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Subject: Filing Docket 100009
Attachments: Docket 100009 PEF Motion to be Excused from Confidentiality Evidentiary Hearing.pdf



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Docket 100009

In re: Nuclear Cost Recovery Clause

- 1. Attached for filing and service is Progress Energy Florida's Motion to be Excused from the Confidentiality Evidentiary Hearing Scheduled for August 20, 2010.**
- 2. This document is four (4) pages.**
- 3. This document is being filed on behalf of Progress Energy Florida, Inc.**
- 4. This document is being filed by**

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: NUCLEAR POWER PLANT COST
RECOVERY CLAUSE

Docket No. 100009-EI
Submitted for filing: Aug. 18, 2010

**PROGRESS ENERGY FLORIDA'S MOTION TO BE EXCUSED FROM THE
CONFIDENTIALITY EVIDENTIARY HEARING SCHEDULED FOR AUGUST 20, 2010**

Progress Energy Florida, Inc., ("PEF" or the "Company"), files its Motion To Be Excused from the Confidentiality Evidentiary Hearing in the above styled matter and in support states as follows:

1. Pursuant to Order No. PSC-10-0482-PCO-EI, issued on August 2, 2010, Office of Public Counsel ("OPC") filed its August 6, 2010 Filing Pursuant to Order No. PSC-10-0482-PCO-EI and Florida Public Service Commission Staff ("Staff") filed Staff's Issue List for Confidentiality Evidentiary Hearing on August 11, 2010.

2. PEF has addressed each of OPC and Staff's Issues identified in these filings and has also addressed the confidentiality issues verbally identified at the Prehearing Conference held on August 11, 2010.

3. Based on the fact that PEF has addressed each of the Issues identified related to PEF's Confidential Classification Requests, and that accordingly there are no remaining issues identified to be determined related to PEF's Confidential Classification Requests for materials to be used at the Hearing Scheduled for August 24-27, 2010, PEF respectfully requests that for this good cause shown the Company and its witnesses be excused from the Confidentiality Evidentiary Hearing scheduled for Friday, August 20, 2010.


4. Counsel for PEF has contacted each of the parties and is authorized to represent that OPC, Southern Alliance for Clean Energy ("SACE"), and White Springs Agricultural Chemicals, Inc. (PCS-Phosphate White Spring") have no objection to this Motion and Florida Power & Light ("FPL") and Florida Industrial Power Users Group ("FIPUG") take no position on the Motion. Counsel was unable to reach a representative for the Air Force Legal Operations Agency.

5. PEF respectfully requests that this Motion be considered on an expedited time frame so that the Company and its witnesses may make the appropriate arrangements.

WHEREFORE, PEF respectfully requests that the Prehearing Officer excuse PEF and its witnesses from the Confidentiality Evidentiary Hearing scheduled for August 20, 2010 for the reasons stated above.

Respectfully submitted this 18th day of August, 2010.

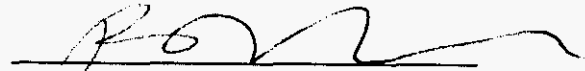
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CERTIFICATE OF SERVICE

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 18th day of August, 2010.



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