

Hopping Green & Sams

Attorneys and Counselors

Writer's Direct Dial No.
(850) 425-2359

October 23, 2007

BY HAND DELIVERY

Ann Cole
Director Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399

RECEIVED
07 OCT 23 AM 11:01
COMMISSION
CLERK

Re: Docket No. 070007-EI
CONFIDENTIAL DOCUMENTS ENCLOSED

Dear Ms. Cole:

Enclosed for filing on behalf of Progress Energy Florida, Inc., are the following:

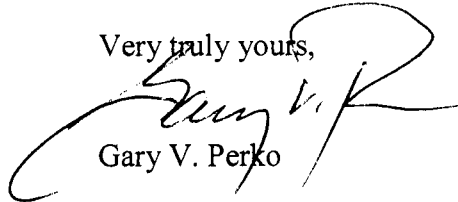
- (1) The original and seven copies of its Notice of Intent to Request Confidential Classification, with attached copies of the discovery requests pertaining to the confidential information;
- (2) A CONFIDENTIAL envelope containing one copy of the confidential document.

By copy of this letter, I am providing a copy of the Notice of Intent to Request Confidential Classification to all parties in this docket.

Please stamp and return the enclosed extra copy of this filing. If you have any questions regarding this filing, please contact the undersigned.

Very truly yours,

Gary V. Perko



CMP _____

COM _____

CTR _____

ECR _____

GCL 1

OPC _____

RCA _____

SCR Enclosures

SGA cc: Certificate of Service

SEC _____

OTH 1 comp records

DOCUMENT NUMBER DATE
09662 OCT 23 2007
FPSC-COMMISSION CLERK

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished to all counsel of record and interested parties as listed below by hand-delivery (*) or regular U.S. mail this 23rd day of October, 2007.

Martha Carter Brown (*)
Office of General Counsel
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

Gulf Power Company
Susan Ritenour
One Energy Place
Pensacola, FL 32520-0781

Lee L. Willis, Esq.
James D. Beasley, Esq.
Ausley Law Firm
P.O. Box 391
Tallahassee, FL 32302

Tampa Electric Company
Paula K. Brown
Regulatory Affairs
P.O. Box 111
Tampa, FL 33601-0111

Joseph McGlothlin, Esq.
Office of Public Counsel
111 West Madison Street, Rm. 812
Tallahassee, FL 32399

R. Scheffel Wright
John LaVia
Young Law Firm
225 South Adams Street, Suite 200
Tallahassee, FL 32301

Jeffrey A. Stone, Esq.
Russell A. Badders, Esq.
Beggs & Lane Law Firm
P.O. Box 12950
Pensacola, FL 32591-2950

Florida Retail Federation
John Rogers
Post Office Box 10024
Tallahassee, FL 32302

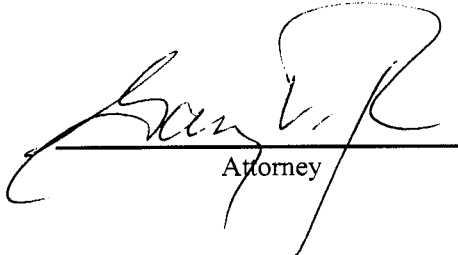
Florida Industrial Power Users Group
John W. McWhirter, Jr.
c/o McWhirter Reeves & Davidson
400 North Tampa Street, Suite 2450
Tampa, FL 33602

R. Alexander Glenn
Deputy General Counsel - Florida
Progress Energy Service Company, LLC
P.O. Box 14042
St. Petersburg, FL 33733

Florida Power & Light Co.
R. Wade Litchfield, Esq.
John T. Butler, Esq.
700 Universe Blvd.
Juno Beach, FL 33408-0420

John T. Burnett
Associate General Counsel - Florida
Progress Energy Service Company, LLC
P.O. Box 14042
St. Petersburg, FL 33733

Florida Power & Light Co.
Bill Walker
215 S. Monroe Street, Suite 810
Tallahassee, FL 32301



Attorney

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Environmental Cost Recovery Clause

