

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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IN RE: NUCLEAR POWER PLANT
COST RECOVERY CLAUSE

Docket No. 090009
Submitted for Filing August 10, 2009

**SIXTEENTH 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 portions of Garry Miller's Rebuttal Testimony and Exhibits thereto, portions of Jeff Lyash's Rebuttal testimony and Exhibits thereto, and portions of Gary Doughty's Rebuttal Testimony. The above referenced testimony and exhibits contain confidential competitive business information and documents related to the Levy Nuclear Project ("LNP"), including confidential information related to the LNP EPC contract, the release of which would harm PEF's competitive business, and in certain instances violate contractual confidentiality agreements. PEF considers this information proprietary and confidential, does not share it with the public, and has at all times maintained its confidentiality. Furthermore, these documents and information, or information and documents of a similar nature, have been produced in response to various discovery requests throughout the discovery process and are subject to pending confidentiality requests. At all times during this proceeding the Company 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 as Exhibit "A" a CD containing the confidential information in

_____ question. **This docketed notice of intent was filed with
Confidential Document No. 08300-09. 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 Request for Confidential Classification for such confidential information contained therein within twenty-one (21) days of filing this request.

Respectfully submitted,

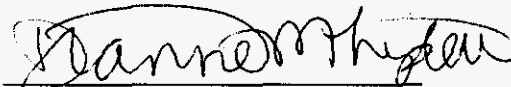


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CERTIFICATE OF SERVICE

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 10th day of August, 2009.



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STATE OF FLORIDA



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ANN COLE
COMMISSION CLERK
(850) 413-6770

Public Service Commission

ACKNOWLEDGEMENT

DATE: August 6, 2009

TO: Jessica Cano

FROM: Kimberley M. Peña, Office of Commission Clerk

RE: Acknowledgement of Receipt of Confidential Filing

This will acknowledge receipt of a **CONFIDENTIAL DOCUMENT** filed in Docket Number 080677-EI/090130-EI or, if filed in an undocketed matter, concerning certain information contained in the testimony and exhibits of SFHHA witness, Lane Kollen., and filed on behalf of Florida Power & Light Company. 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.

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Public Service Commission

ACKNOWLEDGEMENT

DATE: August 10, 2009

TO: Dianne Triplett, 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 portions of Garry Miller's rebuttal testimony and Exhibits, and Jeff Lyash's rebuttal and exhibits, and portions of Doughty's testimony, 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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