

**Marguerite McLean**

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**Sent:** Tuesday, April 28, 2009 10:42 AM  
**To:** Filings@psc.state.fl.us  
**Cc:** Lisa Bennett  
**Subject:** Docket 060658-EI Filing: PEF's First Request for Extension of Confidential Classification  
**Attachments:** PEF's Request for Extension of Confidential Classification.pdf

This electronic filing is made by:

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Docket: 060658-EI

In re: Petition of behalf of Citizens of the State of Florida to require Progress Energy Florida, Inc. to refund to customers \$143 million

On behalf of Progress Energy Florida

Consisting of 4 pages

The attached document for filing is PEF's First Request for Extension of Confidential Classification

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**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Petition on behalf of Citizens of the )  
State of Florida to require Progress Energy )  
Florida, Inc. to refund to customers \$143 million )  
\_\_\_\_\_ )

Docket No. 060658-EI

Filed: April 28, 2009

**PROGRESS ENERGY FLORIDA, INC.'S  
FIRST REQUEST FOR EXTENSION OF 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.), hereby submits its First Request for Extension of Confidential Classification of certain information provided to the Florida Public Service Commission ("FPSC" or "Commission") Staff ("Staff") pursuant to information included in testimony and exhibits submitted in this docket on January 16, 2007. In support of this Request, PEF states as follows:

1. On January 16, 2007, PEF filed a request for confidential classification of information including prefiled direct testimony and exhibits of Mr. Sasha Weintraub. Mr. Weintraub's prefiled direct testimony and Exhibit Nos. SAW-4, SAW-7, SAW-8, SAW-9, SAW-12, SAW-13, SAW-14, SAW-15 and SAW-16, (Document No. 00405-07) include confidential hedging guidelines, procurement targets, and contractual information associated with PEF's coal procurement for Crystal River Units 4 and 5.

2. PEF's January 16, 2007 Request was granted by Order No. PSC-07-0873-CFO-EI on October 31, 2007. The period for confidential treatment granted by that order will expire on April 30, 2009. Portions of the information, as referenced above, pertain to the subject of the January 16, 2007 Request and warrants continued treatment as proprietary and confidential business information within the meaning of Section 366.093(3) F.S. Accordingly, PEF is hereby filing its First Request for Extension of Confidential Classification.

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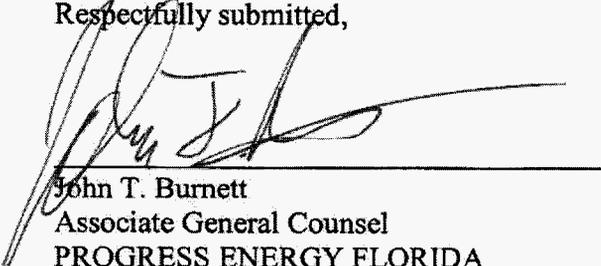
3. PEF submits that the prefiled direct testimony and Exhibits of Sasha Weintraub referenced above and identified in Exhibit "C" and included in Composite Exhibit "A" to the January 16, 2007 Request, continues to be proprietary confidential business information within the meaning of Section 366.093(3), F.S. This information is intended to be and is treated as confidential by the Company. The information has not been disclosed to the public. Pursuant to Section 366.093, such materials are entitled to confidential treatment and are exempt from the disclosure provisions of the public records law.

4. Nothing has changed since the issuance of Order No. PSC-07-0873-CFO-EI to render the information stale or public, such that continued confidential treatment would not be appropriate. Upon a finding by the Commission that this information continues to be "proprietary confidential business information," it should continue to be treated as such for an additional period of at least 18 months, and should be returned to PEF as soon as the information is no longer necessary for the Commission to conduct its business. See § 366.093(4), F.S.

WHEREFORE, for the foregoing reasons, PEF respectfully requests that this First Request for Extension of Confidential Classification be granted.

RESPECTFULLY SUBMITTED this 28<sup>th</sup> day of April, 2009.

Respectfully submitted,

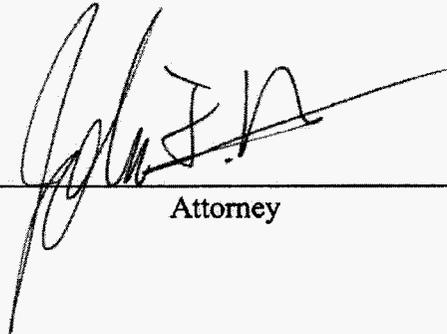


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CERTIFICATE OF SERVICE

I HEREBY CERTIFY a true and correct copy of the foregoing has been furnished to counsel and parties of record as indicated below via U.S. Mail this 20<sup>th</sup> day of April, 2009.



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