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

Docket No. 110001-EI

COMMISSION CLERK

Dated: September 29, 2011

**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 Responses to Staff's Sixth Set of Interrogatories (Nos. 81-95) submitted on September 29, 2011. In support of this Request, PEF states:

1. PEF's Responses to Staff's Sixth Set of Interrogatories (Nos. 81-95) contain "proprietary business information" under Section 366.093(3), Florida Statutes.

2. The following exhibits are included with this request:

(a) Sealed Composite Exhibit A is a package containing an unredacted copy 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 version, 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

\_\_\_\_\_ claim of confidentiality  
\_\_\_\_\_ definition of claim  
 request for confidentiality  
\_\_\_\_\_ filed by OPC

For DN 0706011, which is in locked format. 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 information at issue relates to actual hedging data, such as volumes, hedging savings/costs, trade price differences, and hedging percentages, the disclosure of which would impair the efforts of the Company or its affiliates to negotiate fuel supply contracts on favorable terms. *See* § 366.093(3)(d), F.S.; Affidavit of Joseph McCallister at ¶ 5. Furthermore, the information at issue relates to the competitive interests of PEF and its fuel suppliers, the disclosure of which would impair their competitive businesses. *Id.* § 366.093(3)(e); Affidavit of Joseph McCallister 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.

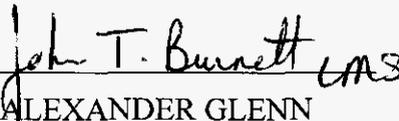
4. The information identified as Exhibit “A” is intended to be and is treated as confidential by the Company. See Affidavit of Joseph McCallister at ¶ 7. The information has not been disclosed to the public, and the Company has treated and continues to treat the information and contracts at issue as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

5. 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.

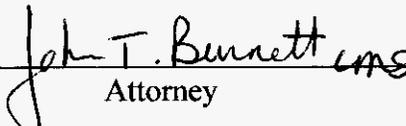
RESPECTFULLY SUBMITTED this 29<sup>th</sup> day of September, 2011.

  
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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](mailto:john.burnett@pgnmail.com)

Attorneys for  
PROGRESS ENERGY FLORIDA, INC.

## CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished via electronic mail (\* via hand delivery) to the following this 29<sup>th</sup> day of September, 2011.

  
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Attorney

<p>Lisa Bennett, Esq. * Office of General Counsel Florida Public Service Commission 2540 Shumard Oak Blvd. Tallahassee, FL 32399-0850 <a href="mailto:lbennett@psc.state.fl.us">lbennett@psc.state.fl.us</a></p> <p>James D. Beasley, Esq. Jeffrey Wahlen, Esq. Ausley &amp; McMullen Law Firm P.O. Box 391 Tallahassee, FL 32302 <a href="mailto:jbeasley@ausley.com">jbeasley@ausley.com</a></p> <p>John T. Butler, Esq. Florida Power &amp; Light Co. 700 Universe Boulevard Juno Beach, FL 33408 <a href="mailto:John.butler@fpl.com">John.butler@fpl.com</a></p> <p>Ken Hoffman Florida Power &amp; Light 215 S. Monroe Street, Ste. 810 Tallahassee, FL 32301-1859 <a href="mailto:Ken.hoffman@fpl.com">Ken.hoffman@fpl.com</a></p> <p>Jeffrey A. Stone, Esq. Russell A. Badders, Esq. Steven R. Griffin Beggs &amp; Lane Law Firm P.O. Box 12950 Pensacola, FL 32591 <a href="mailto:jas@beggslane.com">jas@beggslane.com</a> <a href="mailto:rab@beggslane.com">rab@beggslane.com</a> <a href="mailto:srg@beggslane.com">srg@beggslane.com</a></p> <p>Ms. Paula K. Brown Tampa Electric Company P.O. Box 111 Tampa, FL 33601 <a href="mailto:regdept@tecoenergy.com">regdept@tecoenergy.com</a></p>	<p>Florida Industrial Power Users Group c/o John McWhirter, Jr. McWhirter Law Firm P.O. Box 3350 Tampa, FL 33601 <a href="mailto:jmcwhirter@mac-law.com">jmcwhirter@mac-law.com</a></p> <p>Beth Keating Gunster, Yoakley &amp; Stewart, P.A. 215 S. Monroe St., Ste 618 Tallahassee, FL 32301 <a href="mailto:bkeating@gunster.com">bkeating@gunster.com</a></p> <p>J.R.Kelly/Charles Rehwinkel Office of Public Counsel c/o The Florida Legislature 111 West Madison Street, #812 Tallahassee, FL 32399 <a href="mailto:Kelly.jr@leg.state.fl.us">Kelly.jr@leg.state.fl.us</a> <a href="mailto:Rehwinkel.charles@leg.state.fl.us">Rehwinkel.charles@leg.state.fl.us</a></p> <p>Tom Geoffroy Florida Public Utilities Company P.O. Box 3395 West Palm Beach, FL 33402-3395 <a href="mailto:tgeoffroy@fpuc.com">tgeoffroy@fpuc.com</a></p> <p>James W. Brew, Esq. c/o Brickfield Law Firm 1025 Thomas Jefferson St., NW 8<sup>th</sup> Floor, West Tower Washington, DC 20007 <a href="mailto:jbrew@bbrslaw.com">jbrew@bbrslaw.com</a></p> <p>Keefe Law Firm Vicki Gordon Kaufman/Jon C. Moyle, Jr. 118 North Gadsden Street Tallahassee, FL 32301 <a href="mailto:vkaufman@kagmlaw.com">vkaufman@kagmlaw.com</a></p>
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Ms. Susan D. Ritenour  
Gulf Power Company  
One Energy Place  
Pensacola, FL 32520-0780  
[sdriteno@southernco.com](mailto:sdriteno@southernco.com)

Allan Jungels, Capt, ULFSC  
c/o AFLSA/JACL-ULT  
139 Barnes Drive, Suite 1  
Tyndall AFB, FL 32403-5319  
[allan.jungels@tyndall.af.mil](mailto:allan.jungels@tyndall.af.mil)

Patrick K. Wiggins  
Post Office Drawer 1657  
Tallahassee, FL 32302  
[p.wiggins@gfblawfirm.com](mailto:p.wiggins@gfblawfirm.com)

Ms. Cecilia Bradley  
Office of the Attorney General  
The Capitol - PL01  
Tallahassee, FL 32399-1050  
[Cecilia.bradley@myfloridalegal.com](mailto:Cecilia.bradley@myfloridalegal.com)

Florida Retail Federation  
Robert Scheffel Wright/John T. LaVia,  
c/o Gardner, Bist, Wiener Law Firm  
1300 Thomaswood Drive  
Tallahassee, FL 32308  
[schef@gbwlegal.com](mailto:schef@gbwlegal.com)

AFFIRM  
Dan Moore  
316 Maxwell Road, Suite 400  
Alpharetta, GA 30009  
[dmoore@esoconsult.com](mailto:dmoore@esoconsult.com)