

7/17/2008 1:57 PM

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Ruth Nettles

From: Costello, Jeanne [jcostello@carltonfields.com]
Sent: Thursday, July 17, 2008 1:57 PM
To: Filings@psc.state.fl.us
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Subject: Electronic Filing Docket 080149
Attachments: Docket 080149 PEF Notice of Filing Verified Affidavit.pdf



Docket 080149
EF Notice of Fi.

Electronic Filing and e-service Docket 080149

1. Progress Energy Florida, Inc.'s Notice of Filing Affidavit in Support of Third Request for Confidential Classification [6 pages]

Person responsible for this electronic filing:

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DOCUMENT NUMBER-DATE
06174 JUL 17 8
FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition by Progress Energy Florida, Inc.
to establish discovery docket regarding actual and
projected costs for the Levy Nuclear Project

Docket No. 080149


Submitted for Filing: July 17, 2008

**NOTICE OF FILING AFFIDAVIT IN SUPPORT OF
PEF'S THIRD REQUEST FOR CONFIDENTIAL CLASSIFICATION**

Progress Energy Florida, Inc. hereby gives notice of filing the verified affidavit of Daniel
L. Roderick in support of its Third Request for Confidential Classification.

Respectfully submitted,

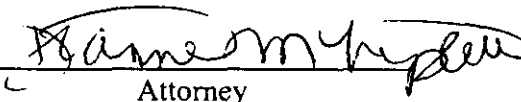
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DOCUMENT NO. DATE
06174-08 0717108
FPSC - COMMISSION CLERK

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by electronic mail and/or U.S. Mail as indicated to the all counsel and parties of record on this 17th day of July, 2008.


Attorney

COUNSEL AND PARTIES OF RECORD:

<p>Keino Young, Staff Counsel Lisa Bennett, Staff Counsel Florida Public Service Commission Office of the General Counsel 2540 Shumard Oak Blvd. Tallahassee, FL 32399-0850 Phone: (850) 413-6230 Facsimile: (850) 413-6184 Email: kyoung@psc.state.fl.us Email: lbennett@psc.state.fl.us</p>	<p>Stephen Burgess, Associate Counsel Office of the Public Counsel c/o The Florida Legislature 111 W. Madison Street, Room 812 Tallahassee, FL 32399-1400 Phone: (850) 488-9330 Facsimile: Email: Burgess.steve@leg.state.fl.us</p>
<p>James W. Brew Brickfield Burchette Bricks & Stone 1025 Thomas Jefferson St., NW Eighth Floor, West Tower Washington, DC 20007 Phone: (202) 342-0800 Fax: (202) 342-0807 Email: jbrew@bbrslaw.com -and- Karin S. Torain PCS Administration (USA) Inc. Suite 400 1101 Skokie Boulevard Northbrook, IL 60062 Phone: (847) 849-4291 Fax: (847) 849-4663 Email: KSTorain@potashcorp.com</p>	<p>Mr. Paul Lewis, Jr. Progress Energy Florida, Inc. 106 East College Avenue, Ste. 800 Tallahassee, FL 32301-7740 Phone: (850) 222-8738 Facsimile: (850) 222-9768 Email: paul.lewisjr@pgnmail.com</p>

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Nuclear Power Plant Cost
Recovery Clause

Docket No. 080009-EI

Submitted for Filing: July 10, 2008

**AFFIDAVIT OF DANIEL L. RODERICK IN SUPPORT OF
PROGRESS ENERGY FLORIDA'S THIRD
REQUEST FOR CONFIDENTIAL CLASSIFICATION**

STATE OF FLORIDA

COUNTY OF CITRUS

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

1. My name is Daniel L. Roderick. I am over the age of 18 years old 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. The facts attested to in my affidavit are based upon my personal knowledge.

2. I am the Vice President of Nuclear Projects and Construction for PEF's nuclear plant. This department manages nuclear generation growth strategies.

3. As the Vice President of Nuclear Projects and Construction, I am responsible for all aspects of major projects and construction of nuclear generating assets in Florida, including the administration of PEF's contracts for the Crystal River 3 ("CR3") Uprate project and ongoing project analysis.

4. PEF is seeking confidential classification for portions of Progress Energy Florida's Responses to OPC's Second Request for Production of Documents (Nos. 12-57), specifically OPC Request No. 33. A detailed description of the confidential information at issue is contained in confidential Exhibit A to PEF's Third Request for Confidential Classification and is outlined in PEF's Justification Matrix that is attached to PEF's Third Request for Confidential Classification as Exhibit C. PEF is requesting confidential classification of this portion of the response, because it calls for confidential cost projections for the project for the remainder of 2008 and 2009, the disclosure of which would compromise PEF's competitive business interests.

5. Portions of the documents responsive to OPC Request No. 33 reflect the Company's confidential cost projections regarding labor and materials, that would adversely impact PEF's competitive business interests if disclosed to the public. If PEF's suppliers or competitors were made aware of PEF's detailed cost projections to obtain certain goods and services, they may adjust their behavior in the market place with respect to activity such as pricing and the acquisition and provision of such goods, materials, and services. In other words, if these third parties know what PEF expects to have to pay for these goods and services, then those third parties have leverage in negotiating for these goods and services. This would impair PEF's ability to obtain competitive contracts, with favorable terms, that provide economic value to PEF and its ratepayers.

6. PEF is also seeking confidential classification for portions of Progress Energy Florida's Responses to OPC's Second Request for Production of Documents (Nos. 12-57), specifically OPC Request No. 54. A detailed description of the confidential information at issue is contained in confidential Exhibit A to PEF's Third Request for Confidential Classification and is outlined in PEF's Justification Matrix that is attached to PEF's Third Request for Confidential

Classification as Exhibit C. PEF is requesting confidential classification of this information because documents that contain information regarding PEF's confidential and proprietary internal bid and contracting strategies and analyses, the disclosure of which would impair PEF's ability to contract for such goods and services on competitive and favorable terms.

7. Portions of these documents are confidential and sensitive bid and contracting strategy analyses. Specifically, if PEF's suppliers or competitors were made aware of how PEF analyzes bid responses and chooses contract vendors, they may adjust their behavior in the market place with respect to activity such as pricing and the acquisition and provision of goods, materials, and services. This would impair PEF's ability to obtain competitive contracts, with favorable terms, that provide economic value to PEF and its ratepayers.

8. 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, and restricting the number of, and access to the information and contracts. At no time since negotiating and receiving the contracts and doing the project analyses in question has the Company publicly disclosed that information or contracts. The Company has treated and continues to treat the information at issue as confidential.

9. This concludes my affidavit.

Further affiant sayeth not.

Dated the 14th day of July, 2008.

Daniel L. Roderick

(Signature)

Daniel L. Roderick
Vice President
Nuclear Projects and Construction
Crystal River Unit 3
Crystal River Energy Complex
Site Administration 2C
15760 West Power Line Street

Crystal River, Florida 34428

THE FOREGOING INSTRUMENT was sworn to and subscribed before me this 14th day of July, 2008 by Daniel L. Roderick. He is personally known to me, or has produced his _____ driver's license, or his _____ as identification.

Charlene Miller

(Signature)

Charlene Miller

(Printed Name)

NOTARY PUBLIC, STATE OF Florida, County of Citrus

7/11/08

(Commission Expiration Date)

TD 371231

(Serial Number, If Any)

(AFFIX NOTARIAL SEAL)

