

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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IN RE: NUCLEAR POWER PLANT
COST RECOVERY CLAUSE

Docket No. 090009-EI
Submitted for Filing: July 22, 2009

**TWELFTH 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 Twelfth Notice of Intent to Request Confidential Classification of the deposition of Jon Franke. Mr. Franke's deposition given in this docket contains confidential and proprietary competitive business information, the release of which would harm PEF's competitive business interests and violate PEF's contractual confidentiality agreements. Furthermore, this information has previously been provided in response to various requests throughout the discovery process, and at all times PEF has maintained its confidentiality.

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

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

COM _____
ECR 4
GCL 1
OPC _____
RCP _____
SSC _____
SGA _____ R. ALEXANDER GLENN
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ADM _____ JOHN BURNETT
CLK 1 Associate General Counsel

Respectfully submitted,


JAMES MICHAEL WALLS
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This docketed notice of intent was filed with Confidential Document No. 0744-01. The document has been placed in confidential storage pending timely receipt of a request for confidentiality.

DOCUMENT NUMBER-DATE

07440 JUL 22

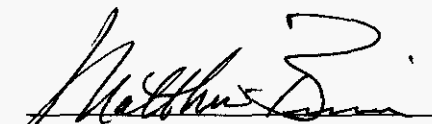
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CERTIFICATE OF SERVICE

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 22nd day of July, 2009.



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STATE OF FLORIDA



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Public Service Commission

ACKNOWLEDGEMENT

DATE: July 22, 2009

TO: James Michael Walls, Carlton Fields Law Firm

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 090009 or, if filed in an undocketed matter, concerning deposition of Jon Franke on CD, and filed on behalf of Progress Energy. 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

07441 JUL 22 09

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