

REDACTED

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition of Progress Energy Florida to increase base rates to recover the full revenue requirements of the Hines Unit 2 and Unit 4 power plants pursuant to Commission Order No. PSC-05-0945-S-EI.

Docket No. 070290-EI

Dated: October 1, 2007

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COMMISSION CLERK *pm*

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

Progress Energy Florida, Inc., ("PEF" or "Company"), pursuant to Section 366.093, Florida Statutes (F.S.), and Rule 25-22.006, Florida Administrative Code (F.A.C.), submits this Request for Confidential Classification for certain information provided in response to Staff's Information Request on September 10, 2007 and Staff's Information Request on September 18, 2007 to PEF. In support of this Request, PEF states:

1. In response to Staff's Information Requests, PEF provided documents containing information that is "proprietary business information" under Section 366.093(3), Florida Statutes.
2. The following exhibits are included with this request:

MP _____ (a) Composite Exhibits A, the documents for which PEF seeks confidential
 OM _____ treatment, were previously filed with PEF's Notices of Intent filed on September 10, 2007 and
 TR _____
 CR 1 September 18, 2007.

CL 1 (b) Composite Exhibit B is a package containing two copies of the redacted
 PC _____
 A _____ versions of the documents for which the Company requests confidential classification. The specific
 R _____ information for which confidential treatment is requested has been blocked out by opaque marker or
 A _____
 S _____ other means.

+ *leave records*

DOCUMENT NUMBER - DATE

08984 OCT-15

FPSC-COMMISSION CLERK

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

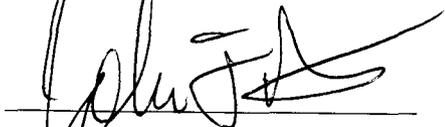
3. As indicated in Exhibit C, the information for which PEF requests confidential classification is “proprietary confidential business information” within the meaning of Section 366.093(3), F.S. Specifically, the information at issue relates to Hines 4 contractual rate information of third party companies, the disclosure of which would impair the efforts of the Company to negotiate construction rates on favorable terms. *See* § 366.093(3)(d), F.S.; Affidavit of Kevin Murray at ¶ 5. Furthermore, the information at issue relates to the competitive interests of PEF and third party companies, the disclosure of which would impair their competitive businesses. *Id.* § 366.093(3)(e); Affidavit of Kevin Murray at ¶ 6. Accordingly, such information constitutes “proprietary confidential business information” which is exempt from disclosure under the Public Records Act pursuant to Section 366.093(1), F.S.

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

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

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

RESPECTFULLY SUBMITTED this 1st day of October, 2007.

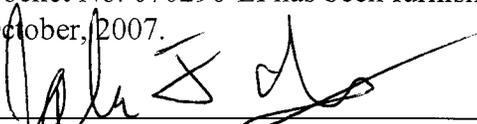


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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of Progress Energy Florida, Inc.'s Request for Confidential Classification in Docket No. 070290-EI has been furnished by regular U.S. mail to the following this 15th day of October, 2007.



Attorney

<p>Ms. Martha Brown, Esq. Office of General Counsel Florida Public Service Commission 2540 Shumard Oak Blvd. Tallahassee, FL 32399-0850</p> <p>Joseph A. McGlothlin, Esq. Office of Public Counsel c/o The Florida Legislature 111 West Madison Street, #812 Tallahassee, FL 32399</p>	<p>J. Michael Walls, Esq. Diane M. Tripplett, Esq. Carlton Fields Law Firm Post Office Box 3239 Tampa, FL 33601-3239</p> <p>Mr. Paul Lewis, Jr. Progress Energy Florida 106 E. College Ave., Suite 800 Tallahassee, FL 32301</p>
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EXHIBIT A

(A separate sealed envelope labeled “confidential” was previously filed on September 10, 2007 and September 18, 2007 with PEF’s Notices of Intent to Request Confidential Classification. The envelopes contain one copy of the confidential documents for which PEF seeks confidential treatment)

Exhibit B

REDACTED

REDACTED

(3 pages)

Hines 4 Information Request on September 10, 2007
Dkt# 070290-EI

REDACTED

(11 pages)

Hines 4 Information Request on September 18, 2007
Dkt# 070290-EI

Exhibit B

REDACTED

REDACTED

(3 pages)

Hines 4 Information Request on September 10, 2007

Dkt# 070290-EI

REDACTED

(11 pages)

Hines 4 Information Request on September 18, 2007
Dkt# 070290-EI

**PROGRESS ENERGY FLORIDA
Confidentiality Justification Matrix**

DOCUMENT/RESPONSES	PAGE/LINE	JUSTIFICATION
<p>PEF Response to Staff's Information Request on September 10, 2007.</p>	<p>Entire document: Hines 4 Project Estimates.</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 Response to Staff's Information Request on September 18, 2007.</p>	<p>All documents: Hines 4 comparison of budget to current estimates (1 page); Hines 4 Project Estimates (3 pages); Hines 4 Project Estimates – Comparison of budget to current estimate (2 pages); Attachment 21 – Allowance Pricing List (3 pages); Attachment 23 – Optional Pricing List (2 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>