

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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

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Docket No. 090079-EI  
Submitted for filing: September 3, 2009


**NOTICE OF FILING UNVERIFIED AFFIDAVIT OF PETER TOOMEY 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 PETER TOOMEY in support of Progress Energy Florida's Eleventh Request for Confidential Classification.

Respectfully submitted,

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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 3<sup>rd</sup> day of September, 2009.

  
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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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In re: Petition for rate increase by  
Progress Energy Florida, Inc.

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Docket No. 090079-EI  
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**AFFIDAVIT OF PETER TOOMEY IN SUPPORT OF PROGRESS ENERGY  
FLORIDA'S ELEVENTH REQUEST FOR CONFIDENTIAL CLASSIFICATION**

STATE OF \_\_\_\_\_

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

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

1. My name is Peter Toomey. 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 Eleventh Request for Confidential Classification ("the Request"). The facts attested to in my affidavit are based upon my personal knowledge.

2. I am the Vice President of Finance of Progress Energy Florida, Inc. As the Vice President of Finance, I am responsible for strategic planning, financial planning and forecasting, business planning, budgeting, cost management, management accounting, and key performance management.

3. In its Request, PEF is seeking confidential classification for certain information contained in its responses to Staff's Sixteenth Request for Production of Documents (No. 100) and Twenty-Second Set of Interrogatories (Nos. 267-270), specifically number 267. An unredacted version of the information at issue is contained in confidential Appendix A to PEF's Request and the confidential portions thereof are outlined in PEF's Justification Matrix attached

to the Request as Appendix C. PEF is requesting confidential classification of portions of these documents because the release of this information would harm the Company's competitive business interests.

4. The information in the documents being produced in response to Staff's requests contain confidential information that was received from third-party vendors. PEF's disclosure of this information would impair the Company's ability to contract for similar services in the future. If vendors did not believe that PEF was able to protect their proprietary information, they would be less likely to contract with PEF for their services, or possibly would only enter into similar agreements at a premium price. Furthermore, if other potential vendors were aware of what PEF was willing to pay for such services, they could artificially adjust their pricing. This would have a detrimental impact on the Company, and ultimately its ratepayers.

5. With respect to the confidential information at issue, strict procedures are established and followed to maintain the confidentiality of that information; such procedures include, but are not limited to, restricting access to the information to only those persons who require it to assist the Company. PEF has treated and continues to treat the information contained in these documents as confidential. Additionally, the Company has provided similar information in response to earlier requests during this proceeding, and at all times has maintained its confidentiality.

6. This concludes my affidavit.

Dated this \_\_\_\_\_ day of September, 2009.

\_\_\_\_\_  
(Signature)

Peter Toomey

Vice President of Finance of Progress Energy Florida, Inc.

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

\_\_\_\_\_  
(Signature)

(AFFIX NOTARIAL SEAL)

\_\_\_\_\_  
(Printed Name)  
NOTARY PUBLIC, STATE OF \_\_\_\_\_

\_\_\_\_\_  
(Commission Expiration Date)

\_\_\_\_\_  
(Serial Number, If Any)