07FL-002152 & PEF-07FL-002153; Solid Fuel Transportation Contract between Progress Fuels Corp. and CSX Transportation, Inc. and Florida Southern Railway Co. effective 2/1/2005; contractual rate; last sentence of paragraphs 11.2 and .12.3	<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 Second Request for Production, Question No. 4.</p>	<p>Bates No. PEF-07FL-002158; Solid Fuel Transportation Contract between Prograss Fuels Corp. and CSX Transportation, Inc. and Florida Southern Railway Co. effective 2/1/2005; contractual rate in first sentence.</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 Second Request for Production, Question No. 4.</p>	<p>Bates No. PEF-07FL-002174; Appendix A to Solid Fuel Transportation Contract between Prograss Fuels Corp. and CSX Transportation, Inc. and Florida Southern Railway Co. effective 2/1/2005; contractual rates in columns 1 and 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 Response to OPC's Second Request for Production, Question No. 4.</p>	<p>Bates No. PEF-07FL-002177; 12/16/2005 letter from Anmah Michaux of Progress Energy to Florida Northern Railroad Co.; term of transportation agreement in paragraph 1.</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 Second Request for Production, Question No. 4.</p>	<p>Bates No. PEF-07FL-002178; 12/16/2005 letter from Anmah Michaux of Progress Energy to CSX Transportation, Inc.; term of transportation agreement in paragraph 1.</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 Second Request for Production, Question No. 4.</p>	<p>Bates No. PEF-07FL-002181 through PEF-07FL-002201; CSX invoices for rail services for January & February 2007; contractual rates, tons delivered and total amount charged for services; each page entirely confidential.</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 Second Request for Production, Question No. 4.</p>	<p>Bates No. PEF-07FL-002204 through PEF-07FL-002206; Affreightment Contract between Progress Fuels Corp and EMI-PA, Inc. dated 4/1/2005 for dry bulk fuel; contractual tons of fuel listed four times in numbered paragraphs 7 & 11a; underutilization rate in numbered paragraph 11c lines 3 and 12; EMI-PA bank account and routing information for electronic remittance in numbered paragraph 13..</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>§366.093(3), F.S. The documents in question contain confidential information owned and controlled by the company that is treated by the company as private, the disclosure of which would cause harm to the company's business operations.</p>

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<p>PEF's Response to OPC's Second Request for Production, Question No. 4.</p>	<p>Bates No. PEF-07FL-002215; Schedule A to Affreightment Contract between Progress Fuels Corp. and EMI-PA, Inc. dated 4/1/2005 for delivery of dry bulk fuel; fixed rates, fuel charges in columns 2 through 4.</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 Second Request for Production, Question No. 4.</p>	<p>Bates No. PEF-07FL-002216; 12/16/2005 letter from Anmah T. Michaux to EMI-PA, Inc., concerning Affreightment Contract effective 4/1/2005; terms of contract in line 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 Second Request for Production, Question No. 4.</p>	<p>Bates No. PEF-07FL-002217; 12/16/2005 letter from Anmah T. Michaux to Palmer Biezup & Henderson, LLP, concerning Affreightment Contract effective 4/1/2005; terms of contract in line 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 Second Request for Production, Question No. 4.</p>	<p>Bates No. PEF-07FL-002222; Contract Amendment No. 2 Amending Affreightment Contract between PEF and EMI-PA, Inc. dated 8/14/2006; contractual rate in last sentence.</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 Second Request for Production, Question No. 4.</p>	<p>Bates No. PEF-07FL-002223; Contract Amendment No. 2 Amending Affreightment Contract between PEF and EMI-PA, Inc. dated 8/14/2006; contractual rates in numbered paragraph 4.</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 Second Request for Production, Question No. 4.</p>	<p>Bates No. PEF-07FL-002226; Contract Amendment No. 2 Amending Affreightment Contract between PEF and EMI-PA, Inc. dated 8/14/2006; contractual rates in numbered paragraphs 2, 3, 4, & 5.</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 Second Request for Production, Question No. 4.</p>	<p>Bates No. PEF-07FL-002228; Schedule A to Contract Amendment No. 2 Amending Affreightment Contract between PEF and EMI-PA, Inc. dated 8/14/2006; contractual rate in columns 2, 3, & 4.</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 Second Request for Production, Question No. 4.</p>	<p>Bates No. PEF-07FL-002229 through PEF-07FL-002247; Invoices from EMI-PA, Inc. for fuel delivered in January & February 2007; tons of coal with rate calculation arriving at total net per invoice; EMI-PA bank account information for electronic remittance; invoices entirely confidential..</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>§366.093(3), F.S. The documents in question contain confidential information owned and controlled by the company that is treated by the company as private, the disclosure of which would cause harm to the company's business operations.</p>

