## **BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Progress Energy Florida, Inc.'s ) petition for approval of storm cost ) Docket No.: 041272 recovery clause for extraordinary ) expenditures related to Hurricanes ) Charley, Frances, Jeanne, and Ivan. ) Submitted for Filing: December 8, 2004

## SECOND 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 Second Notice of Intent to Request Confidential Classification of portions of documents responsive to the Staff of the Florida Public Service Commission's First Request for Production of Documents (Nos. 1-10). Request 1. Specifically, portions of those documents contain private, personal information regarding third-party contractors and/or sensitive competitive business information from thirdparty contractors. Such information is specifically exempted from public disclosure in section 366.093(3), Florida Statutes. Pursuant to Rule 25-22.006(3)(a)(1), PEF will file a Request for Confidential Classification for the aforementioned documents within 21 days of this filing.

Respectfully submitted this  $\frac{472}{2}$  day of December, 2004.

F. berto

BONNIE E. DAVIS Deputy General Counsel PROGRESS ENERGY SERVICE COMPANY, LLC 106 E. College Avenue, Ste. 800 Tallahassee, FL 32301-7740 Telephone: (850) 222-8738 Facsimile: (850) 222-9768 GARY L. SASSO Florida Bar No. 622575 JAMES MICHAEL WALLS Florida Bar No. 0706272 JOHN T. BURNETT Florida Bar No. 173304 CARLTON FIELDS, P.A. Post Office Box 3239 Tampa, FL 33601-3239

TPA#1960913.4

Telephone: (813) 223-7000 Facsimile: (813) 229-4133

## **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true copy of Progress Energy Florida's First Notice of Intent to Request Confidential Classification has been furnished to the following individuals by electronic mail and regular U.S. Mail the  $\frac{47}{2}$  day of December, 2004.

Jennifer Brubaker, Esquire Office of the General Counsel Florida Public Service Commission 2540 Shumard Oak Blvd. Tallahassee, FL 32399-0850

John W. McWhirter, Esquire McWhirter Reeves McGlothlin Davidson Kaufman & Arnold, P.A. 400 North Tampa St. Tampa, FL 33602

Vicki Gordon Kaufman, Esquire McWhirter Reeves McGlothlin Davidson Kaufman & Arnold, P.A. 117 South Gadsden Street Tallahassee, FL 32301

Patricia A. Christensen, Esquire Office of the Public Counsel c/o The Florida Legislature 111 West Madison St., Room 812 Tallahassee, FL 32399-1400

Auprney J.