

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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COMMISSION  
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In re: Petition of Progress Energy Florida,  
Inc. for approval of an Accounting Order  
to record a depreciation expense credit.

DOCKET NO. 100136-EI  
Submitted for filing: April 9, 2010

**PROGRESS ENERGY FLORIDA'S NOTICE OF FILING AFFIDAVIT  
IN SUPPORT OF REQUEST FOR CONFIDENTIAL CLASSIFICATION  
REGARDING NON-PUBLIC INCOME STATEMENTS  
PRODUCED IN RESPONSE TO STAFF'S FIRST DATA REQUEST NO. 17**

Progress Energy Florida hereby gives notice of filing the affidavit of Will Garrett in support of Progress Energy Florida, Inc.'s Request for Confidential Classification Regarding the Non-Public Income Statements Produced in Response to Staff's First Data Request No. 17.

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 9<sup>th</sup> day of April, 2010.



\_\_\_\_\_  
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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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In re: Petition of Progress Energy Florida,  
Inc. for approval of an Accounting Order  
to record a depreciation expense credit.

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DOCKET NO. 100136-EI  
Submitted for filing: April 9, 2010

**AFFIDAVIT OF WILL A. GARRETT IN SUPPORT OF  
PROGRESS ENERGY FLORIDA'S REQUEST FOR CONFIDENTIAL  
CLASSIFICATION REGARDING NON-PUBLIC INCOME STATEMENTS  
PRODUCED IN RESPONSE TO STAFF'S FIRST DATA REQUEST NO. 17**

STATE OF FLORIDA

COUNTY OF PINELLAS

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

1. My name is Will Garrett. 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 "Request"). The facts attested to in my affidavit are based upon my personal knowledge.

2. PEF is seeking confidential classification for the Company's Actual Income Statements for January and February 2010 (the "Non-Public Income Statements"). The unredacted version of the Non-Public Income Statements 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. A redacted version is contained in Appendix B.

3. PEF is requesting confidential classification of the Non-Public Income Statements because these documents contain confidential and proprietary financial and business information

regarding the Company, the disclosure of which would violate non-public information distribution regulations of the Security Exchange Commission ("SEC").

4. PEF requests confidential classification of the Non-Public Income Statements because this financial information is not scheduled for public release until May 2010, and premature release of such information would violate SEC regulations. Pursuant to SEC regulations these Non-Public Income Statements contain non-public and confidential data and as such must be handled accordingly. The distribution must be limited to maintain the required confidentiality of financial information prior to public release in order to ensure compliance with the SEC's Regulation FD. In this regard, to the extent that this information is made available to Commission staff and interveners, the parties receiving this information are assuming responsibility for ensuring the confidential nature of the information. PEF must be able to assure its investors and the SEC that not yet released financial information about the Company will not be disclosed prematurely. Anyone in possession of this information becomes an insider of the Company.

5. As mentioned, the Company undertakes extensive procedures to protect these Non-Public Income Statements prior to release including a non-disclosure disclaimer on the documents. The Company has also established and followed strict procedures to maintain the confidentiality of the Non-Public Income Statements prior to public disclosure, including restricting access to only those persons who need the information to assist the Company.

6. At no time has the Company publicly disclosed the information. The Company has treated and continues to treat the information at issue as confidential and will do so until it is appropriately publicly disclosed in accordance with SEC regulations.

7. This concludes my affidavit.

Further affiant sayeth not.

Dated this 8<sup>th</sup> day of April, 2010.

Will A. Garrett

(Signature)  
Will A. Garrett  
Controller – Progress Energy Florida

THE FOREGOING INSTRUMENT was sworn to and subscribed before me this 8<sup>th</sup> day of April, 2010 by Will A. Garrett. He is personally known to me, or has produced his \_\_\_\_\_ driver's license, or his \_\_\_\_\_ as identification.

Suzanne H. Miller

(Signature)

SUZANNE H. MILLER

(Printed Name)

NOTARY PUBLIC, STATE OF FLORIDA

3/27/13

(Commission Expiration Date)

DD 842 069

(Serial Number, If Any)