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<p>PEF's Response to OPC's Second Request for Production, Question No. 4.</p>	<p>Bates No. PEF-07FL-002249 & PEF-07FL-002250; DBF Transfer & Storage Agreement dated 11/1/2004 between IMT and Progress Fuels Corp. for barge transshipment services; contractual rates listed twice under paragraph A, six times under paragraph B, once in paragraph C2, and once in paragraph C4.</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 Second Request for Production, Question No. 4.</p>	<p>Bates No. PEF-07FL-002252; DBF Transfer & Storage Agreement dated 11/1/2004 between IMT and Progress Fuels Corp. for barge transshipment services; contractual rates listed once in paragraph A; contractual term and rate listed in paragraph E.</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 Second Request for Production, Question No. 4.</p>	<p>Bates No. PEF-07FL-002254; DBF Transfer & Storage Agreement dated 11/1/2004 between IMT and Progress Fuels Corp. for barge transshipment services; contractual rate listed in 3rd paragraph from 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 Second Request for Production, Question No. 4.</p>	<p>Bates No. PEF-07FL-002255; DBF Transfer & Storage Agreement dated 11/1/2004 between IMT and Progress Fuels Corp. for barge transshipment services; contractual tons of fuel listed twice in 3rd paragraph from 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 Second Request for Production, Question No. 4.</p>	<p>Bates No. PEF-07FL-002293; Attachment III to DBF Transfer & Storage Agreement dated 11/1/2004 between IMT and Progress Fuels Corp. for barge transshipment services; contractual rates listed twice in paragraph 1; once in paragraph 2; contractual tons listed once in paragraph 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 Second Request for Production, Question No. 4.</p>	<p>Bates No. PEF-07FL-002296; First Amendment to DBF Transfer & Storage Agreement between PEF and IMT effective 1/1/2006; contractual rate 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 Second Request for Production, Question No. 4.</p>	<p>Bates No. PEF-07FL-002298 through PEF-07FL-002309; invoices for transfer & storage of fuel for January & February 2007 from IMT; tons transferred or stored, contractual rates with calculation of total price billed; each page entirely confidential.</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 Second Request for Production, Question No. 4.</p>	<p>Bates No. PEF-07FL-002314; Dry Bulk Fuel Transportation and Delivery Agreement between Progress Fuels Corp. and AEP Memco, LLC; term of agreement in Article II; quantity of dry bulk fuel to be transported in Article III.</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 Second Request for Production, Question No. 4.</p>	<p>Bates No. PEF-07FL-002315 & PEF-07FL-002316; Dry Bulk Fuel Transportation and Delivery Agreement between Progress Fuels Corp. and AEP Memco, LLC; quantity per agreement in paragraph B & F.</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 Second Request for Production, Question No. 4.</p>	<p>Bates No. PEF-07FL-002317 & PEF-07FL-002318; quantity per agreement in paragraph A; rates in column 1.</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 Second Request for Production, Question No. 4.</p>	<p>Bates No. PEF-07FL-002319; Dry Bulk Fuel Transportation and Delivery Agreement between Progress Fuels Corp. and AEP Memco, LLC; contractual rates 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 Second Request for Production, Question No. 4.</p>	<p>Bates No. PEF-07FL-002337 through PEF-07FL-002339, PEF-07FL-002343; Amendment to Dry Bulk Fuel Transportation and Delivery Agreement between Progress Fuels Corp. and AEP Memco, LLC; two contractual transportation rates/quantities in middle 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 Second Request for Production, Question No. 4.</p>	<p>Bates No. PEF-07FL-002344; Letter to Memco Barge Line dated 12/16/2005; term of agreement in first 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 Second Request for Production, Question No. 4</p>	<p>Bates No. PEF-07FL-002347; Amendment to Dry Bulk Fuel Transportation and Delivery Agreement between Progress Fuels Corp. and AEP Memco, LLC; terms and contractual rates of agreement mentioned five times in middle 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 Second Request for Production, Question No.4.</p>	<p>Bates No. PEF-07FL-002348 through PEF-07FL-002360; Memco Barge Line invoices for dry fuel transport in January & February 2007; tons transported, rate charged & calculation of net invoice.</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 Second Request for Production, Question No. 4.</p>	<p>Bates No. PEF-07FL-002364; Coal Transfer & Storage Agreement between PEF and TECO Bulk Terminal dated 12/12/2006 for transloading and storage of coal; quantity of coal per agreement in Article III.</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 Second Request for Production, Question No. 4.</p>	<p>Bates No. PEF-07FL-002365 & PEF-07FL-002366; Coal Transfer & Storage Agreement between PEF and TECO Bulk Terminal dated 12/12/2006 for transloading and storage of coal; contractual rate listed once in paragraphs i, a, b, c, c(2), d, d(2), e, f; contractual rate listed three times in paragraph g..</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 Second Request for Production, Question No. 4.</p>	<p>Bates No. PEF-07FL-002367; Coal Transfer & Storage Agreement between PEF and TECO Bulk Terminal dated 12/12/2006 for transloading and storage of coal; contractual tons listed in first paragraph; contractual rate listed in last 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 Second Request for Production, Question No. 4.</p>	<p>Bates No. PEF-07FL-002371; Coal Transfer & Storage Agreement between PEF and TECO Bulk Terminal dated 12/12/2006 for transloading and storage of coal; contractual rate 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 Second Request for Production, Question No. 4.</p>	<p>Bates No. PEF-07FL-002382 through PEF-07FL-002384; TECO Bulk Terminal invoices for January & February 2007; for transloading and storage services; contractual rates, tons and total 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 Second Request for Production, Question No. 4.