

ATTACHMENT C

PROGRESS ENERGY FLORIDA

**In re: Petition for Determination of Need for
Levy Units 1 and 2 Nuclear Power Plants - Docket 080148- EI
Sixth Request for Confidential Classification Justification Matrix**

DOCUMENT/RESPONSES	PAGE/LINE	JUSTIFICATION
PEF Response to Staff Sixth Set of Interrogatories No. 110	Table 2: Year 2007, 3 rd Column, all amounts given for Coal, Oil and Natural Gas	<p>§366.093(3)(d), F.S. The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</p> <p>§366.093(3)(e), F.S. The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider/owner of the information.</p>

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includes “information concerning bids or other contractual data, the disclosure of which would impair the efforts of the public utility or its affiliates to contract for goods or services on favorable terms.” §366.093(3)(d), Fla. Stats.

Staff's Sixth Set of Interrogatories No. 110

Portions of PEF's response to Staff's Sixth Set of Interrogatories number 110 should be afforded confidential treatment for the reasons set forth in the Affidavit of Sasha Weintraub filed in support of PEF's Request for Confidential Classification and for the following reasons.

Specifically, portions of the documents responsive to this request contain information regarding the fuel mix of PEF's fuel portfolio that would adversely impact PEF's competitive business interests if disclosed to the public. See Affidavit of Alexander (Sasha) Weintraub at ¶ 5.

Specifically, if PEF's potential fuel suppliers were to know what percentage of PEF's fuel purchases were foreign, they may gain leverage in negotiating fuel prices for that fuel. Id. For example, if domestic fuel suppliers knew that PEF's purchases of foreign fuel had changed, that may cause the domestic fuel suppliers to change the price or other terms of the fuel they offer to sell to PEF. Id. Thus, this information must be kept confidential.

Upon receipt of 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. (Id. at ¶ 6). At no time since receiving the information in question has the company publicly disclosed that information or contracts. Id. The Company has treated and continues to treat the information at issue as confidential. Id.

Conclusion

The competitive, confidential information at issue in this request fits the statutory definition of proprietary confidential business information under Section 366.093 and Rule 25-22.006, F.A.C. Separate sealed envelopes containing one copy of the confidential exhibits for which PEF intends to request confidential classification with the appropriate section, pages, or lines containing the confidential information highlighted is enclosed herewith as Attachment "A." **This information should be accorded confidential treatment pending a decision on PEF's request by the Florida Public Service Commission.**


Additionally, two copies of the confidential exhibits with the information that PEF intends to request confidential classification redacted by section page, or lines, are also included herewith as Attachment "B."

Attachment "C" hereto contains a justification matrix supporting PEF's request for confidential classification of the highlighted information contained in Attachment A.

WHEREFORE, PEF respectfully requests that the response to the Staff's Sixth Set of Interrogatories, No. 110, described specifically in Attachment C, be classified as confidential for the reasons set forth above.

Respectfully submitted this 27th day of May, 2008.

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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 27th day of May, 2008.


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