

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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

Docket No. 100001-EI

COMMISSION CLERK

Dated: September 20, 2010

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 response to Staff's Fifth Set of Interrogatories, specifically Question 62 (Attachment A) filed on September 20, 2010. In support of this Request, PEF states:

1. PEF's response to Staff's Fifth Set of Interrogatories - Question 62 (Attachment A) contains 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.

(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

CLAIM OF CONFIDENTIALITY
 NOTICE OF INTENT
 REQUEST FOR CONFIDENTIALITY
 FILED BY OPC

FOR DN 07862-10, WHICH IS IN LOCKED STORAGE. YOU MUST BE AUTHORIZED TO VIEW THIS DN. - CLK

DOCUMENT NUMBER 07862
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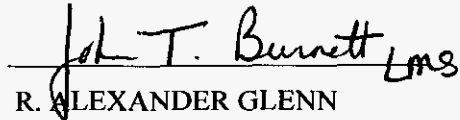
confidential classification is “proprietary confidential business information” within the meaning of Section 366.093(3), F.S. Specifically, in Attachment A, the highlighted information provides energy and capacity payment information. Affidavit of Robert M. Oliver at ¶ 4. Disclosure of this information would enable power purchase suppliers to have insight to PEF’s energy and capacity payment information and to obtain competitive information, which could result in greater price convergence in future negotiations. Affidavit of Robert M. Oliver at ¶ 4. Power purchase suppliers would no longer need to make their best offers to ensure the competitiveness of their prices against the disclosed prices. Affidavit of Robert M. Oliver at ¶ 4. Instead, power purchase suppliers could simply offer the highest prices that would allow them to maintain a marginally competitive position against the disclosed energy and capacity payment information. Affidavit of Robert M. Oliver at ¶ 4. As such, disclosure of the information would impair the Company’s efforts to contract for goods or services on favorable terms. *See* § 366.093(3)(d), F.S.; Affidavit of Robert M. Oliver at ¶ 4. Additionally, if the information at issue was disclosed, PEF’s efforts to obtain competitive power purchase energy supply that provides economic value to both PEF and its ratepayers could be compromised by PEF’s competitors changing their purchasing behavior within the relevant markets. *Id.* § 366.093(3)(e); Affidavit of Robert M. Oliver at ¶ 5. 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. Affidavit of Robert M. Oliver at ¶ 6. The information has not been disclosed to the public, and the Company has treated and continues to treat the information at issue as confidential. Affidavit of Robert M. Oliver at ¶ 6.

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 20th day of September, 2010.

A handwritten signature in black ink that reads "John T. Burnett" followed by a stylized monogram "Lms". The signature is written over a horizontal line.

R. ALEXANDER GLENN
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JOHN T. BURNETT

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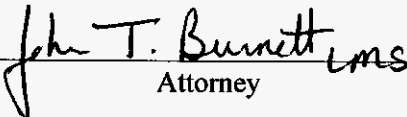
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Attorneys for

PROGRESS ENERGY FLORIDA, INC.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by electronic mail (* via hand delivery) to the following this 20th day of September, 2010.


Attorney

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Exhibit A

“CONFIDENTIAL”

State of Florida



Public Service Commission

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Re: Acknowledgement of Confidential Filing in Docket No. 100001-EI

This will acknowledge receipt by the Florida Public Service Commission, Office of Commission Clerk, of a CONFIDENTIAL DOCUMENT filed on September 20, 2010, in the above-referenced docket.

Document Number 07863-10 has been assigned to this filing, which will be maintained in locked storage.

If you have any questions regarding this document, please contact Kim Peña, Records Management Assistant, at (850) 413-6393.