

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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COMMISSION
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In re: Nuclear Power Plant Cost
Recovery Clause

Docket No. 110009-EI
Submitted for Filing: July 21, 2011

**AFFIDAVIT OF JOHN ELNITSKY IN SUPPORT OF PEF'S REQUEST FOR
EXTENSION OF CONFIDENTIAL CLASSIFICATION REGARDING THE
INFORMATION COVERED BY ITS SEVENTH REQUEST FOR CONFIDENTIAL
CLASSIFICATION IN DOCKET NO. 090009-EI**

STATE OF FLORIDA

COUNTY OF PINELLAS

BEFORE ME, the undersigned authority duly authorized to administer oaths, personally appeared John Elnitsky, who being first duly sworn, on oath deposes and says that:

1. My name is John Elnitsky. As Vice President of New Generation Programs and Projects, I am responsible for the licensing and construction of the Levy Nuclear Project ("LNP"), including the direct management of the Engineering, Procurement, and Construction Agreement ("EPC Agreement") with Westinghouse and Shaw, Stone, & Webster (the "Consortium"). I am over the age of 18 years and I have been authorized by Progress Energy Florida, Inc. (hereinafter "PEF" or the "Company") to give this affidavit in the above-styled proceeding on PEF's behalf and in support of PEF's Request for Extension of Confidential Classification regarding the document produced in response to Audit Control No. 08-248-2-1, i.e., the "NuStart Memo" (Document No. 05934-09) (herein the "Request"). The facts attested to in my affidavit are based upon my personal knowledge.

2. PEF is requesting an extension of the confidential classification of the NuStart Memo because it contains confidential information related to the contracts necessary for the successful completion of the LNP. Disclosure of these contractual terms and arrangements,

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including pricing provisions, would harm the Company's ability to obtain favorable contracts. PEF's competitors and those third-parties with whom the Company seeks to contract would be able to change their behavior in the relevant markets or their contractual negotiating positions, respectively, to the detriment of PEF and its customers. Additionally, release of this information would violate the contractual confidentiality provisions.

3. Upon receipt of this confidential information, as with all confidential information, strict procedures are established and followed to maintain the confidentiality of the terms of the documents and information provided therein. Such procedures include, but are not limited to, restricting access to the documents and information to only those persons who require it to assist the Company. At no time has PEF publicly disclosed the confidential information contained in the NuStart Memo; PEF has treated and continues to treat the information contained in the NuStart Memo as confidential. Nothing has changed since the Commission granted this information confidential classification to render it stale or public information. Accordingly, the confidential treatment of this information should be continued.

4. This concludes my affidavit.

Further affiant sayeth not.

Dated this _____ day of July, 2011.

(Signature)

John Elnitsky, Vice President of New Generation Programs
and Projects

THE FOREGOING INSTRUMENT was sworn to and subscribed before me this ____ day
of _____, 2011 by John Elnitsky. He is personally known to me, or has produced his
_____ driver's license, or his _____ as identification.

(Signature)

(Printed Name)

(AFFIX NOTARIAL SEAL)

NOTARY PUBLIC, STATE OF _____

(Commission Expiration Date)

(Serial Number, If Any)