

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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

Docket No. 080001-EI

Dated: October 16, 2008

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**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 Third Request for Production of Documents (12-17), specifically Questions 13, 14, 15, 16 and 17 submitted to Staff on October 16, 2008. In support of this Request, PEF states:

1. The information in response to Staff's Third Request for Production of Documents (12-17), specifically Questions 13, 14, 15, 16 and 17 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 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 version,

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the information asserted to be confidential is highlighted by yellow marker.

(b) Composite Exhibit B is a package containing two copies of redacted versions of the documents for which the Company requests confidential classification. The specific

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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 line the information for which PEF seeks confidential classification and the specific statutory bases for seeking confidential treatment.

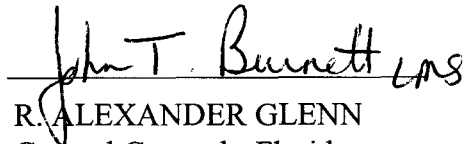
3. As indicated in Exhibit C, the information for which PEF requests confidential classification is “proprietary confidential business information” within the meaning of Section 366.093(3), F.S. Specifically, the information at issue relates to PEF’s coal transportation analyses as a result of RFP’s issued in 2006, 2007 or 2008, coal transportation bids, gas storage contracts, gas storage analyses and coal transportation contracts, the disclosure of which would impair the efforts of the Company or its affiliates to negotiate fuel supply contracts on favorable terms. *See* § 366.093(3)(d), F.S.; Affidavit of Joseph McCallister at ¶ 5. Affidavit of Brett Phipps 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. Affidavit of Brett Phipps 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. Affidavit of Brett Phipps 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. Affidavit of Brett Phipps 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 16th day of October, 2008.

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

R. ALEXANDER GLENN

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

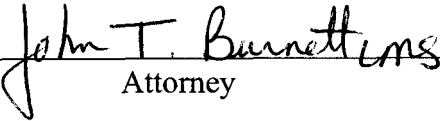
Email: john.burnett@pgnmail.com

Attorneys for

PROGRESS ENERGY FLORIDA, INC.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished via regular U.S. mail (* via hand delivery) to the following this 16th day of October, 2008.



Attorney

Lisa Bennett, Esq. *
Office of General Counsel
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

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

Joseph A. McGlothlin, Esq.
Office of Public Counsel
c/o The Florida Legislature
111 West Madison Street, #812
Tallahassee, FL 32399

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

Ms. Paula K. Brown
Tampa Electric Company
P.O. Box 111
Tampa, FL 33601

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

Natalie F. Smith
Florida Power & Light
215 S. Monroe Street, Ste. 810
Tallahassee, FL 32301-1859

Florida Industrial Power Users Group
c/o John W. McWhirter, Jr.
McWhirter Reeves & Davidson, P.A.
P.O. Box 3350
Tampa, FL 33601-3350

Norman H. Horton, Jr.
Messer, Caparello & Self, P.A.
P.O. Box 15579
Tallahassee, FL 32317

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

Robert Scheffel Wright
John T. LaVia, III
Young van Assenderp, P.A.
225 S. Adams Street, Suite 200
Tallahassee, FL 32301

Mehrdad Khojasteh
Florida Public Utilities Company
P.O. Box 3395
West Palm Beach, FL 33402-3395

Mr. James W. Brew, Esq.
c/o Brickfield Law Firm
1025 Thomas Jefferson St., NW
8th Floor, West Tower
Washington, DC 20007

AARP
c/o Mike Twomey
P.O. Box 5256
Tallahassee, FL 32314-5256

STATE OF FLORIDA

COMMISSIONERS:
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Public Service Commission

ACKNOWLEDGEMENT

DATE: October 16, 2008

TO: John Burnett, Progress Energy

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 080001 or, if filed in an undocketed matter, concerning certain information provided in response to staff's 3rd request for PODs (12-17), specifically questions 13, 14, 15, 16 and 17, and filed on behalf of Progress Energy. 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.

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

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