

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Nuclear Power Plant Cost
Recovery Clause

Docket No. 090009-EI
Served: May 1, 2009

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**FIRST NOTICE OF INTENT TO REQUEST
CONFIDENTIAL CLASSIFICATION**

Progress Energy Florida ("PEF" or the "Company"), pursuant to Section 366.093, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, files this First Notice of Intent to Request Confidential Classification of the confidential portions of the Direct Testimony of Gary Miller, as well as the confidential portions of the exhibits to the Direct Testimony of Thomas Foster. Specifically, portions of Mr. Miller's testimony and the exhibits to Mr. Foster's testimony contain proprietary confidential business information, the disclosure of which would harm PEF's competitive business interests. The testimony and exhibits also contain contractual information, the disclosure of which would impair PEF's ability to contract for goods or services on favorable terms.

Attached as Exhibit A is a CD containing confidential, highlighted copies of the above referenced documents.

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This docketed notice of intent was filed with Confidential Document No. ~~04080-09~~. The document has been placed in confidential storage pending timely receipt of a request for confidentiality.

DOCUMENT NUMBER-DATE

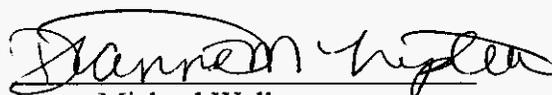
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Pursuant to Rule 25-22.006(3)(a)(1), PEF will file its Second Request for Confidential Classification for such confidential information contained therein within twenty-one (21) days of filing this request.

Respectfully submitted this 1st day of May, 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 ^{1st} day of ~~April~~^{May}, 2009.


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Public Service Commission

ACKNOWLEDGEMENT

DATE: May 1, 2009

TO: Dianne Triplett, Carlton Fields

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 090000 or, if filed in an undocketed matter, concerning portions of direct testimony and Exhibits of Garry Miller and Thomas Foster, and filed on behalf of Progress Energy Florida. 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.

DOCUMENT NUMBER - DATE
04080 MAY -1 09
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