

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. 120001-EI

Dated: April 5, 2012

claim of confidentiality  
 notice of intent  
 request for confidentiality  
 filed by OPC

**REDACTED**

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

For DN 02040-12, which  
is in locked storage. You must be  
authorized to view this DN.-CLK

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 response to Staff's Second Set of Interrogatories (Nos. 11-12) propounded on PEF. In support of this Request, PEF states:

1. In response to Staff's Second Set of Interrogatories, specifically Question 11b, PEF has provided responses containing information that is "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 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 information for which confidential treatment is requested has been blocked out by opaque marker or other means.

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GCL \_\_\_\_\_  
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OPC \_\_\_\_\_  
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(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.

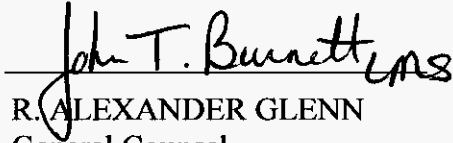
3. As indicated in Exhibit C, the information for which PEF requests confidential classification is “proprietary confidential business information” within the meaning of Section 366.093(3), F.S. Specifically, the information at issue relates to competitively negotiated data, such as selling prices of coal per ton, 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 Brett Phipps 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 Brett Phipps 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 Brett Phipps at ¶ 7. The information has not been disclosed to the public, and the Company has treated and continues to treat the information at issue as confidential. *See* Affidavit of Brett Phipps 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 5<sup>th</sup> day of April, 2012.

  
A horizontal line is drawn under the signature.

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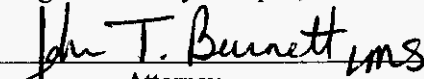
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Attorneys for

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 5<sup>th</sup> day of April, 2012.

  
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# Exhibit B

**REDACTED**

**REDACTED**

COM \_\_\_\_\_  
APA \_\_\_\_\_  
ECR   1   \_\_\_\_\_  
GCL \_\_\_\_\_  
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**REDACTED**

b) Yes, PEF sold coal it had in inventory at the terminals in the Gulf in 2011. The buyers, quantities and selling price of coal sold are as follows:

Buyer	Quantity Sold (tons)	Price (\$/ton)
Emerald International, Corp.	30,000	██████
Emerald International, Corp.	11,000	██████

## Exhibit C

### PROGRESS ENERGY FLORIDA Confidentiality Justification Matrix

DOCUMENT/RESPONSES	PAGE/LINE	JUSTIFICATION
PEF Response to Staff's Second Set of Interrogatories (No. 11-12)	<b>Q.11b:</b> Selling price per ton (\$/ton).	§366.093(3)(d), F.S. The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.  §366.093(3)(e), F.S. The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.