

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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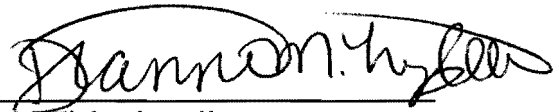
In re: Nuclear Cost Recovery Clause

Docket No. 090009-EI
Submitted for Filing: March 2, 2009

NOTICE OF FILING AFFIDAVITS IN SUPPORT OF PROGRESS ENERGY FLORIDA, INC.'S REQUEST FOR CONFIDENTIAL CLASSIFICATION

Notice is hereby given, through the undersigned counsel, on behalf of Progress Energy Florida, Inc. of filing the Affidavits of Garry D. Miller and Steven Huntington in support of Progress Energy Florida's Request for Confidential Classification Regarding Exhibits Filed with the Testimony of Will Garrett.

Respectfully submitted this day of March 2, 2009.



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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 20 day of March, 2009.


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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Nuclear Cost Recovery Clause

Docket No. 090009-EI

**AFFIDAVIT OF GARRY D. MILLER IN SUPPORT OF PROGRESS ENERGY FLORIDA'S
REQUEST FOR CONFIDENTIAL CLASSIFICATION REGARDING PORTIONS OF THE
EXHIBITS FILED WITH THE TESTIMONY OF WILL GARRETT**

STATE OF FLORIDA

COUNTY OF CITRUS

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

1. My name is Garry D. Miller. 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 Regarding Portions of the Exhibits filed with the Testimony of Will Garrett ("the Request"). The facts attested to in my affidavit are based upon my personal knowledge.

2. PEF is seeking confidential classification for portions of the exhibit filed with, and sponsored by, the testimony of Will Garrett, filed with the Public Service Commission ("PSC" or the "Commission") as Exhibit WG-1. An unredacted version of the exhibit at issue is contained in confidential Appendix A to PEF's Request and the confidential portions thereof are outlined in PEF's Justification Matrix attached to the Request as Appendix C. PEF is requesting confidential classification of portions of these exhibits because they contain confidential contractual information regarding the purchase of goods and services necessary to complete the

Levy Nuclear Project (“LNP” or the “Project”), the disclosure of which would compromise PEF’s competitive business interests.

3. Certain portions of this exhibit contain contractual descriptions, durations, quantities and pricing arrangements between PEF and providers of various equipment, services, and real property required for the LNP that would adversely impact PEF’s competitive business interests if disclosed to the public. The Company must be able to assure these vendors that sensitive business information, such as the pricing and quantity terms of their contracts, will be kept confidential. Indeed, most of the contracts at issue contain confidentiality provisions that prohibit the disclosure of the terms of the contract to third parties. Specifically, the information at issue relates to competitively negotiated contractual data, such as quantity and pricing of goods and services and other contractual terms including the duration of the agreements, the disclosure of which would impair the efforts of the Company to negotiate these contracts on favorable terms. If third parties were made aware of confidential contractual terms that the Company 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 these nuclear contractors, the Company’s efforts to obtain competitive contracts for the Project would be undermined.

4. As stated above, most of the contracts at issue contain confidentiality provisions; therefore, PEF is requesting confidential classification of this information to avoid public disclosure that would violate the confidentiality agreements between PEF and the other parties. PEF has kept confidential and has not publicly disclosed the proprietary contract terms and provisions at issue here. Absent such measures, PEF would run the risk that sensitive business information regarding what the Company is willing to pay for necessary equipment, goods, supplies and real property would be made available to the public and, as a result, other potential sellers of similar materials and services could change their position in their negotiations to the

detriment of PEF. In addition, by the terms of these contracts, all parties thereto - including PEF - have agreed to protect proprietary and confidential information, which is defined to include the pricing provisions, from public disclosure.

5. Upon receipt of this confidential information, as with all confidential information, strict procedures are established and followed to maintain the confidentiality of the terms of the documents and information provided therein. Such procedures include, but are not limited to, restricting access to the documents and information to only those persons who require it to assist the Company. At no time since the developing or entering the contracts in question has PEF publicly disclosed the contracts' terms; PEF has treated and continues to treat the information contained in the subject contracts as confidential.

6. This concludes my affidavit.

Further affiant sayeth not.

