

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: NUCLEAR POWER PLANT COST RECOVERY CLAUSE

Docket No. 100009-EI Submitted for Filing: April 22, 2010

NOTICE OF FILING AFFIDAVITS IN SUPPORT OF PEF'S SECOND REQUEST FOR CONFIDENTIAL CLASSIFICATION

Notice is hereby given, through the undersigned counsel, on behalf of Progress Energy Florida, Inc. ("PEF") of affidavits in support of Progress Energy Florida's Second Request for Confidential Classification as to PEF's responses to Citizens' First Request for Production of Documents (Nos. 1-43) and First Set of Interrogatories (Nos. 1-7) as follows:

- 1. Affidavit of Sue Hardison;
2. Affidavit of John Elnitsky; and
3. Affidavit of Raymond Phillips.

Respectfully submitted,

[Handwritten signature]

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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 22nd day of April, 2010.



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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Nuclear Power Plant Cost
Recovery Clause

Docket No. 100009-EI
April 29, 2010

**AFFIDAVIT OF SUE HARDISON IN SUPPORT OF PROGRESS ENERGY FLORIDA'S
REQUEST FOR CONFIDENTIAL CLASSIFICATION REGARDING ITS
RESPONSES TO CITIZENS' FIRST REQUEST FOR PRODUCTION
OF DOCUMENTS AND FIRST SET OF INTRROGATORIES**

STATE OF NORTH CAROLINA

COUNTY OF WAKE

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

1. My name is Sue Hardison. 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 (the "Request"). The facts attested to in my affidavit are based upon my personal knowledge.

2. As General Manager - Corporate Development Group Business Services, I am responsible for financial services for the Corporate Development Group, including budgeting, capital planning and cost management. I am also responsible for project controls and contract administration for the Corporate Development Group.

3. PEF is seeking confidential classification for portions of its Responses to Citizens' First Request for Production of Documents (Nos. 1-43), specifically numbers 1, 3, 6, 7, 8, 9, 11, 12, 13, 15, 16, 17, 18, 20, 22, 24, 25, 27, 28, 29, 31, 32, 34, 35, 37, 38, 40, 41, 42 and

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43, and Citizens' First Set of Interrogatories (Nos. 1-7), specifically numbers 6 and 7 (collectively, the "Responses"). 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 the documents and information sought contain and include proprietary and confidential information that would impair PEF's competitive business interests if publicly disclosed, as well as information concerning bids or other contractual data the disclosure of which would impair the Company's ability to contract on favorable terms and, in many cases, the information constitutes trade secrets of the Company and its contract partners. In many instances, the disclosure of this information would violate contractual confidentiality provisions. Further, the information requested also contains internal auditing reports and controls, the disclosure of which would impair the Company's ability to successfully perform internal audits by inhibiting full and candid disclosure to internal auditors.

5. In addition, public disclosure of these documents would allow other parties to discover how the Company analyzes risk options, scheduling, and cost, and would thus impair PEF's ability to contract for such goods and services on competitive and favorable terms. If this information was disclosed to the public, it could adversely impact PEF's competitive interests. Portions of these documents reflect the Company's internal strategies for evaluating projects and meeting deadlines. If such information was disclosed to PEF's competitors and/or other potential suppliers, PEF's efforts to obtain competitive nuclear equipment and service options that provide economic value to both the Company and its ratepayers could be compromised by

the Company's competitors and/or suppliers changing their offers, consumption, or purchasing behavior within the relevant markets.

6. PEF must be able to assure these vendors that sensitive business information, such as the terms of their contracts, will be kept confidential. Indeed, as discussed above, some of the contracts at issue contain confidentiality provisions that prohibit the disclosure of the terms of the contract to third parties. Specifically, the information at issue relates to competitively negotiated contractual data, such as quantity and pricing of goods and services, and other contractual terms, the disclosure of which would impair the efforts of the Company to negotiate these contracts on favorable terms. If other third parties were made aware of confidential contractual terms that PEF has with other parties, they may offer less competitive contractual terms in future contractual negotiations. Without the Company's measures to maintain the confidentiality of sensitive terms in contracts with these nuclear contractors, the Company's efforts to obtain competitive contracts could be undermined to the detriment of PEF and its ratepayers.

7. 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 since negotiating and receiving the contracts and doing the project analyses in question has the Company publicly disclosed that information or the terms of the contracts at issue. The Company has treated and continues to treat the information at issue as confidential.

