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STATE OF FLORIDA



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COMMISSION CLERK  
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# Public Service Commission

August 12, 2010

(CERTIFIED MAIL NO. 7006-2760-0003-8796-9442)

Brickfield Law Firm  
James W. Brew  
Eighth Floor, West Tower  
1025 Thomas Jefferson Street, NW  
Washington DC 20007

**Re: Agreement to Produce Confidential Documents in Docket No. 100009-EI**

Dear Mr. Brew:

Per Document Number 06663-10, filed on August 11, 2010, Progress Energy Florida, Inc. has consented for our staff to provide copies of confidential Document Numbers 05699-10 and 06023-10 for your review. The documents are enclosed.

Please do not hesitate to contact me if you have any questions concerning this matter.

Sincerely,

A handwritten signature in cursive script, appearing to read "Ann Cole".

Ann Cole  
Commission Clerk

AC:kmp  
Enclosure

cc: Jim Breman, Division of Economic Regulation  
Tripp Coston, Office of Auditing and Performance Analysis  
Lisa Bennett, Office of General Counsel

DOCUMENT NUMBER CASE

6678 AUG 12 2

TPSC-GENERAL COUNSEL



## Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD  
TALLAHASSEE, FLORIDA 32399-0850

**-M-E-M-O-R-A-N-D-U-M-**

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**DATE:** August 12, 2010  
**TO:** Dale Mailhot, Director, Office of Auditing and Performance Analysis  
**FROM:** Ann Cole, Commission Clerk - PSC, Office of Commission Clerk *Ann Cole*  
**RE:** Request from White Springs Agricultural Chemical Inc. d/b/a PCS Phosphate-White Springs for copies of confidential documents in Docket 100009-EI.

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On August 11, 2010, the Office of Commission Clerk (CLK) received a Notice of Agreement to Produce Confidential Documents (DN 06663-10) from James Michael Walls, Carlton Fields, P.A., on behalf of Progress Energy Florida, Inc., providing notice to the PSC that staff could provide copies of the confidential documents PCS Phosphate-White Springs had requested from Progress Energy Florida, Inc. in Docket 100009-EI. The document numbers identified by staff to provide to PCS Phosphate-White Springs are DN 05699-10, which consists of two DVDs, and DN 06023-10, which consists of one CD.

Pursuant to Section 11.04.C.6.c.(2)(b) of the APM, CLK is seeking permission to make copies of the documents to satisfy this request.

*Approved*  
*DM*

AC:kmp

**Kimberley Pena**

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**From:** Lisa Bennett  
**Sent:** Thursday, August 12, 2010 2:04 PM  
**To:** Kimberley Pena; Tripp Coston  
**Cc:** Ann Cole  
**Subject:** RE: PEF item to White Springs  
**Importance:** High

They are to be mailed to Jay Brew, attorney for White Springs. His address is also in CMS.

Lisa C. Bennett  
Office of the General Counsel  
2540 Shumard Oak Boulevard  
Tallahassee, FL  
850-413-6230

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**From:** Kimberley Pena  
**Sent:** Thursday, August 12, 2010 2:00 PM  
**To:** Tripp Coston; Lisa Bennett  
**Cc:** Ann Cole  
**Subject:** RE: PEF item to White Springs

Thanks. I will correct the memo accordingly. Please clarify if these documents are to be mailed to:

Randy B. Miller  
White Springs Agricultural Chemicals, Inc.  
Post Office Box 300  
White Springs, FL 32096

OR

Randy B. Miller  
White Springs Agricultural Chemicals, Inc.  
15843 Southeast 78th Street  
White Springs, Florida 32096

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**From:** Tripp Coston  
**Sent:** Thursday, August 12, 2010 1:41 PM  
**To:** Kimberley Pena  
**Subject:** PEF item to White Springs

Kimberley,

The two documents for White Springs are the confidential items for 05698-10 and 06022-10.

Thanks,  
**Tripp Coston**  
Government Analyst II  
Public Service Commission  
850-413-6814 (phone)  
850-413-6815 (fax)

8/12/2010

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**Diamond Williams**

100009-EI

**From:** O'Neal, Barbara [boneal@carltonfields.com]  
**Sent:** Wednesday, August 11, 2010 4:25 PM  
**To:** Filings@psc.state.fl.us  
**Subject:** Electronic Filing in Docket No. 100009-EI  
**Attachments:** PEF Notice of Agreement.pdf

Matthew R. Bernier, Carlton Fields, P.A., 215 South Monroe Street, Ste. 500, Tallahassee, FL 32301, [mbernier@carltonfields.com](mailto:mbernier@carltonfields.com) is the person responsible for this electronic filing;

The filing is to be made in Docket 100009-EI, In re: Nuclear Power Plant Cost Recovery Clause;

The total number of pages is 3;


The attached document is Progress Energy Florida's Notice of Agreement to Produce Confidential Documents.

Thank you.

**CARLTON FIELDS**  
ATTORNEYS AT LAW

**Barbara O'Neal**  
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215 S. Monroe Street, Suite 500  
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- OPC
- CLK  *Peña*

DOCUMENT NUMBER-DATE  
06653 AUG 11 2010

8/11/2010

FPSC-COMMISSION OFFICE

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: NUCLEAR POWER PLANT COST  
RECOVERY CLAUSE

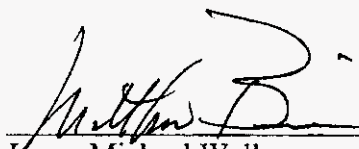
Docket No. 100009-EI  
Submitted for filing: Aug. 11, 2010

PROGRESS ENERGY FLORIDA'S NOTICE OF AGREEMENT TO PRODUCE  
CONFIDENTIAL DOCUMENTS

Progress Energy Florida, Inc., ("PEF" or the "Company"), files its notice of agreement to produce confidential documents to White Springs Agricultural Chemical, Inc. d/b/a PCS Phosphate-White Springs ("PCS Phosphate-White Springs"), and its counsel of record in these proceedings, James W. Brew. PEF and PCS Phosphate-White Springs have entered into a Non-Disclosure Agreement, wherein PEF has agreed to permit PCS Phosphate-White Springs to receive and view the Company's confidential documents produced during these proceedings in return for PCS Phosphate-White Springs' agreement not to disclose any of the confidential information contained therein. Accordingly, PEF has no objection to PCS Phosphate-White Springs, and its counsel of record Mr. Brew, receiving PEF's confidential documents from Staff for use in these proceedings, subject to the aforementioned Non-Disclosure Agreement.

Respectfully submitted this 11<sup>th</sup> day of August, 2010.

R. Alexander Glenn  
General Counsel  
John Burnett  
Associate General Counsel  
Dianne M. Triplett  
Associate General Counsel  
PROGRESS ENERGY SERVICE  
COMPANY, LLC  
Post Office Box 14042  
St. Petersburg, FL 33733-4042

  
James Michael Walls  
Florida Bar No. 0706242  
Blaise N. Huhta  
Florida Bar No. 0027942  
Matthew R. Bernier  
Florida Bar No. 0059886  
CARLTON FIELDS, P.A.  
Post Office Box 3239  
Tampa, FL 33601-3239  
Telephone: (813) 223-7000

Telephone: (727) 820-5587  
Facsimile: (727) 820-5519

Facsimile: (813) 229-4133

**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 11<sup>th</sup> day of August, 2010.

  
\_\_\_\_\_  
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Anna Williams  
Lisa Bennett  
Keino Young  
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Florida Public Service Commission  
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