

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

TO JUN 23 PM 2: 04

IN RE: NUCLEAR POWER PLANT COST RECOVERY CLAUSE

Docket No. 100009-ET COMMISSION Submitted for Filing: June 23, 2010 CLERK

NOTICE OF FILING AFFIDAVIT IN SUPPORT OF PEF'S TENTH REQUEST FOR CONFIDENTIAL CLASSIFICATION REGARDING RESPONSES TO CITIZEN'S FOURTH SET OF INTERROGATORIES (NOS. 64-89) AND FOURTH REQUEST FOR PRODUCTION (NOS. 74-79)

Notice is hereby given, through the undersigned counsel, on behalf of Progress Energy Florida, Inc. ("PEF") of filing the affidavits of Will Garrett and Jon Franke in support of Progress Energy Florida's Tenth Request for Confidential Classification Regarding PEF's Responses to Citizen's Fourth Set of Interrogatories (Nos.64-89) and Citizen's Fourth Request for Production of Documents (Nos. 74-79).

Respectfully submitted,

[Handwritten signature]

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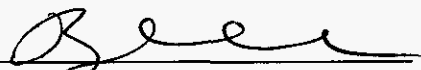
FILE NUMBER-DATE

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PPSC-COMMISSION CLERK

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 23rd day of June, 2010.



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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Nuclear Cost Recovery Clause

Docket No. 100009-EU
Submitted for Filing: June 23, 2010

**AFFIDAVIT OF WILL GARRETT IN SUPPORT OF PROGRESS ENERGY
FLORIDA'S TENTH REQUEST FOR CONFIDENTIAL CLASSIFICATION**

STATE OF FLORIDA

COUNTY OF PINELLAS

BEFORE ME, the undersigned authority duly authorized to administer oaths, personally appeared Will 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 facts attested to in my affidavit are based upon my personal knowledge.

2. I am the Controller for PEF in the Accounting Department. This department is responsible for financial reporting and regulatory accounting functions for PEF. As the Controller for PEF, I am responsible, along with the other members of the section, for the production and review of the financial documents of PEF. This section is also in charge of the oversight with respect to compliance with reporting standards brought upon by the Securities and Exchange Commission ("SEC"), the Federal Energy Regulatory Commission ("FERC"), and the Florida Public Service Commission ("FPSC").

3. PEF is seeking confidential classification of portions of the documents produced in response to the Office of Public Counsel's ("OPC") Fourth Request for Production of

Documents (Nos. 74-79), specifically numbers 76, 78 and 79, and portions of the responses to OPC's Fourth Set of Interrogatories (Nos. 64-89), specifically numbers 70 and 71. A detailed description of the confidential information at issue is contained in confidential Attachment A to PEF's Request and is outlined in PEF's Justification Matrix that is attached to PEF's Request as Appendix C.

4. The Company is requesting confidential classification of this information because portions thereof contain and include proprietary and confidential information that would impair PEF's competitive business interests if publicly disclosed, as well as information concerning contractual data the disclosure of which would impair the Company's ability to contract on favorable terms. In many instances, the disclosure of this information would violate contractual confidentiality provisions. Specifically, portions of the responses contain details regarding PEF's budgeted and estimated costs for the LNP, costs which are driven by confidential contracts with various vendors.

5. If this information was disclosed to the public, it could adversely impact PEF's competitive interests. If such information was disclosed to PEF's competitors and/or other potential suppliers, PEF's efforts to obtain competitive nuclear equipment and service options that provide economic value to both the Company and its customers could be compromised by the Company's competitors and/or suppliers changing their offers, consumption, or purchasing behavior within the relevant markets.

6. PEF must be able to assure these vendors that sensitive business information, such as the terms of their contracts, will be kept confidential. Indeed, as discussed above, some of the contracts at issue, including the Engineering, Procurement and Construction Agreement ("EPC Agreement"), contain confidentiality provisions that prohibit the disclosure of the terms of the contract to third parties. Specifically, the information at issue relates to competitively negotiated

contractual data the disclosure of which would impair the efforts of the Company to negotiate these contracts on favorable terms. If other third parties were made aware of confidential contractual terms that PEF has with other parties, such as pricing arrangements, they may offer less competitive contractual terms in future contractual negotiations. Without the Company's measures to maintain the confidentiality of sensitive terms in contracts with these nuclear contractors, the Company's efforts to obtain competitive contracts could be undermined to the detriment of PEF and its ratepayers.

