

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

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IN RE: NUCLEAR POWER PLANT COST  
RECOVERY CLAUSE

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Docket No. 090009-EI  
Submitted for Filing: July 24, 2009

**NOTICE OF FILING UNVERIFIED AFFIDAVIT OF GARY FURMAN IN SUPPORT  
OF PEF'S ELEVENTH REQUEST FOR CONFIDENTIAL CLASSIFICATION**

Notice is hereby given, through the undersigned counsel, on behalf of Progress Energy Florida, Inc. of filing the Unverified Affidavit of GARY FURMAN in support of Progress Energy Florida's Eleventh Request for Confidential Classification.

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 electronic and U.S. Mail this 24<sup>th</sup> day of July, 2009.

  
\_\_\_\_\_  
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**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

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In re: Nuclear Cost Recovery Clause

Docket No: 090009-EI  
Submitted for Filing: July 24, 2008

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**UNVERIFIED AFFIDAVIT OF GARY FURMAN IN SUPPORT OF PROGRESS  
ENERGY FLORIDA'S ELEVENTH REQUEST FOR CONFIDENTIAL  
CLASSIFICATION**

STATE OF FLORIDA

COUNTY OF \_\_\_\_\_

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

1. My name is Gary Furman. 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. The facts attested to in my affidavit are based upon my personal knowledge.

2. I am the Manager of Major Projects in the Generation and Transmission Construction Department. As such, I am leading a cross-functional, multi-disciplinary team in the development and execution of the transmission line projects associated with the Levy Nuclear Plant ("LNP").

3. PEF is seeking confidential classification for portions of the Commission's Auditor's Review of PEF's Project Management Internal Controls for Nuclear Plant Uprate and

Construction Projects Draft Report, dated July 2009. A detailed description of the confidential information at issue is contained in confidential Exhibit A to PEF's Request for Confidential Classification and is outlined in PEF's Justification Matrix that is attached to PEF's Third Request for Confidential Classification as Attachment C. PEF is requesting confidential classification of this information because it includes confidential and proprietary contractual information, and other information related to the Company's competitive business interests, the disclosure of which would compromise PEF's competitive business interests.

4. Specifically, portions of this report contain information related to confidential contractual data, including pricing agreements and other confidential contractual terms, as well as other competitive business information, such as proposed routes for planned transmission lines. Disclosure of the terms of these agreements would impair PEF's competitive business interests, and would further be a violation of the PEF's confidentiality agreements. Disclosure of this information would impair PEF's competitive business interests by providing third parties with information regarding contractual terms with which PEF is willing to agree, thereby giving third parties a competitive advantage when negotiating similar contracts with PEF. For example, if landowners along proposed routes were to know the amount that PEF is willing to pay for such land or even why the land was sought, they could increase the asking price above the level they may have been willing to sell for absent the information.

5. Upon receipt of this confidential information, and with its own confidential information, strict procedures are established and followed to maintain the confidentiality of the documents and information provided, including restricting access to those persons who need the information to assist the Company, and restricting the number of, and access to the information. At no time since receiving the information in question has the Company publicly disclosed that

information. The Company has treated and continues to treat the information at issue as confidential.

6. This concludes my affidavit.

Further affiant sayeth not.

Dated the \_\_\_\_\_ day of July, 2009.

\_\_\_\_\_  
(Signature)  
Gary Furman  
Manager, Major Projects  
Generation & Construction Department  
Progress Energy Florida  
3300 Exchange Place  
Lake Mary, FL 32746

THE FOREGOING INSTRUMENT was sworn to and subscribed before me this \_\_\_\_ day of July, 2009 by Gary Furman. He is personally known to me, or has produced his \_\_\_\_\_ driver's license, or his \_\_\_\_\_ as identification.

(AFFIX NOTARIAL SEAL)

\_\_\_\_\_  
(Signature)  
\_\_\_\_\_  
(Printed Name)  
NOTARY PUBLIC, STATE OF \_\_\_\_\_  
\_\_\_\_\_  
(Commission Expiration Date)  
\_\_\_\_\_  
(Serial Number, If Any)