

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: NUCLEAR POWER PLANT
COST RECOVERY CLAUSE

Docket No. 110009-EI
Submitted for Filing: August 19, 2011

PROGRESS ENERGY FLORIDA, INC.'S NOTICE OF FILING

Progress Energy Florida, Inc. ("PEF" or the "Company"), hereby gives notice of filing of the Affidavits of John Elnitsky and Jon Franke in Support of Progress Energy Florida, Inc.'s Eighteenth Request for Confidential Classification Regarding Portions of the Response to Staff's Third Request for Production of Documents.

Respectfully submitted,



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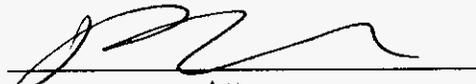
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CERTIFICATE OF SERVICE

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 19th day of August, 2011.



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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Nuclear Power Plant Cost
Recovery Clause

Docket No. 110009-EI
Submitting for filing: August 19, 2011

**AFFIDAVIT OF JOHN ELNITSKY IN SUPPORT OF PROGRESS ENERGY FLORIDA,
INC.'S EIGHTEENTH REQUEST FOR CONFIDENTIAL CLASSIFICATION**

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. I am over the age of 18 years and I have been authorized by Progress Energy Florida (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 Confidential Classification regarding the Company's Response to Staff's Third Request for Production of Documents (No. 7) (the "Request"). The facts attested to in my affidavit are based upon my personal knowledge.

2. 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").

3. A detailed description of the confidential information at issue is contained in confidential Attachment A to PEF's Request and is outlined in PEF's Justification Matrix that is attached to PEF's Request as Appendix C.

4. The Company is requesting confidential classification of this information because it contains proprietary and confidential contractual information related to and/or derived from contractual agreements necessary to complete the Levy Nuclear Project ("LNP") including the Engineering, Procurement and Construction Agreement ("EPC Agreement"). Those agreements, including the EPC Agreement, contain non-disclosure provisions that limit the use and forbid the dissemination of the information. The disclosure of this information would impair the Company's ability to contract on favorable terms, or at all, for necessary goods and services to complete the LNP. The Company and its customers would be harmed if PEF were not able to contract for the goods and services necessary to complete the LNP on favorable terms.

5. Upon receipt of all this confidential information, and with its own confidential information, strict procedures are established and followed to maintain the confidentiality of the terms of the documents and information provided, including restricting access to those persons who need the information to assist the Company. At no time has the Company publicly disclosed the information at issue. The Company has treated and continues to treat the information at issue as confidential.

6. This concludes my affidavit.

Further affiant sayeth not.

Dated this 8th day of Aug 2011.



(Signature)

John Elnitsky, Vice President of New Generation Programs
and Projects

THE FOREGOING INSTRUMENT was sworn to and subscribed before me this 8 day of August, 2011 by John Elnitsky. He is personally known to me, ~~or has produced his~~ driver's license, or his _____ as identification.

Lynda K Bates
(Signature)

LYNDA K. BATES
(Printed Name)

(AFFIX NOTARIAL SEAL)

NOTARY PUBLIC, STATE OF _____

2/27/14
(Commission Expiration Date)

(Serial Number, If Any)



BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Nuclear Power Plant Cost
Recovery Clause

Docket No. 110009-EI
Submitted for Filing: August 19, 2011

**AFFIDAVIT OF JON FRANKE IN SUPPORT OF PROGRESS ENERGY FLORIDA, INC.'S
EIGHTEENTH REQUEST FOR CONFIDENTIAL CLASSIFICATION**

STATE OF FLORIDA

COUNTY OF CITRUS

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

1. My name is Jon Franke. I am employed by Progress Energy Florida, Inc. ("PEF" or the "Company") in the Nuclear Generation Group and serve as Vice President -- Crystal River Nuclear Plant. I am over the age of 18 years old and I have been authorized by PEF to give this affidavit in the above-styled proceeding on PEF's behalf and in support of PEF's Eighteenth Request for Confidential Classification (the "Request"). The facts attested to in my affidavit are based upon my personal knowledge.

2. PEF is seeking confidential classification of portions of the Company's Response to Staff's Third Request for Production of Documents (No. 7). A detailed description of the confidential information at issue is contained in confidential Attachment A to PEF's Request and is outlined in PEF's Justification Matrix that is attached to PEF's Request as Appendix C.

3. The Company's Response to Staff's Request includes sensitive material of a contractual nature, including contractual pricing figures. Release of this information, in addition to possibly violating contractual non-disclosure or confidentiality agreements, would place PEF at a competitive disadvantage when attempting to negotiate similar contracts in the future.

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Additionally, release of these documents could provide PEF's competitors valuable insight into PEF's contractual arrangements. This information could be used to drive up the cost of goods and services that PEF contracts for in order to provide service to its customers.

4. 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 since developing or entering the contracts in question has PEF publicly disclosed the contracts' confidential terms; PEF has treated and continues to treat the information contained in the subject contracts as confidential.

5. This concludes my affidavit.

Further affiant sayeth not.

Dated this _____ day of August, 2011.

(Signature)
Jon Franke
Vice President - Crystal River Nuclear Plant
15760 W. Powerline St.
Crystal River, Florida 34442

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

(Signature)

(AFFIX NOTARIAL SEAL)

(Printed Name)
NOTARY PUBLIC, STATE OF _____

(Commission Expiration Date)

(Serial Number, If Any)