

Hopping Green & Sams

Attorneys and Counselors

Writer's Direct Dial No.
(850) 425-2359

April 1, 2010

BY HAND DELIVERY

Ann Cole
Director Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399

RECEIVED-PPSC
10 APR -1 PM 3:00
COMMUNICATIONS
CLERK

Re: Docket No. 100007-EI – Request for Confidential Classification

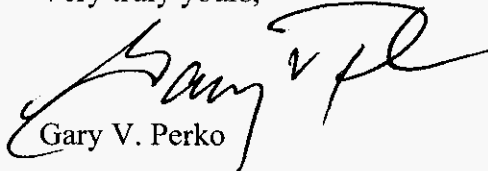
Dear Ms. Cole:

Enclosed for filing on behalf of Progress Energy Florida (PEF) are the following:

- (1) The original and seven copies of its Request for Confidential Classification.
- (2) An envelope containing Exhibit A, which includes two redacted copies of the confidential documents; and
- (3) A CONFIDENTIAL envelope containing Exhibit B which includes one copy of the documents on which the confidential material has been highlighted.

Please stamp and return the enclosed extra copy of this filing. If you have any questions regarding this filing, please contact the undersigned.

Very truly yours,


Gary V. Perko

COM	_____
APA	Enclosures
ECR	4
GCL	1
RAD	_____
SSC	_____
ADM	_____
OPC	_____
CLK	1

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished to all counsel of record and interested parties as listed below by hand-delivery (*) or regular U.S. mail this 1st day of April, 2010.

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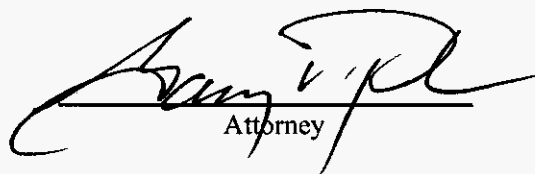
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Attorney

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Environmental Cost Recovery Clause.

DOCKET NO. 100007-EI

FILED: April 1, 2010

**PROGRESS ENERGY FLORIDA INC.'S FIRST
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, submits this Request for Confidential Classification of information included in Exhibit No. __ (PQW-1) to the pre-filed testimony of Ms. Patricia Q. West. In support of this Request, Progress Energy states:

1. Contemporaneously with this request, PEF is filing the pre-filed testimony and Exhibit No. __ (PQW-1) of Ms. Patricia Q. West. PEF is requesting confidential classification of certain unit-specific information on lines 1 through 8 on page 9 of Exhibit No. __ (PQW-1) that could be used to determine unit outage schedules. Disclosure of this information could allow competitors to predict PEF's ability to make wholesale sales or its need to make purchases. Knowledge of this information could impair PEF's efforts to contract for goods or services (i.e., power purchases) on favorable terms because potential power providers would no longer need to make their best offers to ensure the competitiveness of their rates. Instead, suppliers could simply offer the highest rates that would allow them to maintain a marginally competitive position against the Company's cost of generation. As such, disclosure of the information would impair the Company's efforts to contract for goods or services on favorable terms. See § 366.093(3)(d), F.S.

2. In addition, lines 1 through 8 on page 9 of Exhibit No. __ (PQW-1). The specific information refers to in-service dates for various pollution control projects. Such information

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could be used to determine when PEF intends to purchase emission allowances in order to comply with the Clean Air Interstate Rule (“CAIR”). CAIR establishes a new annual compliance period and emissions allowance market for nitrogen oxides (“NOx”). Allowance prices for annual NOx purchases could be very volatile especially during the first years of compliance under CAIR. Because it could be used by potential sellers of allowances to determine the timing of PEF’s allowance purchases, disclosure of the information regarding pollution control project in-service dates could put PEF at a competitive disadvantage in purchasing emission allowances on the market which could further contribute to price volatility to the detriment of PEF and its customers. As such, the redacted information constitutes confidential contractual data, “the disclosure of which would impair the efforts of the public utility or its affiliates to contract for goods or services on favorable terms.” § 366.093(3)(d), F.S. The Commission previously granted confidential classification for pollution control project in-service dates in Order No. PSC-07-0676-CFO-EI issued in Docket No. 070007-EI on August 21, 2007.

3. The following exhibits are included with this request:

(a) Exhibit A is a package containing two copies of redacted versions of the document for which the Company requests confidential classification. The specific information for which confidential treatment is requested has been blocked out by opaque marker or other means.

(b) Exhibit B is a package containing unredacted copies of the document for which Progress Energy seeks confidential treatment. Exhibit B is being submitted separately in a sealed envelope labeled “CONFIDENTIAL.” In the unredacted version, the information asserted to be confidential is highlighted in yellow.

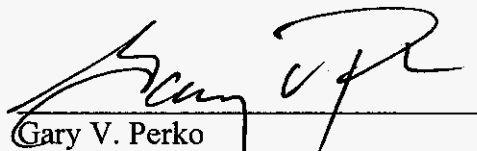
4. The highlighted information in Exhibit B is intended to be and is treated as confidential by the Company. The information has not been disclosed to the public.

5. PEF requests that the information identified in above and included in Exhibit B 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, Progress Energy Florida, Inc., respectfully requests that this Request for Confidential Classification be granted.

RESPECTFULLY SUBMITTED this 15th day of April, 2010.

HOPPING GREEN & SAMS, P.A.



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OFFICE OF COMMISSION CLERK
ANN COLE
COMMISSION CLERK
(850) 413-6770

Public Service Commission

ACKNOWLEDGEMENT

DATE: April 1, 2010

TO: Gary V. Perko, Hopping 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 100007 or, if filed in an undocketed matter, concerning unit-specific information on lines 1-8 on Page 9 of Exhibit No. PQW-1, 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.

DOCUMENT NUMBER-CATE
02417 APR-1 0
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