

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: NUCLEAR POWER PLANT  
COST RECOVERY CLAUSE

Docket No. 110009-EI  
Submitted for Filing: June 9, 2011

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PROGRESS ENERGY FLORIDA, INC.'S NOTICE OF FILING

Progress Energy Florida, Inc. ("PEF" or the "Company"), hereby gives notice of filing of the Affidavit of Jon Franke in support of Progress Energy Florida, Inc.'s Seventh Request for Confidential Classification regarding portions of Progress Energy Florida's Third Request for Production of Documents (Nos. 12-19) and Third Set of Interrogatories (Nos. 9-32).

Respectfully submitted,



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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 9<sup>th</sup> day of June, 2011.

  
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**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

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In re: Nuclear Power Plant Cost  
Recovery Clause

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Docket No. 110009-EI  
Submitted for Filing: June 9, 2011

**AFFIDAVIT OF JON FRANKE IN SUPPORT OF PROGRESS ENERGY FLORIDA, INC.'S  
SEVENTH REQUEST FOR CONFIDENTIAL CLASSIFICATION**

STATE OF FLORIDA

COUNTY OF CITRUS

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

1. My name is Jon Franke. I am employed by Progress Energy Florida, Inc. ("PEF" or the "Company") in the Nuclear Generation Group and serve as Vice President – Crystal River Nuclear Plant. I am over the age of 18 years old and I have been authorized by PEF to give this affidavit in the above-styled proceeding on PEF's behalf and in support of PEF's Seventh for Confidential Classification (the "Request"). The facts attested to in my affidavit are based upon my personal knowledge.

2. PEF is seeking confidential classification of portions of the documents produced in response to the Office of Public Counsel's ("OPC") Third Request for Production of Documents (Nos. 12-19), specifically numbers 12 through 16, and 18, and portions of its responses to Citizen's Third Set of Interrogatories (Nos. 9-32), specifically numbers 18, 20, 27 and 28. 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.

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3. 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 customers could be compromised by the Company's competitors and/or suppliers changing their offers, consumption, or purchasing behavior within the relevant markets.

4. Furthermore, the responsive documents to OPC's requests include sensitive material of a contractual nature, including contractual work orders. Release of this information, in addition to possibly violating contractual non-disclosure or confidentiality agreements, would place PEF at a competitive disadvantage when attempting to negotiate similar contracts in the future. Additionally, release of these documents could provide PEF's competitors valuable insight into PEF's contractual arrangements. This information could be used to drive up the cost of goods and services that PEF contracts for in order to provide service to its customers. Finally, these documents also include presentations and other information provided to Senior Management to allow for effective management decisions. Release of this information would harm PEF's competitive interests by providing valuable insight into Management's strategies and risk analysis.

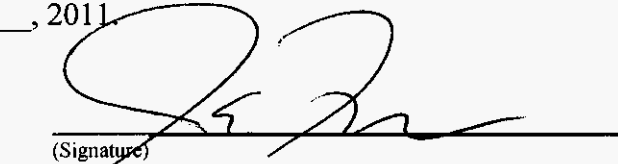
5. Upon receipt of this confidential information, as with all confidential information, strict procedures are established and followed to maintain the confidentiality of the terms of the documents and information provided therein. Such procedures include, but are not limited to, restricting access to the documents and information to only those persons who require it to assist

the Company. At no time since developing or entering the contracts in question has PEF publicly disclosed the contracts' confidential terms; PEF has treated and continues to treat the information contained in the subject contracts as confidential. Indeed, many of the documents have been previously produced by PEF and at all times the Company has taken the appropriate steps to protect against public disclosure of this confidential information.


6. This concludes my affidavit.

Further affiant sayeth not.

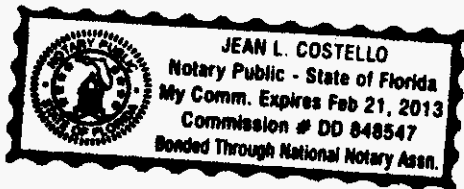
Dated this 6<sup>th</sup> day of JUNE, 2011.

  
(Signature)  
Jon Franke  
Vice President - Crystal River Nuclear Plant  
15760 W. Powerline St.  
Crystal River, Florida 34442

THE FOREGOING INSTRUMENT was sworn to and subscribed before me this 6<sup>th</sup> day of JUNE, 2011 by Jon Franke. He is personally known to me, or has produced his FL652-421-63-028-0 driver's license, or his \_\_\_\_\_ as identification.

  
(Signature)  
JEAN L. COSTELLO  
(Printed Name)

(AFFIX NOTARIAL SEAL)



NOTARY PUBLIC, STATE OF FL  
FEB 21, 2013  
(Commission Expiration Date)

DD 848547  
(Serial Number, If Any)