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In re: Fuel and purchased power cost
recovery clause with generating performance
incentive factor.

Docket No. 100001-EI

Dated: March 22, 2010

**PROGRESS ENERGY FLORIDA INC.'S
REQUEST FOR CONFIDENTIAL CLASSIFICATION**

Progress Energy Florida, Inc., ("PEF" or "Company"), pursuant to Section 366.093, Florida Statutes (F.S.), and Rule 25-22.006, Florida Administrative Code (F.A.C.), submits this Request for Confidential Classification for certain information provided in response to Staff's First Set of Interrogatories (Nos. 1-14) and Staff's First Request for Production of Documents (Nos. 1-16) propounded on PEF. In support of this Request, PEF states:

1. In response to Staff's First Set of Interrogatories and First Request for Production of Documents, PEF has provided responses containing information that is "proprietary business information" under Section 366.093(3), Florida Statutes.

2. The following exhibits are included with this request:

(a) Sealed Composite Exhibit A is a package containing unredacted copies of all the documents for which PEF seeks confidential treatment. Composite Exhibit A is being submitted separately in a sealed envelope labeled "CONFIDENTIAL." In the unredacted versions, the

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information asserted to be confidential is highlighted by yellow marker.

(b) Composite Exhibit B is a package containing two copies of redacted versions of the documents for which the Company requests confidential classification. The specific

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information for which confidential treatment is requested has been blocked out by opaque marker or other means.

(c) Exhibit C is a table which identifies by page and line the information for which PEF seeks confidential classification and the specific statutory bases for seeking confidential treatment.

3. As indicated in Exhibit C, the information for which PEF requests confidential classification is “proprietary confidential business information” within the meaning of Section 366.093(3), F.S. Specifically, the information at issue relates to competitively negotiated data, such as RFP bid evaluations, coal contracts, transportation-related contracts, pricing and quantities of fuel, the disclosure of which would impair the efforts of the Company or its affiliates to negotiate fuel supply contracts on favorable terms. *See* § 366.093(3)(d), F.S.; Affidavit of Joseph McCallister at ¶ 5. Affidavit of Brett Phipps at ¶ 5. Furthermore, the information at issue relates to the competitive interests of PEF and its fuel suppliers, the disclosure of which would impair their competitive businesses. *Id.* § 366.093(3)(e); Affidavit of Joseph McCallister at ¶ 6. Affidavit of Brett Phipps at ¶ 6. Accordingly, such information constitutes “proprietary confidential business information” which is exempt from disclosure under the Public Records Act pursuant to Section 366.093(1), F.S.

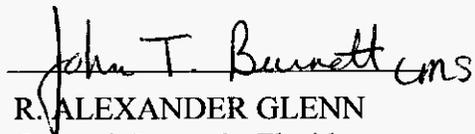
4. The information identified as Exhibit “A” is intended to be and is treated as confidential by the Company. *See* Affidavit of Joseph McCallister at ¶ 7. *See* Affidavit of Brett Phipps at ¶ 7. The information has not been disclosed to the public, and the Company has treated and continues to treat the information and contracts at issue as confidential. *See* Affidavit of Joseph McCallister at ¶ 7. *See* Affidavit of Brett Phipps at ¶ 7.

5. PEF requests that the information identified in Exhibit A be classified as “proprietary confidential business information” within the meaning of section 366.093(3), F.S., that the

information remain confidential for a period of at least 18 months as provided in section 366.093(4) F.S., and that the information be returned as soon as it is no longer necessary for the Commission to conduct its business.

WHEREFORE, for the foregoing reasons, PEF respectfully requests that this Request for Confidential Classification be granted.

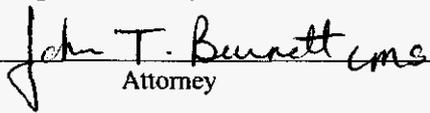
RESPECTFULLY SUBMITTED this 22nd day of March, 2010.


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Attorneys for
PROGRESS ENERGY FLORIDA, INC.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished via electronic mail (* via hand delivery) to the following this 22nd day of March, 2010.


Attorney

<p>Lisa Bennett, Esq. * Office of General Counsel Florida Public Service Commission 2540 Shumard Oak Blvd. Tallahassee, FL 32399-0850 lbennett@psc.state.fl.us</p> <p>James D. Beasley, Esq. Ausley & McMullen Law Firm P.O. Box 391 Tallahassee, FL 32302 jbeasley@ausley.com</p> <p>John T. Butler, Esq. Florida Power & Light Co. 700 Universe Boulevard Juno Beach, FL 33408 John_butler@fpl.com</p> <p>Mr. R. Wade Litchfield Florida Power & Light 215 S. Monroe Street, Ste. 810 Tallahassee, FL 32301-1859 Wade_litchfield@fpl.com</p> <p>Jeffrey A. Stone, Esq. Russell A. Badders, Esq. Steven R. Griffin Beggs & Lane Law Firm P.O. Box 12950 Pensacola, FL 32591 jas@beggslane.com rab@beggslane.com srg@beggslane.com</p> <p>Ms. Paula K. Brown Tampa Electric Company P.O. Box 111 Tampa, FL 33601 regdept@tecoenergy.com</p> <p>Ms. Susan D. Ritenour Gulf Power Company One Energy Place Pensacola, FL 32520-0780 sdriteno@southernco.com</p>	<p>Florida Industrial Power Users Group c/o John McWhirter, Jr. McWhirter Reeves Law Firm 400 N. Tampa Street, Ste. 2450 Tampa, FL 33602 jmcwhirter@mac-law.com</p> <p>Beth Keating Akerman Senterfitt 106 E. College Ave., Ste 1200 Tallahassee, FL 32301 Beth.keating@akerman.com</p> <p>J.R.Kelly/Charles Rehwinkel/Charlie Beck Office of Public Counsel c/o The Florida Legislature 111 West Madison Street, #812 Tallahassee, FL 32399 Kelly.jr@leg.state.fl.us Rehwinkel.charles@leg.state.fl.us Beck.charles@leg.state.fl.us</p> <p>George Bachman Florida Public Utilities Company P.O. Box 3395 West Palm Beach, FL 33402-3395 gbachman@chpk.com</p> <p>Mr. James W. Brew, Esq. c/o Brickfield Law Firm 1025 Thomas Jefferson St., NW 8th Floor, West Tower Washington, DC 20007 jbrew@bbrslaw.com</p> <p>Keefe Law Firm Vicki Gordon Kaufman/Jon C. Moyle, Jr. 118 North Gadsden Street Tallahassee, FL 32301 vkaufman@kagmlaw.com</p> <p>Ms. Cecilia Bradley Office of the Attorney General The Capitol - PL01 Tallahassee, FL 32399-1050 Cecilia.bradley@myfloridalegal.com</p>
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Public Service Commission

ACKNOWLEDGEMENT

DATE: March 22, 2010

TO: John Burnett, Progress Energy

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 100001 or, if filed in an undocketed matter, concerning information provided in response to staff's 1st set of Interrogatories, Nos. 1-14, and staff's 1st Request for PODs, Nos. 1-16, 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 Kim Peña, Records Management Assistant, at (850) 413-6393.

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