

RECEIVED-FPSC

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

09 MAR 20 PM 12:56

In Re: Petition for Commission release in rates  
By Progress Energy Florida )

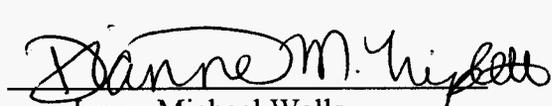
DOCKET NO. 090079-EI

Submitted for filing: March 20, 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 Affidavit of Thomas R. Sullivan in support of Progress Energy Florida's Request for Confidential Classification Regarding certain schedules to PEF's Minimum Filing Requirements.

Respectfully submitted,



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DOCUMENT NUMBER-DATE

02468 MAR 20 09

FPSC-COMMISSION CLERK

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Petition has been served via U.S. Mail to the following counsel of record as indicated below on this 20<sup>th</sup> day of March, 2009.

  
Attorney

Katherine Fleming  
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Florida Public Service Commission  
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Washington, D.C. 20007

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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In re: Petition for rate increase by  
Progress Energy Florida, Inc.

Docket No. 090079-EI

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**AFFIDAVIT OF THOMAS R. SULLIVAN IN SUPPORT OF PROGRESS ENERGY  
FLORIDA'S FIRST REQUEST FOR CONFIDENTIAL CLASSIFICATION**

STATE OF FLORIDA

COUNTY OF CITRUS

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

1. My name is Thomas R. Sullivan. 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 First Request for Confidential Classification ("the Request"). The facts attested to in my affidavit are based upon my personal knowledge.

2. I am the Treasurer at PEF. I am also Vice President and Treasurer of Progress Energy Service Company. As Treasurer, I am responsible for Financial Operations, Corporate Insurance, Financial Analysis, Investment Management, and Enterprise Risk Management. As Treasurer, I help prepare, use, and am familiar with Progress Energy's projected figures for short term and long term debt, off balance sheet obligations, preferred stock and common equity.

3. In its First Request for Confidential Classification, PEF is seeking confidential classification for certain schedules to PEF's Minimum Filing Requirements ("MFRs") attached to PEF's Petition for Rate Increase. An unredacted version of the Schedule 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 this Schedule because it contains proprietary confidential business information, the disclosure of which would compromise PEF's competitive business interests.

4. Certain portions of the schedules to the MFRs at issue contain projected and estimated figures for short and long term debt, off balance sheet obligations, preferred stock, and common equity, along with other sensitive business information that PEF does not make publicly available. The information at issue is proprietary confidential business information that would impair Progress Energy's competitive business interests if it were disclosed to the public, Progress Energy's suppliers, or Progress Energy's competitors. Specifically, if Progress Energy's suppliers, investors, or competitors were made aware of Progress Energy's estimated figures for short and long term debt, off balance sheet obligations, preferred stock, and common equity, they may adjust their behavior in the market place with respect to activities such as pricing and the acquisition and provision of goods, materials and services.

5. With respect to the confidential information at issue, strict procedures are established and followed to maintain the confidentiality of that information; such procedures include, but are not limited to, restricting access to the information to only those persons who require it to assist the Company. PEF has treated and continues to treat the information contained in the schedules as confidential

6. This concludes my affidavit.

Dated this \_\_\_\_ day of March, 2009.

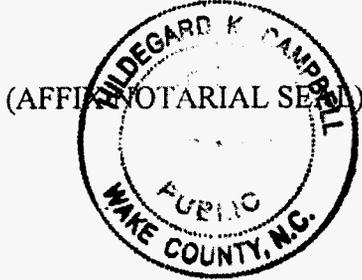


(Signature)

Thomas R. Sullivan

Treasurer, Progress Energy Florida, Inc.

THE FOREGOING INSTRUMENT was sworn to and subscribed before me this 18<sup>th</sup> day of March, 2009 by Thomas R. Sullivan. He is personally known to me, or has produced his \_\_\_\_\_ driver's license, or his Badge as identification.



Hildegard K. Campbell  
(Signature)

Hildegard K. Campbell  
(Printed Name)

NOTARY PUBLIC, STATE OF NC

May 17, 2009  
(Commission Expiration Date)

19991200018  
(Serial Number, If Any)

Status: ACTIVE

COUNTRY	REFERENCE#	TYPE	FILED	SERIAL#	ISSUED	PATENT#	STATUS
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*All Actions Due (Original)***A ROLLER SHUTTER STRUCTURE**

CHINA	P30632CN00	CEQ	09/13/2002	02248037.4	08/06/2003	ZL02248037.4	ISSUED
CANADA	P30632CA00	CEQ	09/12/2003	2,498,706			PENDING
	09/12/2009	STATUS CHECK					
MEXICO	P30632MX00	CEQ	09/12/2003	PA/a/2005/002738	04/11/2008	256214	ISSUED
	04/11/2011	WORKING					
	09/12/2013	ANNUITY DUE					
TAIWAN	P30632TW00	CEQ	09/15/2003	92125366			PENDING
	09/15/2009	STATUS CHECK					

