

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: NUCLEAR POWER PLANT COST
RECOVERY CLAUSE

Docket No. 090009-EI
Submitted for Filing: September 3, 2009

**NOTICE OF FILING VERIFIED AFFIDAVITS
IN SUPPORT OF PEF'S SIXTEENTH REQUEST FOR
CONFIDENTIAL CLASSIFICATION**

Notice is hereby given, through the undersigned counsel, on behalf of Progress Energy Florida, Inc. of filing the verified Affidavit of GARRY MILLER and JON FRANKE in support of Progress Energy Florida's Sixteenth Request for Confidential Classification.

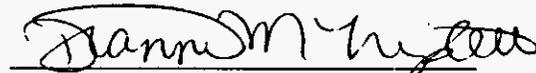
Respectfully submitted,

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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 3rd day of September, 2009.


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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: NUCLEAR POWER PLANT COST
RECOVERY CLAUSE

Docket No. 090009-EI
Submitted for Filing: August 12, 2009

**AFFIDAVIT OF GARRY MILLER IN SUPPORT OF PROGRESS ENERGY
FLORIDA'S SIXTEENTH REQUEST FOR CONFIDENTIAL CLASSIFICATION**

STATE OF NC
COUNTY OF Wake

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

1. My name is Garry Miller. 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 Thirteenth Request for Confidential Classification. The facts attested to in my affidavit are based upon my personal knowledge.

2. I am the General Manager, Nuclear Plant Development at Progress Energy Carolina. As such, I am responsible for new nuclear plant development in both the Carolinas and Florida, including the siting, licensing, engineering, construction, an overall management of PEF's proposed Levy Nuclear Power Plants, the Levy Nuclear Project ("LNP"). Specifically, my responsibilities include, but are not limited to, scheduling, contracts, commercial matters, training, document control, records management, and project management. All major contracts approved to date on the LNP, and for Nuclear Plant Development, have been under my management and responsibility.

3. PEF is seeking confidential classification of portions of the Direct Testimony of William R. Jacobs, Jr., given in the above referenced docket on July 15th, 2009 (the "Testimony"). A detailed description of the confidential information at issue is contained in confidential Attachment A to PEF's Request for Confidential Classification and is outlined in PEF's Justification Matrix that is attached to PEF's Request as Attachment C. PEF is requesting confidential classification of this information because it contains confidential and proprietary information related to the Company's competitive business interests, including contractual terms and agreements that are subject to contractual confidentiality provisions.

4. Specifically, the Testimony includes information regarding the contractual agreements necessary for the success of the Levy Nuclear Project ("LNP"), including specifically the EPC. The Testimony discusses the negotiations that took place prior to entering into the EPC, including the Company's reasons for entering in the contract on December 31, 2008. This information, including the specific contractual terms, is subject to the confidentiality provision of the EPC. Furthermore, the Testimony describes and discusses PEF Board of Directors meetings, including presentations made at such meetings and the discussions and strategies that resulted. The release of this information would harm the Company's competitive business interests by offering competitors and potential suppliers valuable insight into the PEF's strategies going forward. Disclosure of the Company's plans and strategies regarding the LNP could result in potential suppliers, vendors, and/or purchasers of services required for successful completion of the LNP changing their position in future negotiations with PEF. Furthermore, PEF's competitors for like products and services would gain valuable information regarding the LNP that could result in PEF being at a competitive disadvantage with respect to commonly sought after goods and materials. Without PEF's measures to maintain the confidentiality of

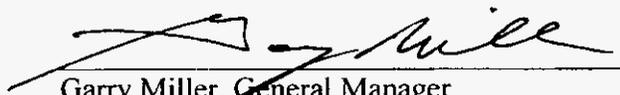
sensitive information in these documents, the Company's efforts to obtain competitive contracts and to obtain competitively priced goods and services would be undermined.

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 persons who 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. Additionally, PEF has provided this information in response to various discovery requests throughout this proceeding, and at all times the Company has maintained the confidentiality of the information at issue.

6. This concludes my affidavit.

Further affiant sayeth not.