Docket No. 070007-EI

Dated: October 23, 2007

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**PROGRESS ENERGY FLORIDA, INC.'S NOTICE OF INTENT
TO REQUEST CONFIDENTIAL CLASSIFICATION**

PROGRESS ENERGY FLORIDA, INC. ("PEF"), by and through its undersigned attorneys and pursuant to Rule 25-22.006, Florida Administrative Code, hereby gives notice that it intends to request confidential classification for certain documents produced in response to Staff's Second Request for Production of Documents (2-8). Copies of Staff's Request are attached hereto. Copies of the confidential documents are being provided with this notice in a separate envelope labeled "CONFIDENTIAL".

The documents referenced above contain proprietary confidential business information regarding contractual data, the disclosure of which would impair the efforts of PEF to contract for goods or services on favorable terms, as well as information relating to competitive interests, the disclosure of which would impair the competitive business of the provider of the information within the meaning of Section 366.093(3), Florida Statutes. The information for which confidential classification is sought is intended to be and is treated by PEF as confidential. A formal request for confidential classification will be filed within the time period specified in Rule 25-22.006 (3)(a), Florida Administrative Code.

DOCUMENT NUMBER-DATE

09662 OCT 23 5

FPSC - COMMISSION CLERK

RESPECTFULLY SUBMITTED this 28th day of October, 2007.

HOPPING GREEN & SAMS, P.A.

By:



Gary V. Perko, Esquire
Florida Bar No. 855898
Virginia C. Dailey, Esquire
Florida Bar No. 419168
P.O. Box 6526
Tallahassee, FL 32301
(850) 222-7500

Attorneys for Progress Energy Florida, Inc.

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Environmental cost recovery clause.

DOCKET NO. 070007-EI

DATED: SEPTEMBER 25, 2007

STAFF'S SECOND REQUEST FOR PRODUCTION OF DOCUMENTS
TO PROGRESS ENERGY FLORIDA, INC. (NOS. 2 - 8)

Pursuant to Rule 28-106.206, Florida Administrative Code, and Rule 1.350, Florida Rules of Civil Procedure, the Staff of the Florida Public Service Commission, by and through its undersigned attorney, hereby serves the following Request for Production of Documents upon PROGRESS ENERGY FLORIDA, INC., (PEF).

Please produce the following documents at the Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, no later than twenty days after service of this request for the purpose of inspection and copying.

DEFINITIONS

As used herein, the word "documents" shall mean the original and any non-identical copies of any writing or record, including but not limited to a book, pamphlet, periodical, letter, memorandum, telegram, report, study, interoffice or intraoffice, handwritten or other notes, working paper, draft, application, permit, chart, paper, graph, survey, index, tape, disc, data sheet or data processing card, computer printout, or any other written, recorded, transcribed, filed or graphic matter, however produced or reproduced.

DOCUMENTS REQUESTED

2. Provide the fuel forecasts used in the development of the net present value revenue requirement provided in Figure 10 on Page 29 of the PEF 2007 Integrated Clean Air Compliance Plan.

3. Provide the bid received by PEF from EPCR in response to the issuance of the EPC RFP.

4. Provide any documents used showing PEF's evaluation of the bid received in response to the issuance of the EPC RFP.

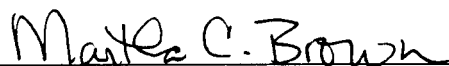
5. Provide a copy of the contract between PEF and EPCR for EPC which was expected to be signed by June 30, 2007 as discussed on Page 11 of Witness Cornell's direct testimony.

6. Provide a copy of each contract between PEF and vendors providing CAIR/CAMR services which have been entered into since June 1, 2007 not otherwise provided in response to discovery in this docket.

STAFF'S SECOND REQUEST FOR PRODUCTION OF DOCUMENTS
TO PROGRESS ENERGY FLORIDA, INC. (NOS. 2 - 8)
DOCKET NO. 070007-EI
PAGE 3

7. Provide all cost-effectiveness comparisons done by PEF regarding CAIR and CAMR compliance activities reflected in the EPC contract.