7. Upon receipt of all this confidential information, and with its own confidential information, strict procedures are established and followed to maintain the confidentiality of the terms of the documents and information provided, including restricting access to those persons who need the information to assist the Company. At no time since negotiating and receiving the contracts and performing the analyses in question has the Company publicly disclosed the information or the terms of the contracts at issue. The Company has treated and continues to treat the information at issue as confidential.

8. This concludes my affidavit.

Further affiant sayeth not.

Dated this 22nd day of June, 2010.



(Signature)

Will Garrett

Controller

Accounting Department

Progress Energy Florida

Post Office Box 14042

St. Petersburg, FL 33733

THE FOREGOING INSTRUMENT was sworn to and subscribed before me this ^{22nd} 30th day of June, 2010 by Will 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 842069
(Serial Number, If Any)

(AFFIX NOTARIAL SEAL)



BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Nuclear Power Plant Cost
Recovery Clause

Docket No. 100009-EI
Submitted for Filing: June 23, 2010

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

STATE OF FLORIDA

COUNTY OF CITRUS

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 Tenth Request for Confidential Classification (the "Request"). The facts attested to in my affidavit are based upon my personal knowledge.

2. I serve as the Vice President – Crystal River Nuclear Plant. 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 including the Crystal River 3 ("CR3") nuclear plant power uprate project ("CR3 Uprate"). 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 documents produced in response to the Office of Public Counsel's ("OPC") Fourth Request for Production of Documents (Nos. 74-79), specifically numbers 76, 78 and 79, and portions of the responses to OPC's Fourth Set of Interrogatories (Nos. 64-89), specifically numbers 70 and 71. A detailed

description of the confidential information at issue is contained in confidential Attachment A to PEF's Request and is outlined in PEF's Justification Matrix that is attached to PEF's Request as Appendix C.

4. Public disclosure of these documents would allow other parties to discover how the Company analyzes risk options, scheduling, and cost, and would thus impair PEF's ability to contract for such goods and services on competitive and favorable terms. If this information was disclosed to the public, it could adversely impact PEF's competitive interests. Portions of these documents reflect the Company's internal audit procedures. PEF is requesting confidential classification of these workpapers because public disclosure of the documents and information in question would compromise PEF's ability to effectively audit the Company's major projects. If the Company were to know that its internal auditing controls and process were subject to public disclosure, it would compromise the level of cooperation needed with auditors to efficiently conduct audits. In addition, such information and documents are specifically defined by Section 366.093(3)(b) as proprietary confidential business information that is entitled to confidential status.

5. Upon receipt of this confidential information, as with all confidential information, strict procedures are established and followed to maintain the confidentiality of the terms of the documents and information provided therein. Such procedures include, but are not limited to, restricting access to the documents and information to only those persons who require it to assist the Company. At no time since developing or entering the contracts in question has PEF publicly disclosed the contracts' confidential terms; PEF has treated and continues to treat the information contained in the subject contracts as confidential. Indeed, many of the documents have been previously produced by PEF and at all times the Company has taken the appropriate steps to protect against public disclosure of this confidential information.

6. This concludes my affidavit.

Further affiant sayeth not.

Dated this 22nd day of June, 2010.



(Signature)

Jon Franke

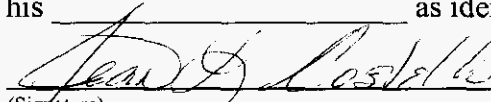
Vice President -

Crystal River Nuclear Plant

15760 W. Powerline St.

Crystal River, Florida 34428

THE FOREGOING INSTRUMENT was sworn to and subscribed before me this 22nd day of June, 2010 by Jon Franke. He is personally known to me, or has produced his FL F652-421-63-028-0 driver's license, or his _____ as identification.



(Signature)

SEAN J COSTELLO

(Printed Name)

NOTARY PUBLIC, STATE OF FL

FEB 21, 2013

(Commission Expiration Date)

(AFFIX NOTARIAL SEAL)

DD 848 547

(Serial Number, If Any)