

080437

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

RECEIVED-FPSC

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

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080000-EL

Docket No. 080001-EL  
COMMISSION CLERK

Dated: June 18, 2008

**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 contained in the FPSC Draft Report titled Fuel Procurement Hedging Practices of Florida's Investor-Owned Utilities. In support of this Request, PEF states:

- 1. The FPSC Draft Report titled Fuel Procurement Hedging Practices of Florida's Investor-Owned Utilities contains "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 an unredacted copy 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 version, 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

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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 confidential classification is “proprietary confidential business information” within the meaning of Section 366.093(3), F.S. Specifically, the information at issue relates to sensitive business information, such as hedging transactions, risk assessment of financial counterparties, hedging forecasts, percentages, credit limits and pricing information, the disclosure of which would impair the efforts of the Company to negotiate fuel supply contracts on favorable terms. See § 366.093(3)(d), F.S.; Affidavit of Joseph McCallister at ¶ 5. Furthermore, the information at issue relates to the competitive interests of PEF, the disclosure of which would impair PEF’s competitive business. *Id.* § 366.093(3)(e); Affidavit of Joseph McCallister at ¶ 6. 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.

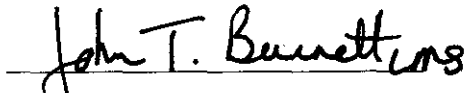
4. The information identified as Exhibit “A” is intended to be and is treated as confidential by the Company. See Affidavit of Joseph McCallister at ¶ 7. The information contained in the report has not been disclosed to the public, and the Company has treated and continues to treat the information at issue as confidential. See Affidavit of Joseph McCallister at ¶ 7.

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 18<sup>th</sup> day of June, 2008.




R. ALEXANDER GLENN  
Deputy General Counsel - Florida  
JOHN T. BURNETT  
Associate General Counsel - Florida  
Progress Energy Service Company, LLC  
Post Office Box 14042  
St. Petersburg, Florida 33733-4042  
Telephone: 727-820-5184  
Facsimile: 727-820-5249  
Email: [john.burnett@pgnmail.com](mailto:john.burnett@pgnmail.com)

Attorneys for  
PROGRESS ENERGY FLORIDA, INC.

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished via electronic mail to the following this 15<sup>th</sup> day of June, 2008.

  
Attorney

<p>Lisa Bennett, Esq. Office of General Counsel Florida Public Service Commission 2540 Shumard Oak Blvd. Tallahassee, FL 32399-0850</p>	<p>Florida Industrial Power Users Group c/o John McWhirter, Jr. McWhirter Reeves Law Firm 400 N. Tampa Street, Ste. 2450 Tampa, FL 33602</p>
<p>James D. Beasley, Esq. Lee L. Willis, Esq. Ausley &amp; McMullen Law Firm P.O. Box 391 Tallahassee, FL 32302</p>	<p>Norman H. Horton, Jr. Messer, Caparello &amp; Self, P.A. P.O. Box 15579 Tallahassee, FL 32317</p>
<p>Joseph A. McGlothlin, Esq. Office of Public Counsel c/o The Florida Legislature 111 West Madison Street, #812 Tallahassee, FL 32399</p>	<p>John T. Butler, Esq. R. Wade Litchfield, Esq. Florida Power &amp; Light Co. 700 Universe Boulevard Juno Beach, FL 33408</p>
<p>Jeffrey A. Stone, Esq. Russell A. Badders, Esq. Steven R. Griffin Beggs &amp; Lane Law Firm P.O. Box 12950 Pensacola, FL 32591</p>	<p>Robert Scheffel Wright John T. LaVia, III Young van Assenderp, P.A. 225 S. Adams Street, Suite 200 Tallahassee, FL 32301</p>
<p>Ms. Paula K. Brown Tampa Electric Company P.O. Box 111 Tampa, FL 33601</p>	<p>Mehrdad Khojasteh Florida Public Utilities Company P.O. Box 3395 West Palm Beach, FL 33402-3395</p>
<p>Ms. Susan D. Ritenour Gulf Power Company One Energy Place Pensacola, FL 32520-0780</p>	<p>Mr. James W. Brew, Esq. c/o Brickfield Law Firm 1025 Thomas Jefferson St., NW 8<sup>th</sup> Floor, West Tower Washington, DC 20007</p>
<p>Natalie F. Smith Florida Power &amp; Light 215 S. Monroe Street, Ste. 810 Tallahassee, FL 32301-1859</p>	<p>AARP c/o Mike Twomey P.O. Box 5256 Tallahassee, FL 32314-5256</p>

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ANN COLE  
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(850) 413-6770

**CONFIDENTIAL**

**Public Service Commission**

**ACKNOWLEDGEMENT**

**DATE:** June 18, 2008

**TO:** John T. Burnett

**FROM:** Ruth Nettles, Office of Commission Clerk

**RE:** Acknowledgement of Receipt of Confidential Filing

This will acknowledge receipt of a **CONFIDENTIAL DOCUMENT** filed in Docket Number 080000 or, if filed in an undocketed matter, concerning information contained in FPSC Draft Report titled Fuel Procurement Hedging of Florida's Investor-Owned Utilities, and filed on behalf of Progress Energy. The document will be maintained in locked storage.

If you have any questions regarding this document, please contact Marguerite Lockard, Deputy Clerk, at (850) 413-6770.

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PSC Website: <http://www.floridapsc.com>

Internet E-mail: [contact@psc.state.fl.us](mailto:contact@psc.state.fl.us)