

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: NUCLEAR POWER PLANT
COST RECOVERY CLAUSE

Docket No. 110009-EI
Submitted for Filing: July 8, 2011

COMMISSION
CLERK

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**FIFTH 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 Notice of Intent to Request Confidential Classification of certain portions of the deposition transcript of John Elnitsky taken on June 17, 2011. Certain portions of the Mr. Elnitsky's deposition transcript contain PEF's confidential competitive business and strategic planning information as well as confidential contractual information, the release of which would harm PEF's competitive business interests and violate contractual non-disclosure agreements. Therefore, PEF is requesting that the Commission afford these documents confidential classification.

PEF is providing as Exhibit "A" a CD containing the confidential information in question.

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 request.

COM _____
APA _____
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OPC _____
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_____ claim of confidentiality
_____ notice of intent
 request for confidentiality
_____ filed by OPC

For DN 04721-11, which
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Respectfully submitted.



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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 8th day of July, 2011.



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