

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for approval of amended contract with a qualifying facility for purchase of firm capacity and energy between Progress Energy Florida, Inc. and Florida Biomass Energy Group, LLC.

Docket No. 070645-EQ

Dated: November 5, 2007

07 NOV - 6 AM 8: 55

RECEIVED-FPSC

COMMISSION CLERK

**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 the amended negotiated contract between PEF and Innovative Energy Group of Florida, L.L.C. ("IEG-Florida") filed with the Florida Public Service Commission on October 29, 2007 (the "Amended Contract"). In support of this Request, PEF states:

1. The Amended Contract contains negotiated confidential terms that are "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 unredacted copies of all

the documents for which PEF seeks confidential treatment. Composite Exhibit A is being submitted separately in a sealed envelope labeled "CONFIDENTIAL." In the unredacted versions, the information asserted to be confidential by PEF and IEG-Florida is highlighted by yellow marker.

CMP _____

COM _____

CTR _____

ECR 1

GCL 1

OPC _____

RCA _____

SCR _____

SGA _____

SEC _____

OTH 1 conf records

DOCUMENT NUMBER - DATE

10061 NOV-6 07

FPSC-COMMISSION CLERK

(b) Composite Exhibit B is a package containing two copies of redacted versions of the documents for which PEF and IEG-Florida requests confidential classification. The specific information for which confidential treatment is requested has been blocked out by opaque marker or other means.

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

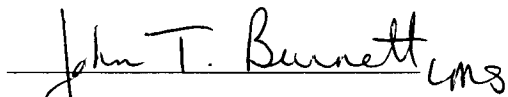
3. As indicated in Exhibit C, the information for which PEF requests confidential classification is “proprietary confidential business information” within the meaning of Section 366.093(3), F.S. The competitively negotiated contractual information at issue is sensitive in the relevant market. The disclosure of the information in question could impair the efforts of the Company, and/or IEG-Florida, to competitively negotiate renewable energy contracts on favorable terms. *See* § 366.093(3)(d), F.S.; Affidavit of Michael T. Keen at ¶ 5. Furthermore, the terms of the contract relates to the general competitive interests of PEF and IEG-Florida, the disclosure of which would risk their relative competitive negotiating ability. *Id.* § 366.093(3)(e); Affidavit of Michael T. Keen 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. Affidavit of Michael T. Keen 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. Affidavit of Michael T. Keen 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 5th day of November, 2007.

Handwritten signature of John T. Burnett in black ink, with the initials 'JTB' and 'ms' written in a cursive style.

R. ALEXANDER GLENN
Deputy General Counsel - Florida
JOHN T. BURNETT
Associate General Counsel - Florida
Progress Energy Service Company, LLC
Post Office Box 14042
St. Petersburg, Florida 33733-4042
Telephone: 727-820-5184
Facsimile: 727-820-5249
Email: john.burnett@pgnmail.com

Attorneys for
PROGRESS ENERGY FLORIDA, INC.

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: November 6, 2007

TO: Progress Energy/Burnett

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 070645-EQ or, if filed in an undocketed matter, concerning Amended Contract, and filed on behalf of Progress. 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
10062 NOV-6 07
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