

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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In re: Fuel and purchased power cost recovery clause with generating performance incentive factor.

Docket No. 100001-EI

Dated: October 29, 2010

**PROGRESS ENERGY FLORIDA INC.'S
REQUEST FOR CONFIDENTIAL CLASSIFICATION**

Progress Energy Florida, Inc., ("PEF" or "Company"), pursuant to Section 366.093, Florida Statutes (F.S.), and Rule 25-22.006, Florida Administrative Code (F.A.C.), submits this Request for Confidential Classification for certain information provided in PEF's updated Responses to FIPUG's 1st Set of Interrogatories, specifically Questions 17 and 18, dated October 29, 2010. In support of this Request, PEF states:

1. PEF's updated Responses to FIPUG's 1st Set of Interrogatories, specifically Questions 17 and 18, contain information that is "proprietary business information" under Section 366.093(3), Florida Statutes.

2. The following exhibits are included with this request:

(a) Composite Exhibit A is a package containing unredacted copies of all the documents for which PEF seeks confidential treatment. Composite Exhibit A is being submitted separately in a sealed envelope labeled "CONFIDENTIAL." In the unredacted versions, the

information asserted to be confidential is highlighted by yellow marker.

(b) Composite Exhibit B is a package containing two copies of redacted versions of the documents for which the Company requests confidential classification. The specific

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CLAIM OF CONFIDENTIALITY
 NOTICE OF INTENT
 REQUEST FOR CONFIDENTIALITY
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FOR DN 09023-10, WHICH IS IN LOCKED STORAGE. YOU MUST BE AUTHORIZED TO VIEW THIS DN. - CLK

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information for which confidential treatment is requested has been blocked out by opaque marker or other means.

(c) Exhibit C is a table which identifies by page and line the information for which PEF seeks confidential classification and the specific statutory bases for seeking confidential treatment.

3. As indicated in Exhibit C, the information for which PEF requests confidential classification is “proprietary confidential business information” within the meaning of Section 366.093(3), F.S. Specifically, the highlighted information in the chart in response to Question 17 provides the number of megawatts for specific purchases or sales. In combination with other non-confidential cost data provided in the exhibit, this information could be used to determine the replacement capacity charges for CR3. Affidavit of Marcia Olivier at ¶ 5. Disclosure of this information would enable wholesale providers to determine the prices of their competitors, which could result in greater price convergence in future negotiations. Affidavit of Marcia Olivier at ¶ 5. Suppliers would no longer need to make their best offers to ensure the competitiveness of their prices against the disclosed prices. Affidavit of Marcia Olivier at ¶ 5. Instead, suppliers could simply offer the highest prices that would allow them to maintain a marginally competitive position against the disclosed prices. Affidavit of Marcia Olivier at ¶ 5. As such, disclosure of the information would impair the Company’s efforts to contract for replacement power on favorable terms. *See* § 366.093(3)(d), F.S.; Affidavit of Marcia Olivier at ¶ 5. Additionally, if the information at issue was disclosed to PEF’s competitors, PEF’s efforts to obtain competitive energy supply that provides economic value to both PEF and its ratepayers could be compromised by PEF’s competitors changing their consumption or purchasing behavior within the relevant markets. *Id.* § 366.093(3)(e);

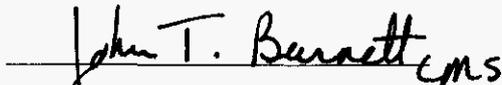
Affidavit of Marcia Olivier at ¶ 6. Accordingly, such information constitutes “proprietary confidential business information” which is exempt from disclosure under the Public Records Act pursuant to Section 366.093(1), F.S.

4. The information identified as Exhibit “A” is intended to be and is treated as confidential by the Company. Affidavit of Marcia Olivier at ¶ 7. The information has not been disclosed to the public, and the Company has treated and continues to treat the information and contracts at issue as confidential. Affidavit of Marcia Olivier at ¶ 7.

6. PEF requests that the information identified in Exhibit A be classified as “proprietary confidential business information” within the meaning of section 366.093(3), F.S., that the information remain confidential for a period of at least 18 months as provided in section 366.093(4) F.S., and that the information be returned as soon as it is no longer necessary for the Commission to conduct its business.