Dated this _____ day of February, 2009.

(Signature)

Garry D. Miller
General Manager, Nuclear Plant Development and
License Renewal

THE FOREGOING INSTRUMENT was sworn to and subscribed before me this ____ day of February, 2009 by Garry D. Miller. He is personally known to me, or has produced his _____ driver's license, or his _____ as identification.

(Signature)

(AFFIX NOTARIAL SEAL)

(Printed Name)

NOTARY PUBLIC, STATE OF _____

(Commission Expiration Date)

(Serial Number, If Any)

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Nuclear Cost Recovery Clause

Docket No. 090009-EI

**AFFIDAVIT OF STEVEN HUNTINGTON IN SUPPORT OF PROGRESS ENERGY
FLORIDA'S REQUEST FOR CONFIDENTIAL CLASSIFICATION REGARDING
PORTIONS OF THE EXHIBITS FILED WITH THE TESTIMONY OF WILL GARRETT**

STATE OF FLORIDA

COUNTY OF CITRUS

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

1. My name is Steven Huntington. 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 Regarding Portions of the Exhibits filed with the Testimony of Will Garrett (the "Request"). The facts attested to in my affidavit are based upon my personal knowledge.

2. PEF is seeking confidential classification for portions of the exhibits filed with, and sponsored by, the testimony of Will Garrett, filed with the Public Service Commission ("PSC" or the "Commission") as Exhibit WG-2. An unredacted version of the exhibit at issue is contained in confidential Appendix A to PEF's Request and the confidential portions thereof are outlined in PEF's Justification Matrix that is attached to PEF's Request as Appendix C. PEF is requesting confidential classification of the portions of this exhibit that contain confidential contractual information regarding the purchase of goods and services necessary to complete the CR3 Uprate, the disclosure of which would compromise PEF's competitive business interests.

3. Certain portions of this exhibit contain contractual quantities, durations, and pricing arrangements between PEF and providers of various equipment and services required for the CR3 Uprate that would adversely impact PEF's competitive business interests if disclosed to the public. The Company must be able to assure these vendors that sensitive business information, such as the pricing and quantity terms of their contracts, will be kept confidential. Indeed, most of the contracts at issue contain confidentiality provisions that prohibit the disclosure of the terms of the contract to third parties. Specifically, the information at issue relates to competitively negotiated contractual data, such as quantity and pricing of goods and services and other contractual terms such as the agreements' duration, the disclosure of which would impair the efforts of the Company to negotiate these contracts on favorable terms. If third parties were made aware of confidential contractual terms that the Company 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 these nuclear contractors, the Company's efforts to obtain competitive contracts for the CR3 Uprate would be undermined.

4. As stated above, most of the contracts at issue contain confidentiality provisions; therefore, PEF is requesting confidential classification of this information to avoid public disclosure that would violate the confidentiality agreements between PEF and the other parties. PEF has kept confidential and has not publicly disclosed the proprietary contract terms and provisions at issue here. Absent such measures, PEF would run the risk that sensitive business information regarding what the Company is willing to pay for necessary equipment, goods and supplies would be made available to the public and, as a result, other potential sellers of similar materials and services could change their position in their negotiations to the detriment of PEF. In addition, by the terms of these contracts, all parties thereto - including PEF - have agreed to

protect proprietary and confidential information, which is defined to include the pricing provisions, from public disclosure.

5. Upon receipt of this confidential information, as with all confidential information, strict procedures are established and followed to maintain the confidentiality of the terms of the documents and information provided therein. Such procedures include, but are not limited to, restricting access to the documents and information to only those persons who require it to assist the Company. At no time since developing or entering the contracts in question has PEF publicly disclosed the contracts' terms; PEF has treated and continues to treat the information contained in the subject contracts as confidential.

6. This concludes my affidavit.

Further affiant sayeth not.

Dated this _____ day of February, 2009.

(Signature)

Steven Huntington
General Manager, Nuclear Project Manager
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 ____ day of February, 2009 by Steven Huntington. He is personally known to me, or has produced his _____ driver's license, or his _____ as identification.

(Signature)

(AFFIX NOTARIAL SEAL)

(Printed Name)

NOTARY PUBLIC, STATE OF _____

(Commission Expiration Date)

(Serial Number, If Any)