**RELEASABLE CLIP FOR A SHADE**

UNITED STATES	P30629US00	NEW	02/25/2009	61/155,475			PENDING
	02/25/2010	FILE COMPLETE APPL					
	02/25/2010	FOREIGN FILING DUE					
	03/25/2010	UPDATE PRV STATUS					

**RELEASABLE CORD APPARATUS AND BREAKAWAY END PORTION FOR WINDOW TREATMENTS**

CHINA	P30631CN00	NEW	07/30/2004	03802990.1			PENDING
	07/30/2009	STATUS CHECK					

**RELEASABLE CORD APPARATUS AND BREAKAWAY END PORTION FOR WINDOW TREATMENTS**

CANADA	P30630CA00	NEW	02/12/2003	2,474,597			PUBLISHED
	04/22/2009	STATUS CHECK					

**RELEASABLE CORD CONNECTION APPARATUS**

UNITED STATES	P30644US00	NEW	11/03/2000	09/706,052	08/13/2002	6,431,248	ISSUED
	02/13/2010	2ND MAINT FEE DUE					
	02/13/2014	3RD MAINT FEE DUE					

**RELEASABLE CORD CONNECTION APPARATUS**

CANADA	P30645CA00	DCA	11/01/2001	2,439,433	01/02/2007	2,439,433	ISSUED
	11/01/2009	ANNUITY DUE					

**RELEASABLE CORD CONNECTION APPARATUS**

UNITED STATES	P30646US00	NEW	11/03/2000	09/706,052	08/13/2002	6,431,248	ISSUED
	02/13/2010	2ND MAINT FEE DUE					
	02/13/2014	3RD MAINT FEE DUE					

**RING FOR SHADE**

UNITED STATES	P30628US00	NEW	02/25/2009	29/332,784			PENDING
	05/04/2009	MISSING PARTS (2 MO)					
	05/25/2009	INF DISCLOSURE STMT					
	08/25/2009	FOREIGN FILING DUE					
	08/25/2010	STATUS CHECK					

**ROMAN SHADE APPARATUS AND METHOD**

UNITED STATES	P30627US00	NEW	09/09/2005	11/222,218			PUBLISHED
	01/28/2009	FINAL REJECTION					
	04/28/2009	NOTICE OF APPEAL					

COUNTRY	REFERENCE#	TYPE	FILED	SERIAL#	ISSUED	PATENT#	STATUS
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*All Actions Due (Original)***ROMAN SHADE APPARATUS AND METHOD**

CANADA	P30638CA00	NEW	09/08/2006	2,559,413			PENDING
	09/08/2009			ANNUITY DUE			
	09/08/2011			REQUEST EXAMINATION			

**ROMAN SHADE APPARATUS AND METHOD**

TAIWAN	P30639TW00	NEW	09/11/2006	95133534			PENDING
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**SAFETY BUCKLE OF CURTAIN**

UNITED STATES	P30633US00	NEW	05/13/2003	10/436,178	03/28/2006	7,017,230	ISSUED
	09/28/2009			1ST MAINT FEE DUE			
	09/28/2013			2ND MAINT FEE DUE			
	09/28/2017			3RD MAINT FEE DUE			
UNITED STATES	P30633US01	CON	01/23/2006	11/337,004	01/15/2008	7,318,251	ISSUED
	01/15/2010			BROADENED REISSUE DL			
	07/15/2011			1ST MAINT FEE DUE			
	07/15/2015			2ND MAINT FEE DUE			
	07/15/2019			3RD MAINT FEE DUE			

**WINDOW SHADE LINER METHOD AND APPARATUS**

UNITED STATES	P30634US00	NEW	08/22/2005	11/208,008			PUBLISHED
	04/15/2009			RESPONSE TO OA			
	02/22/2010			STATUS CHECK			

**WINDOW SHADE LINER METHOD AND APPARATUS**

CANADA	P30635CA00	NEW	08/22/2005	2,577,860			PENDING
	08/22/2010			REQUEST EXAMINATION			

**WINDOW SHADE LINER METHOD AND APPARATUS**

CHINA	P30636CN00	NEW	04/27/2007	200580033317.4			PUBLISHED
	04/27/2009			ANNUITY DUE			
	06/21/2009			RESPONSE TO OA			

**WINDOW SHADE LINER METHOD AND APPARATUS**

MEXICO	P30637MX00	NEW	08/22/2005	MXa2007002087			PUBLISHED
	02/22/2010			STATUS CHECK			

END OF REPORT

TOTAL ITEMS SELECTED = 20