

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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IN RE: PETITION FOR INCREASE IN  
RATES BY PROGRESS ENERGY  
FLORIDA, INC.

Docket No. 090079-EI  
Submitted for Filing: August 10, 2009

**PEF'S FOURTH 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 Notice of Intent to Request Confidential Classification of the documents produced in response to the Florida Public Service Commission's Staff's ("Staff") Fifteenth Request for Production of Documents (Nos. 98-99). The information being provided in response to these requests contains confidential information relating to the Company's competitive interests, the release of which would harm the Company's competitive business interests. Furthermore, the information contained in these responses incorporates and includes information obtained from a third-party pursuant to a confidentiality agreement, and therefore release of this information would violate that confidentiality provision. Additionally, the Company has produced similar information in response to previous discovery requests, and at all times has taken the appropriate steps to maintain its confidentiality. For these reasons, PEF is requesting that the Commission afford these documents confidential classification.

PEF is providing a CD containing the confidential information in question, attached as

Exhibit A.

Pursuant to Rule 25-22.006(3)(a)(1), PEF will file its Request for Confidential

This docketed notice of intent was filed with Confidential Document No. 08298-09. The document has been placed in confidential storage pending timely receipt of a request for confidentiality.

- COM \_\_\_\_\_
- ECR** 5
- GCL 1
- OPC \_\_\_\_\_
- RCP \_\_\_\_\_
- SSC \_\_\_\_\_
- SGA \_\_\_\_\_
- ADM \_\_\_\_\_
- CLK 1

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Classification for such confidential information contained therein within twenty-one (21) days of filing this request.

Respectfully submitted,



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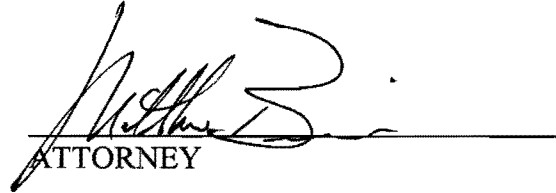
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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing has been served via electronic and U.S. Mail to the following counsel of record as indicated below on this 10<sup>th</sup> day of August, 2009.



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ANN COLE  
COMMISSION CLERK  
(850) 413-6770

# Public Service Commission

## ACKNOWLEDGEMENT

DATE: August 10, 2009

TO: Matthew Bernier, 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 090079 or, if filed in an undocketed matter, concerning documents produced in response to staff's 15<sup>th</sup> Request for PODs, Nos. 98-99, provided 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  
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