</p>	<p>Bates No. PEF-07FL-002385 through PEF-07FL-2407; Invoices from Flanders Marine Surveys, Inc. for January & February 2007 for surveying services; tons of coal processed; service rates and calculations arriving at net invoice; entire pages.</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 Second Request for Production, Question No. 4.</p>	<p>Bates No. PEF-07FL-002409 through PEF-07FL-002421; Invoices from Mineral Labs, Inc. for January & February 2007 for coal analysis services; tons of coal processed; service rates and calculations arriving at net invoice; entire pages.</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 Second Request for Production, Question No. 4.</p>	<p>Bates No. PEF-07FL-002422; Invoice from Effler Construction & Salvage, Inc. for coal transfer; tons of coal transferred and transfer price; entire 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 Second Request for Production, Question No. 4.</p>	<p>Bates No. PEF-07FL-002424 through PEF-07FL-002427; Invoices from Coal Export Services for coal transportation services in January & February 2007; tons of coal; contractual rate & calculation of net invoice; Coal Export Services bank account number & routing number for electronic remittance; entire pages.</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>§366.093(3), F.S. The documents in question contain confidential information owned and controlled by the company that is treated by the company as private, the disclosure of which would cause harm to the company's business operations.</p>

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<p>PEF's Response to OPC's Second Request for Production, Question No. 4.</p>	<p>Bates No. PEF-07FL-002428 through PEF-07FL-002457; Invoices from SGS for January & February 2007 for coal analysis services; tons of coal processed; service rates and calculations arriving at net invoice; SGS bank account number and routing number for electronic remittance; entire pages.</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>§366.093(3), F.S. The documents in question contain confidential information owned and controlled by the company that is treated by the company as private, the disclosure of which would cause harm to the company's business operations.</p>
<p>PEF's Response to OPC's Second Request for Production, Question No. 4.</p>	<p>Bates No. PEF-07FL-002458 through PEF-07FL-002464; Invoices from Florida Northern Railroad for January & February 2007 for railcar repair services; labor charged and calculations arriving at net invoice; entire pages.</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 Second Request for Production, Question No. 4.</p>	<p>Bates No. PEF-07FL-002465; Invoice from Glencore Ltd. for January 2007 for demurrage; tons of coal processed; service rates and calculations arriving at net invoice;; Glencore bank account number & routing information for electronic remittance; entire 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>§366.093(3), F.S. The documents in question contain confidential information owned and controlled by the company that is treated by the company as private, the disclosure of which would cause harm to the company's business operations.</p>
<p>PEF's Response to OPC's Second Request for Production, Question No. 4.</p>	<p>Bates No. PEF-07FL-002466 through PEF-07FL-002468; Invoices from Guasare Coal International for transport services; contractual rates; Guasare Coal bank account number & routing number for electronic remittance; entire pages.</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>§366.093(3), F.S. The documents in question contain confidential information owned and controlled by the company that is treated by the company as private, the disclosure of which would cause harm to the company's business operations.</p>

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<p>PEF's Response to OPC's Second Request for Production, Question No. 4.</p>	<p>Bates No. PEF-07FL-002469 through PEF-07FL-002472; Invoices from RAILINC for January & February 2007 for railcar services; unit prices and calculations totaling net invoice; entire pages.</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 Second Request for Production, Question No. 4.</p>	<p>Bates No. PEF-07FL-002473 through PEF-07FL-002487; Rescar, Inc. invoices for January & February 2007 for railcar maintenance; repair rates and calculations of net charges; entire pages.</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 Second Request for Production, Question No. 4.</p>	<p>Bates No. PEF-07FL-002488 through PEF-07FL-002502; Invoices from TTX Co. for January & February 2007 for railcar repairs; rates charged for a variety of services and calculations of net invoices; entire pages.</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 Second Request for Production, Question No. 9.</p>	<p>Bates No. PEF-07FL-002519; TECO Bulk Terminal Contract Executive Summary dated 4/26/2007; contractual term in paragraph 3 and 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 Second Request for Production, Question No. 9.</p>	<p>Bates No. PEF-07FL-002520; TECO Bulk Terminal Contract Executive Summary dated 4/26/2007; contractual quantity & term in first sentence; contractual quantity mid-page; contractual prices and terms in "price advantage" section..</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 Second Request for Production, Question No. 9.</p>	<p>Bates No. PEF-07FL-002524 through PEF-07FL-002526; bid summary results and conclusions; comparison of bids received including volume, rates and analysis; entire pages.</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>