8. This concludes my affidavit.

Further affiant sayeth not.

Dated this 14th day of April, 2010.

Sue Hardison

(Signature)

Sue Hardison

General Manager – Corporate Development Group
Business Services

THE FOREGOING INSTRUMENT was sworn to and subscribed before me this 14th day of April, 2010 by Sue Hardison. She is personally known to me, or has produced her _____ driver's license, or her _____ as identification.

in Wake County

Dawn M Bisson

(Signature)

Dawn M Bisson

(Printed Name)

NOTARY PUBLIC, STATE OF North Carolina

May 03, 2011

(Commission Expiration Date)

N/A

(Serial Number, If Any)

(AFFIX NOTARIAL SEAL)

DAWN M. BISSON
Notary Public, North Carolina
Wake County
My Commission Expires
May 03, 2011

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Nuclear Power Plant Cost
Recovery Clause

Docket No. 100009-EI
April 20, 2010

**AFFIDAVIT OF JOHN ELNITSKY IN SUPPORT OF PROGRESS ENERGY FLORIDA'S
REQUEST FOR CONFIDENTIAL CLASSIFICATION REGARDING ITS
RESPONSES TO CITIZENS' FIRST REQUEST FOR PRODUCTION
OF DOCUMENTS AND FIRST SET OF INTRROGATORIES**

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 (the "Request"). The facts attested to in my affidavit are based upon my personal knowledge.

2. As Vice President of the Nuclear Plant Development ("NPD") department, I am responsible for the licensing and construction of the Levy Nuclear Project ("LNP"), including the direct management of the Engineering, Procurement, and Construction ("EPC") agreement with Westinghouse and Shaw, Stone & Webster (the "Consortium"). The Company reorganized the NPD in May 2009 to focus NPD on overall program management of the LNP including the associated base load transmission projects. The revised NPD Program Management Team (PMT) included the nuclear plant licensing, engineering, construction, operational readiness, and base load transmission sections and matrixed support from representatives of project controls,

business and financial services, and contract management and administration.

3. PEF is seeking confidential classification for portions of its Responses to Citizens' First Request for Production of Documents (Nos. 1-43), specifically numbers 1, 3, 6, 7, 8, 9, 11, 12, 13, 15, 16, 17, 18, 20, 22, 24, 25, 27, 28, 29, 31, 32, 34, 35, 37, 38, 40, 41, 42 and 43, and Citizens' First Set of Interrogatories (Nos. 1-7), specifically numbers 6 and 7 (collectively, the "Responses"). 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 the documents and information sought include proprietary and confidential information that would impair PEF's competitive business interests if publicly disclosed. The information sought also includes bids, other contractual data, and trade secrets of the Company and its contract partners, the disclosure of which would impair the Company's ability to contract on favorable terms in the future. In many instances, the disclosure of this information would also violate contractual confidentiality provisions. Further, the information requested also contains internal auditing reports and controls, the disclosure of which would impair the Company's ability to successfully perform internal audits by inhibiting full and candid disclosure to internal auditors.

5. The public disclosure of these documents would allow other parties to discover how the Company analyzes risk options, scheduling, and cost, and would impair PEF's ability to contract for such goods and services on competitive and favorable terms. Portions of these documents reflect the Company's internal strategies for evaluating projects and meeting deadlines. If such information was disclosed to PEF's competitors and/or other potential suppliers, PEF's efforts to obtain competitive nuclear equipment and service options that provide economic value to both the Company and its ratepayers could be compromised by the

Company's competitors and/or suppliers potentially changing their offers, consumption, or purchasing behavior within the relevant markets.

6. PEF must be able to assure vendors that sensitive business information, such as the terms of their contracts, will be kept confidential. Additionally, as discussed above, some of the contracts at issue contain confidentiality provisions that prohibit the disclosure of the terms of the contract to third parties. The information at issue relates to competitively negotiated contractual data, such as quantity and pricing of goods and services, and other contractual terms, the disclosure of which would impair the efforts of the Company to negotiate these contracts on favorable terms. If other third parties were made aware of confidential contractual terms that PEF has with other parties, they may offer less competitive contractual terms in future contractual negotiations.