8. Provide all documents in PEF's possession showing the reasonableness of the price increases from 2006 to 2007 of the activities required for CAIR and CAMR compliance (Plan D) shown on Page 21 of the 2007 PEF Integrated Clean Air Compliance Plan ?



MARTHA C. BROWN
Senior Attorney
FLORIDA PUBLIC SERVICE COMMISSION
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850
(850) 413-6187

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Environmental cost recovery clause.

DOCKET NO. 070007-EI

DATED: SEPTEMBER 25, 2007

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the original and one correct copy of STAFF'S SECOND REQUEST FOR PRODUCTION OF DOCUMENTS TO PROGRESS ENERGY FLORIDA, INC. (NOS. 2 - 8) has been served by electronic and U. S. mail to Hopping Law Firm, Gary V. Perko/ Virginia C. Dailey, P.O. Box 6526, Tallahassee, FL 32314, on behalf of Progress Energy Florida, and that a true copy thereof has been furnished to the following by electronic and U. S. mail this 25th day of September, 2007:

Ausley Law Firm
Lee L. Willis/James D. Beasley
Post Office Box 391
Tallahassee FL 32302

Beggs & Lane Law Firm
J. Stone/R. Badders/S. Griffin
P.O. Box 12950
Pensacola FL 32591

Florida Industrial Power Users Group
John W. McWhirter, Jr.
c/o McWhirter Law Firm
400 North Tampa Street, Suite 2450
Tampa FL 33602

Florida Power & Light Company
Mr. Bill Walker
215 South Monroe Street, Suite 810
Tallahassee FL 32301-1859

Florida Power & Light Company
John T. Butler/R. Wade Litchfield
700 Universe Boulevard
Juno Beach FL 33408-0420

Gulf Power Company
Ms. Susan D. Ritenour
One Energy Place
Pensacola FL 32520-0780

Progress Energy Service Company, LLC
John T. Burnett/R. Alexander Glenn
P.O. Box 14042
St. Petersburg FL 33733-4042

Office of Public Counsel
C.Beck/P. Christensen/J.McGlothlin
c/o The Florida Legislature
111 W. Madison St., Room 812
Tallahassee FL 32399-1400

Progress Energy Florida, Inc.
Mr. Paul Lewis, Jr.
106 East College Avenue, Suite 800
Tallahassee FL 32301-7740

Tampa Electric Company
Paula K. Brown
Administrator, Regulatory Coordination
P. O. Box 111
Tampa FL 33601-0111



MARTHA C. BROWN
Senior Attorney
FLORIDA PUBLIC SERVICE COMMISSION
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850
(850) 413-6187

STATE OF FLORIDA

COMMISSIONERS:
LISA POLAK EDGAR, CHAIRMAN
MATTHEW M. CARTER II
KATRINA J. MCMURRIAN
NANCY ARGENZIANO
NATHAN A. SKOP



OFFICE OF COMMISSION CLERK
ANN COLE
COMMISSION CLERK
(850) 413-6770

CONFIDENTIAL

Public Service Commission

ACKNOWLEDGEMENT

DATE: October 23, 2007

TO: G. Perko/Hopping Law Firm

FROM: Ruth Nettles, Office of Commission Clerk

RE: **Acknowledgement of Receipt of Confidential Filing**

This will acknowledge receipt of a **CONFIDENTIAL DOCUMENT** filed in Docket Number 070007-EI or, if filed in an undocketed matter, concerning certain documents produced in response to staff's 2nd request for PODs, Nos. 2-8, and filed on behalf of Progress Energy Florida, Inc. The document will be maintained in locked storage.

If you have any questions regarding this document, please contact Marguerite Lockard, Deputy Clerk, at (850) 413-6770.

DOCUMENT NUMBER DATE
09663 OCT 23 06
FPSC-COMMISSION CLERK

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD • TALLAHASSEE, FL 32399-0850
An Affirmative Action/Equal Opportunity Employer

PSC Website: <http://www.floridapsc.com>

Internet E-mail: contact@psc.state.fl.us