

Dorothy Menasco

From: Costello, Jeanne [JCostello@CarltonFields.com]
Sent: Wednesday, May 28, 2008 4:16 PM
To: Filings@psc.state.fl.us
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Subject: Docket 040148
Attachments: PEF Notice Filing Affidavit re 4th Req for Conf Class.pdf



PEF Notice
iling Affidavit re.

<<PEF Notice Filing Affidavit re 4th Req for Conf Class.pdf>> Docket
080148

In re: Petition for Determination of Need for Levy Units 1 and 2 Nuclear Power Plants

Attached for filing on behalf of Progress Energy Florida, Inc. is a Notice of Filing Affidavit in support of Progress Energy's Eighth Request for Confidential Classification (5 pages).

Confidential: This e-mail contains a communication protected by the attorney-client privilege. If you do not expect such a communication from Jeanne Costello, please delete this message without reading it or any attachment, and then notify Jeanne Costello at jcostello@carltonfields.com of this inadvertent delivery.

Jeanne Costello on behalf of
Dianne M. Triplett
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DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

**In Re: Petition for Determination of
Need for Levy Units 1 and 2 Nuclear
Power Plants.**)
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Docket No: 080148-EI

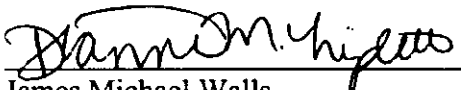
Submitted for Filing: May 28, 2008

**NOTICE OF FILING AFFIDAVIT IN SUPPORT OF
PEF'S FOURTH REQUEST FOR CONFIDENTIAL CLASSIFICATION**

Progress Energy Florida, Inc. hereby gives notice of filing the affidavit of Daniel L. Roderick in support of its Fourth Request for Confidential Classification.

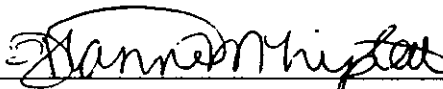
Respectfully submitted,

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PROGRESS ENERGY SERVICE
COMPANY, LLC
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY a true and correct copy of the foregoing has been furnished to counsel and parties of record as indicated below via electronic and U.S. Mail this 28th day of May, 2008.


Attorney

DOCUMENT NUMBER-DATE
04536 MAY 28 08
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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: April 30, 2008

**AFFIDAVIT OF DANIEL L. RODERICK IN SUPPORT OF
PROGRESS ENERGY FLORIDA'S FOURTH
REQUEST FOR CONFIDENTIAL CLASSIFICATION**

STATE OF FLORIDA

COUNTY OF CITRUS

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

1. My name is Daniel L. Roderick. 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 the Vice President of Nuclear Projects and Construction for PEF's nuclear plant. This department manages nuclear generation growth strategies.

3. As the Vice President of Nuclear Projects and Construction, I am responsible for all aspects of major projects and construction of nuclear generating assets in Florida, including the administration of PEF's contracts with various nuclear plant contractors.

4. PEF is seeking confidential classification for portions of PEF's responses to Staff's Third Set of Interrogatories (Nos. 43-59), specifically Number 54. A detailed description

of the confidential information at issue is contained in confidential Exhibit A to PEF's Fourth Request for Confidential Classification and is outlined in PEF's Justification Matrix that is attached to PEF's Fourth 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 its nuclear vendors and would impair PEF's ability to contract for nuclear goods and services on competitive and favorable terms.

5. Portions of the response to Staff's Interrogatory Number 54 contains confidential contractual information regarding the purchase of equipment and services necessary to complete the Levy Nuclear Project. Part of this response contains information regarding a contractual arrangement between PEF and a provider of nuclear equipment and services that would adversely impact PEF's competitive business interests if disclosed to the public. PEF must be able to assure this vendor that sensitive business information, such as the terms of its contract, will be kept confidential. Indeed, the contract at issue contains a confidentiality provision that prohibit the disclosure of the terms of the contract to third parties. Specifically, the information at issue relates to competitively negotiated contractual data and other contractual terms, the disclosure of which would impair the efforts of the Company to negotiate these contracts on favorable terms. If other third parties were made aware of confidential contractual terms that PEF has with other parties, they may offer PEF less competitive contractual terms in future contractual negotiations. Without PEF's measures to maintain the confidentiality of sensitive terms in contracts between PEF and this nuclear contractor, the Company's efforts to obtain competitive contracts for the Levy Nuclear Project could be undermined.

6. 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.

7. This concludes my affidavit.

Further affiant sayeth not.

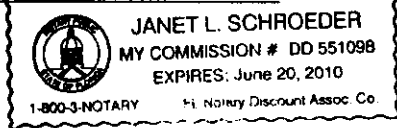
Dated the 30 day of April, 2008.



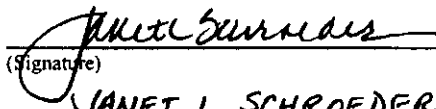
(Signature)

Daniel L. Roderick
Vice President
Nuclear Projects and Construction
Crystal River Unit 3
Crystal River Energy Complex
Site Administration 2C
15760 West Power Line Street
Crystal River, Florida 34428

THE FOREGOING INSTRUMENT was sworn to and subscribed before me this 30th day of April, 2008 by Daniel L. Roderick. He is personally known to me, ~~or has produced his driver's license, or his~~ as identification.



(AFFIX NOTARIAL SEAL)



(Signature)

JANET L. SCHROEDER

(Printed Name)

NOTARY PUBLIC, STATE OF FLORIDA

JUNE 20, 2010

(Commission Expiration Date)

DD551098

(Serial Number, If Any)

AFFIDAVIT

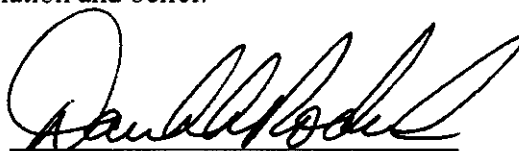
STATE OF FLORIDA)
)
COUNTY OF CITRUS)

Before me, this 30th day of April, 2008, the undersigned authority,
personally appeared DANIEL L. RODERICK, who

() is personally known to me, or


() produced _____ as identification and who,

being duly sworn, deposes and says that the foregoing answers to Interrogatory No. 109 of
Staff's Sixth Set of Interrogatories to Progress Energy Florida, Inc., in Docket No. 080148-EI are
true and correct to the best of his knowledge, information and belief.

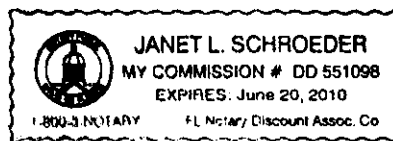


Daniel L. Roderick

VP Nuclear Projects and Construction
Title


Notary Public
State of Florida

My commission Expires: JUNE 20, 2010



DOCUMENT NUMBER-DATE

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