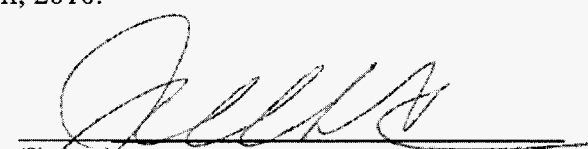
7. Upon receipt of confidential information, strict procedures are established and followed to maintain the confidentiality of the terms of the documents and information provided, including restricting access to those persons who need the information to assist the Company. At no time since negotiating and receiving the contracts and conducting the project analyses in question has the Company publicly disclosed the information or the terms of the contracts at issue. The Company has treated and continues to treat the information at issue as confidential.

8. This concludes my affidavit.

Further affiant sayeth not.

Dated this 20 day of April, 2010.

(Signature)


John Elnitsky, Vice President of the Nuclear Plant
Development

THE FOREGOING INSTRUMENT was sworn to and subscribed before me this 20th day of April, 2010 by John Elnitsky. He is personally known to me, or has produced his _____ driver's license, or his _____ as identification.

Joanne A. Godsey - Baur
(Signature)

Joanne A. Godsey - Baur
(Printed Name)

(AFFIX NOTARIAL SEAL)

NOTARY PUBLIC, STATE OF Florida

August 08, 2011
(Commission/Expiration Date)

DD703482
(Serial Number, If Any)

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Nuclear Cost Recovery Clause

Docket No: 100009-EI
Submitted for Filing: April 21, 2010

**AFFIDAVIT OF RAYMOND PHILLIPS IN SUPPORT OF PROGRESS ENERGY
FLORIDA'S SECOND REQUEST FOR CONFIDENTIAL CLASSIFICATION**

STATE OF FLORIDA

COUNTY OF Pinellas

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

1. My name is Raymond Phillips. 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 an Audit Manager for Progress Energy (PGN). This department manages internal audits conducted by the Progress Energy on various projects. Within the PGN internal audit department, I am the Audit Manager primarily responsible for audits of Progress Energy Florida. As the Florida Audit Manager, I am responsible for the completion of internal audits scheduled for Company projects. I also have knowledge as to the Company's internal auditing controls and how PGN carries out the process of conducting internal audits.

3. PEF is seeking confidential classification for portions of responsive documents to OPC's First Request for Production of Documents, and OPC's First Set of Interrogatories. A detailed description of the confidential information at issue is contained in confidential Attachment A to PEF's Second Request for Confidential Classification and is outlined in PEF's Justification Matrix that is attached to PEF's Second Request for Confidential Classification as Attachment C. PEF is requesting confidential classification of these documents because they include internal audit reports and controls, confidential and proprietary contractual information, and other information related to the Company's competitive business interests, the disclosure of which would compromise PEF's competitive business interests.

4. Specifically, portions of these responsive documents contain internal audit reports and workpapers that resulted from the internal audit of the Company's various projects. PEF is requesting confidential classification of these reports and workpapers because public disclosure of the documents and information in question would compromise PEF's ability to effectively audit the Company's major projects. If the Company were to know that its internal auditing controls and process were subject to public disclosure, it would compromise the level of cooperation needed with auditors to efficiently conduct audits. In addition, such information and documents are specifically defined by Section 366.093(3)(b) as proprietary confidential business information that is entitled to confidential status.

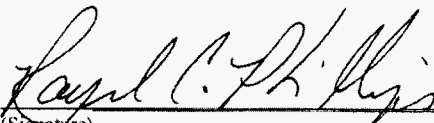
5. Upon receipt of this confidential information, and with its own confidential information, strict procedures are established and followed to maintain the confidentiality of the documents and information provided, including restricting access to those persons who need the information to assist the Company, and restricting the number of, and access to the information. At no time since receiving the information in question has the Company publicly disclosed that

information. The Company has treated and continues to treat the information at issue as confidential.

6. This concludes my affidavit.

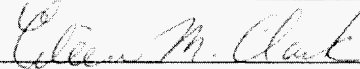
Further affiant sayeth not.

Dated the 21 day of April, 2010.




(Signature)
Raymond Phillips
Progress Energy Services Company, LLC

THE FOREGOING INSTRUMENT was sworn to and subscribed before me this 21st day of april, 2010, by Raymond Phillips. He is personally known to me, or has produced his Florida driver's license, or his _____ as identification.



(Signature)

(AFFIX NOTARIAL SEAL)



(Printed Name) **Eileen M. Clark**
Commission # DD593488
Expires September 10, 2010

(Commission Expiration Date)

(Serial Number, If Any)