WHEREFORE, for the foregoing reasons, PEF respectfully requests that this Request for Confidential Classification be granted.

RESPECTFULLY SUBMITTED this 29th day of October, 2010.



R. ALEXANDER GLENN
General Counsel
JOHN T. BURNETT
Associate General Counsel
Progress Energy Service Company, LLC
Post Office Box 14042
St. Petersburg, Florida 33733-4042
Telephone: 727-820-5184
Facsimile: 727-820-5249
Email: john.burnett@pgnmail.com

Attorneys for
PROGRESS ENERGY FLORIDA, INC.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of Progress Energy Florida, Inc.'s Request for Confidential Classification in Docket No. 100001-EI has been furnished via electronic mail to the following this 29th day of October, 2010.



Attorney

Lisa Bennett, Esq.
Office of General Counsel
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850
lbennett@psc.state.fl.us

James D. Beasley, Esq.
Ausley & McMullen Law Firm
P.O. Box 391
Tallahassee, FL 32302
jbeasley@ausley.com

John T. Butler, Esq.
Florida Power & Light Co.
700 Universe Boulevard
Juno Beach, FL 33408
John.butler@fpl.com

Mr. R. Wade Litchfield
Florida Power & Light
215 S. Monroe Street, Ste. 810
Tallahassee, FL 32301-1859
Wade.litchfield@fpl.com

Jeffrey A. Stone, Esq.
Russell A. Badders, Esq.
Steven R. Griffin
Beggs & Lane Law Firm
P.O. Box 12950
Pensacola, FL 32591
jas@beggslane.com
rab@beggslane.com
srg@beggslane.com

Ms. Paula K. Brown
Tampa Electric Company
P.O. Box 111
Tampa, FL 33601
regdept@tecoenergy.com

Florida Industrial Power Users Group
c/o John McWhirter, Jr.
McWhirter Reeves Law Firm
400 N. Tampa Street, Ste. 2450
Tampa, FL 33602
jmcwhirter@mac-law.com

Beth Keating
Akerman Senterfitt
106 E. College Ave., Ste 1200
Tallahassee, FL 32301
Beth.keating@akerman.com

J.R.Kelly/Charles Rehwinkel/Charlie Beck
Office of Public Counsel
c/o The Florida Legislature
111 West Madison Street, #812
Tallahassee, FL 32399
Kelly.jr@leg.state.fl.us
Rehwinkel.charles@leg.state.fl.us
Beck.charles@leg.state.fl.us

George Bachman
Florida Public Utilities Company
P.O. Box 3395
West Palm Beach, FL 33402-3395
gbachman@fpuc.com

Mr. James W. Brew, Esq.
c/o Brickfield Law Firm
1025 Thomas Jefferson St., NW
8th Floor, West Tower
Washington, DC 20007
jbrew@bbrslaw.com

Keefe Law Firm
Vicki Gordon Kaufman/Jon C. Moyle, Jr.
118 North Gadsden Street
Tallahassee, FL 32301
vkaufman@kagmlaw.com

Ms. Susan D. Ritenour
Gulf Power Company
One Energy Place
Pensacola, FL 32520-0780
sdriteno@southernco.com

Shayla L. McNeill, Capt, USAF
c/o AFLSA/JACL-ULT
139 Barnes Drive, Suite 1
Tyndall AFB, FL 32403-5319
shayla.mcneill@tyndall.af.mil

Ms. Cecilia Bradley
Office of the Attorney General
The Capitol - PL01
Tallahassee, FL 32399-1050
Cecilia.bradley@myfloridalegal.com

Florida Retail Federation
Robert Scheffel Wright/John T. LaVia,
c/o Young Law Firm
225 South Adams Street, Suite 200
Tallahassee, FL 32301
swright@yvlaw.net

State of Florida



Public Service Commission

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

**JOHN T BURNETT
PROGRESS ENERGY SERVICE COMPANY LLC
PO BOX 14042
ST PETERSBURG FL 33733-4042**

Re: Acknowledgement of Confidential Filing in Docket No. 100001-EI

This will acknowledge receipt by the Florida Public Service Commission, Office of Commission Clerk, of a **CONFIDENTIAL DOCUMENTS** filed on 10/29/10 in the above-referenced docket.

Document Number 09023-10 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.