

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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

Docket No. 070001-EI

Dated: October 25, 2007

**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 Fourth Set of Interrogatories (Nos. 27-40). In support of this Request, PEF states:

1. "Exhibit A" contains "proprietary business information" under Section 366.093(3), Florida Statutes.
2. The following exhibits are included with this request:
  - (a) Sealed Composite Exhibit A is a package containing an unredacted copy of

CMP \_\_\_\_\_ the document for which PEF seeks confidential treatment. Composite Exhibit A is being submitted  
 COM \_\_\_\_\_ separately in a sealed envelope labeled "CONFIDENTIAL." In the unredacted version, the  
 CTR \_\_\_\_\_  
 ECR 1 information asserted to be confidential is highlighted by yellow marker.

GCL 1 (b) Composite Exhibit B is a package containing two copies of redacted versions  
 OPC \_\_\_\_\_ of the documents for which the Company requests confidential classification. The specific  
 RCA \_\_\_\_\_  
 SCR \_\_\_\_\_ information for which confidential treatment is requested has been blocked out by opaque marker or  
 SGA \_\_\_\_\_ other means.  
 SEC \_\_\_\_\_

OTH 1 copy  
recbrds

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(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.

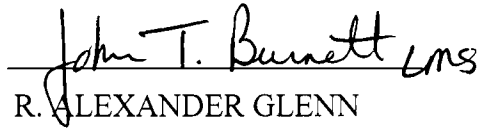
3. As indicated in Exhibit C, the information for which PEF requests confidential classification is “proprietary confidential business information” within the meaning of Section 366.093(3), F.S. Specifically, the information at issue relates transportation costs, the disclosure of which would impair the efforts of the Company or its affiliates to negotiate fuel contract prices on favorable terms. *See* § 366.093(3)(d), F.S.; Affidavit of Joseph McCallister at ¶ 5. Furthermore, the information at issue relates to the competitive interests of PEF and its fuel suppliers, the disclosure of which would impair their competitive businesses. *Id.* § 366.093(3)(e); Affidavit of Joseph McCallister 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 Joseph McCallister 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 Joseph McCallister 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 25<sup>th</sup> day of October, 2007.

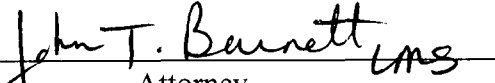
Handwritten signature of John T. Burnett in cursive, with the initials 'LMS' written at the end of the signature.

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PROGRESS ENERGY FLORIDA, INC.

**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. 070001-EI has been furnished by regular U.S. mail (\* via hand delivery) to the following this 25<sup>th</sup> day of October, 2007.

  
\_\_\_\_\_  
Attorney

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