

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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In re: Nuclear Power Plant Cost
Recovery Clause

Docket No. 100009-EI
Served: August 20, 2010

COMMISSION
CLERK

**PEF'S NINTH NOTICE OF INTENT TO REQUEST
CONFIDENTIAL CLASSIFICATION**

Progress Energy Florida ("PEF" or the "Company"), pursuant to Section 366.093, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, files this Ninth Notice of Intent to Request Confidential Classification of the confidential portions of the Depositions of: Jeff Lyash, given in this docket on August 12, 2010; Jon Franke, given in this docket on July 29, 2010; and John Elnitsky, given in this docket on August 13, 2010 (the "Depositions"). The Depositions contain proprietary confidential business information related to the costs of the CR3 Uprate Project, including the License Amendment Request ("LAR"), and the Levy Nuclear Project ("LNP"), including costs related to the LNP EPC Agreement. These costs are incurred, in whole or in part, pursuant to PEF's contracts with third parties. These contracts contain confidentiality provisions forbidding the release of contractual terms, including pricing provisions. The disclosure of this information would harm PEF's competitive business interests by impeding the Company's ability to obtain such contracts, and would further violate the aforementioned confidentiality agreements. Furthermore, the Depositions contain other proprietary confidential business information, including information related to the Company's internal assessments of

risks. This information meets the definition of proprietary confidential business information pursuant to section 366.093(3)(d) & (e), Florida Statutes. Additionally, substantially similar

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APA 1
ECR 3
GCL 1
RAD 1
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____ CLAIM OF CONFIDENTIALITY
 NOTICE OF INTENT
____ REQUEST FOR CONFIDENTIALITY
____ FILED BY OPC

FOR DN 06951-10, WHICH
IS IN LOCKED STORAGE. YOU MUST BE
AUTHORIZED TO VIEW THIS DN. - CLK

NOTICE OF INTENT - DATE

3950 AUG 20 2010

FPSC-CONFIDENTIAL CLERK

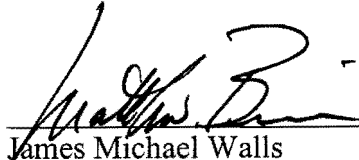
information has been provided during discovery in this docket, and at all times PEF has taken the appropriate steps to maintain the confidentiality of this information.

Attached as Exhibit A is a CD containing confidential, highlighted copies of the above referenced documents.

Pursuant to Rule 25-22.006(3)(a)(1), PEF will file its Request for Confidential Classification for such confidential information contained therein within twenty-one (21) days of filing this Notice of Intent.

Respectfully submitted this 20th 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 20th day of August, 2010.


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State of Florida



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Re: Acknowledgement of Confidential Filing in Docket No. 100009-EI

This will acknowledge receipt by the Florida Public Service Commission, Office of Commission Clerk, of a CONFIDENTIAL DOCUMENT filed on August 20, 2010, in the above-referenced docket.

Document Number 06951-10 has been assigned to this filing, which 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.