Dated the 19th day of August, 2009.



Garry Miller, General Manager
Nuclear Plant Development
Progress Energy
100 E. Davie Street TPP 15
Raleigh, NC 27601

THE FOREGOING INSTRUMENT was sworn to and subscribed before me this 19th day of August, 2009 by Garry Miller. He is personally known to me, or has produced his _____ driver's license, or his _____ as identification.

Betsy Whaley Cox, Notary Public
Wake County, North Carolina
My Commission Expires 12/21/2011

Betsy Whaley Cox
(Signature)

Betsy Whaley Cox
(Printed Name)

(SEAL)

NOTARY PUBLIC, STATE OF NC

12/21/2011
(Commission Expiration Date)

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: NUCLEAR POWER PLANT COST
RECOVERY CLAUSE

Docket No: 090009-EI
Submitted for Filing: August 12, 2009

**AFFIDAVIT OF JON FRANKE IN SUPPORT OF PROGRESS ENERGY FLORIDA'S
SIXTEENTH REQUEST FOR CONFIDENTIAL CLASSIFICATION**

STATE OF FLORIDA

COUNTY OF _____

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

1. My name is Jon Franke. 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 Vice President at Crystal River Unit 3 ("CR3"). As such, I am responsible for the safe operation of the nuclear generating station. Additionally, I have indirect responsibilities in oversight of major project activities at the station. Through my management team I have about 490 employees that perform the daily work required to operate the station and provide engineering training and support to the station.

3. PEF is seeking confidential classification of portions of the Deposition of Jon Franke given in this docket on June 26th, 2009 (the "Deposition"), as well as portions of the

Exhibits to the Direct Testimony of William R. Jacobs, Jr., given in this docket on July 15th, 2009. A detailed description of the confidential information at issue is contained in confidential Attachment A to PEF's Request for Confidential Classification and is outlined in PEF's Justification Matrix that is attached to PEF's Request for Confidential Classification as Exhibit C. PEF is requesting confidential classification of portions of this information because it includes confidential and proprietary information related to the Company's competitive business interests, the disclosure of which would compromise PEF's competitive business interests.

4. Specifically, the information included in the confidential portion of the Deposition contains information regarding the Extended Power Uprate ("EPU") project schedule for CR3, including the approximate length of the planned generator outage during which much of the work will occur. Disclosure of this information would impair PEF's competitive business interests by providing third parties with sensitive information which would provide third parties a competitive advantage when negotiating for the sale of the power PEF will be required to purchase to continue to provide service to its customers during this outage. Therefore, public disclosure of this information could adversely affect the Company's to purchase power during these periods at favorable prices, therefore impacting the Company's competitive interests and ultimately having a detrimental impact on PEF's ratepayers.

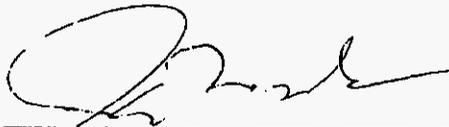
5. Furthermore, portions of the Exhibits to Mr. Jacob's Testimony likewise contain confidential information related to the CR3 EPU, the release of which would harm the Company's competitive business interests. Additionally, much, if not all, of this information has been provided to Mr. Jacobs through PEF's discovery previous discovery responses in this proceeding, and at all times PEF has taken the appropriate steps to maintain its confidentiality.

6. 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. In addition, PEF has provided this information in response to various discovery requests throughout this proceeding, and at all times the Company has maintained the confidentiality of the information at issue.

7. This concludes my affidavit.

Further affiant sayeth not.

Dated the 12 day of August, 2009.



(Signature)

Jon Franke
Vice President
Crystal River Unit 3
15760 W. Powerline St.
Crystal River, Florida 34442

THE FOREGOING INSTRUMENT was sworn to and subscribed before me this 12 day of August, 2009 by Jon Franke. He is personally known to me, or has produced his _____ driver's license, or his _____ as identification.



(Signature)

(Printed Name)

NOTARY PUBLIC, STATE OF _____

(AFFIX NOTARIAL SEAL)

