

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for determination of need
for Levy Units 1 and 2 nuclear power plants,
by Progress Energy Florida, Inc.

Docket No. 080148-EI

Submitted for Filing: May 22, 2008

**AFFIDAVIT OF JEFF LYASH IN SUPPORT OF
PROGRESS ENERGY FLORIDA'S FIFTH
REQUEST FOR CONFIDENTIAL CLASSIFICATION**

STATE OF FLORIDA

COUNTY OF CITRUS

BEFORE ME, the undersigned authority duly authorized to administer oaths, personally
appeared Jeff Lyash, who being first duly sworn, on oath deposes and says that:

1. My name is Jeff Lyash. I am over the age of 18 years old and I have been
authorized by Progress Energy Florida (hereinafter "PEF" or the "Company") to give this
affidavit in the above-styled proceeding on PEF's behalf and in support of PEF's Request for
Confidential Classification. The facts attested to in my affidavit are based upon my personal
knowledge.

2. I am President and Chief Executive Officer of Progress Energy Florida ("PEF" or
the "Company"). In this role, I have overall responsibility for the operations of Progress Energy
Florida.

3. As the President and Chief Executive Officer, I am responsible for, among other
things, PEF's on-going negotiation with potential joint owners for the Levy Nuclear Project.

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PEF
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CEO
OTH

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4. PEF is seeking confidential classification for portions of PEF's responses to Staff's Fifth Set of Interrogatories, specifically number 101. A detailed description of the confidential information at issue is contained in confidential Exhibit A to PEF's Fifth Request for Confidential Classification and is outlined in PEF's Justification Matrix that is attached to PEF's Fifth Request for Confidential Classification as Exhibit C. PEF is requesting confidential classification of this information because public disclosure of the information in question would violate confidentiality agreements between PEF and potential joint owners and would impair PEF's ability to negotiate favorable terms with these potential joint owners.

5. PEF's response to this interrogatory contains information regarding confidential draft agreements and correspondence with potential joint owners regarding negotiations for joint ownership in PEF's proposed nuclear units. Disclosure of this information would impair PEF's competitive business interests by inhibiting the Company's on-going negotiations with the potential joint owners. For example, if third parties had knowledge of the status of these on-going negotiations, the potential joint owners with whom PEF is negotiating may not be as willing to share essential information with PEF. This reduces PEF's leverage in negotiating with these potential joint owners and could affect the outcome of the negotiations to PEF's detriment.

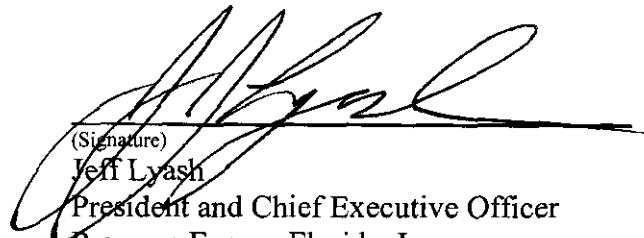
6. Disclosure of this information would also violate the terms of the confidentiality agreements PEF has entered into with each of the potential joint owners. Specifically, the confidentiality agreements require PEF and the joint owners to maintain as confidential not only the terms of the agreement, but also all communication between PEF and the joint owners regarding the negotiations. Therefore, this highly sensitive, confidential information must not be made publicly available.

7. Upon receipt of this confidential information, and with its own confidential information, strict procedures are established and followed to maintain the confidentiality of the documents and information provided, including restricting access to those persons who need the information to assist the Company, and restricting the number of, and access to the information. At no time since receiving the information in question has the Company publicly disclosed that information. The Company has treated and continues to treat the information at issue as confidential.

8. This concludes my affidavit.

Further affiant sayeth not.

Dated the 21st day of May, 2008.



(Signature)

Jeff Lyash

President and Chief Executive Officer

Progress Energy Florida, Inc.

299 First Avenue North

St. Petersburg, Florida 33701

THE FOREGOING INSTRUMENT was sworn to and subscribed before me this 21st day of May, 2008 by Jeff Lyash. He is personally known to me, or has produced his _____ driver's license, or his _____ as identification.



Katrina Cleaver-Cochran
Commission # DD497902
Expires February 2, 2010
Bonded Troy Fawn Insurance, Inc 800-385-7019

(AFFIX NOTARIAL SEAL)

Katrina Cleaver Cochran
(Signature)

KATRINA CLEAVER COCHRAN
(Printed Name)

NOTARY PUBLIC, STATE OF FLORIDA

2-2-2010
(Commission Expiration Date)

(Serial Number, If Any)

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