

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Review of coal costs for Progress  
Energy Florida's Crystal River Units 4 and  
5 for 2006 and 2007

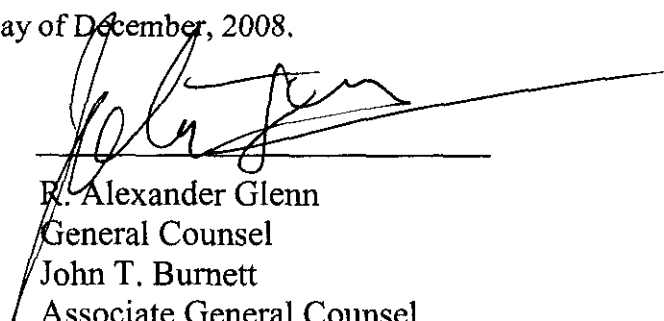
Docket No. 070703-EI

Submitted for Filing: December 15, 2008

**NOTICE OF FILING AFFIDAVIT IN SUPPORT OF  
REQUEST FOR CONFIDENTIAL CLASSIFICATION**

Progress Energy Florida, Inc., ("PEF" or "Company"), by and through their undersigned counsel, hereby gives notice of filing the Affidavit of Sasha Weintraub as Vice President of Fuels and Power Optimization Department in support of PEF's Request for Confidential Classification requesting that certain information provided in PEF's response to OPC's Fourth Request for Production of Documents (Nos. 45-51) be classified as confidential.

Respectfully submitted this 15<sup>th</sup> day of December, 2008.



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Associate General Counsel  
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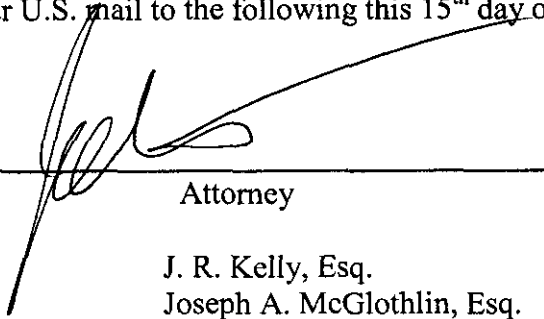
Attorneys for  
PROGRESS ENERGY FLORIDA, INC.

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ECR   1    
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OPC \_\_\_\_\_  
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FPSC-COMMISSION CLERK

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of Progress Energy Florida, Inc.'s Notice of Filing Affidavit in Support of Request for Confidential Classification, in Docket No. 070703-EI has been furnished by regular U.S. mail to the following this 15<sup>th</sup> day of December, 2008.



A handwritten signature in black ink, appearing to read 'J. R. Kelly', is written over a horizontal line. The signature is stylized and extends above the line.

Attorney

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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In re: Review of coal costs for Progress  
Energy Florida's Crystal River Units 4 and  
5 for 2006 and 2007

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Docket No. 070703-EI

Submitted for Filing: December 15, 2008

**AFFIDAVIT OF SASHA WEINTRAUB IN SUPPORT OF  
PROGRESS ENERGY FLORIDA'S  
REQUEST FOR CONFIDENTIAL CLASSIFICATION**

STATE OF NORTH CAROLINA

COUNTY OF WAKE

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

1. My name is Sasha Weintraub. 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 – Fuels & Power Optimization Department. This section is responsible for coal acquisition for both PEF and Progress Energy Carolinas ("PEC") systems.

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FPSC-COMMISSION CLERK

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3. As the Vice President – Fuels & Power Optimization Department, I am responsible, along with the other members of the section, for the procurement of coal transportation contracts for PEC's and PEF's electrical power generation facilities, and the administration of PEC's and PEF's coal contracts with various suppliers.

4. In this Request for Confidential Classification, PEF is seeking confidential classification for portions of its responses to OPC's Fourth Request for Production of Documents (Nos. 45-51) in Docket 070703-EI. The detailed description of the confidential information at issue is outlined in PEF's Justification Matrix that is attached to PEF's Request for Confidential Classification as Exhibit C.

5. Portions of PEF's attachments to its response to OPC's Request for Production No. 50 contain *competitive confidential business information* of both PEF and third-party coal supply and transportation companies that PEF has contracts with. PEF negotiates with potential coal suppliers and transportation companies to obtain competitive contracts for coal options that provide economic value to PEF and its ratepayers. In order to obtain such contracts, however, PEF must be able to assure coal suppliers and transportation companies that sensitive business information, such as the pricing terms of their contracts, will be kept confidential. With respect to the information at issue in this request, PEF has kept confidential and has not publicly disclosed confidential contract terms such as pricing, and similar competitive information. Absent such measures, suppliers and transportation companies would run the risk that sensitive business information that they provided in their contracts with PEF would be made available to the public and, as a result, end up in possession of potential competitors. Faced with that risk, persons or companies who otherwise would contract with PEF might

decide not to do so if PEF did not keep those terms of their contracts confidential. Without PEF's measures to maintain the confidentiality of sensitive terms in contracts between PEF and coal suppliers and transportation contractors, the Company's efforts to obtain competitive coal supply and transportation contracts could be undermined.

Additionally, the disclosure of confidential information in PEF's coal supply and transportation contracts, proposals, and other such documents could adversely impact PEF's competitive business interests. If such information was disclosed to PEF's competitors, PEF's efforts to obtain competitive coal supply and transportation options that provide economic value to both PEF and its ratepayers could be compromised by PEF's competitors changing their consumption or purchasing behavior within the relevant markets.

6. Portions of PEF's attachments to its response to OPC's Request for Production No. 46 contain confidential forecast studies which concern proprietary business information. These studies were prepared by third parties. PEF has a contractual obligation with these third parties to not disclose the proprietary business information contained in the studies and, thereby, public disclosure of the documents in question would violate such confidentiality provisions and may impair PEF's efforts to contract favorably in future negotiations. Specifically, PEF may not be able to favorably contract for the services offered by these third parties if such parties are not assured that all the information provided in connection and the studies is kept confidential.

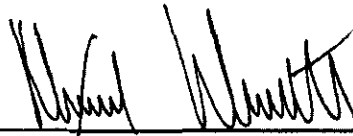
7. Upon receipt of confidential information from coal suppliers, transportation companies, and other third parties who perform proprietary studies for PEF, and with its own confidential information, strict procedures are established and

followed to maintain the confidentiality of the terms 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 and contracts. At no time since receiving the contracts and information in question has the Company publicly disclosed that information or contracts. The Company has treated and continues to treat the information and contracts at issue as confidential.

8. This concludes my affidavit.

Further affiant sayeth not.

Dated the 12<sup>th</sup> day of December, 2008.



(Signature)

Sasha Weintraub

Vice President

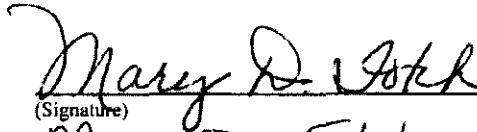
Fuels & Power Optimization Department

Progress Energy Carolinas

Post Office Box 1551

Raleigh, NC. 27602

12<sup>th</sup> THE FOREGOING INSTRUMENT was sworn to and subscribed before me this 12<sup>th</sup> day of December, 2008 by Sasha Weintraub. He is personally known to me, or has produced his \_\_\_\_\_ driver's license, or his \_\_\_\_\_ as identification.



(Signature)

Mary D. Foteh

(Printed Name)

NOTARY PUBLIC, STATE OF NC

December 16, 2011

(Commission Expiration Date)

(AFFIX NOTARIAL SEAL)

(Serial Number, If Any)