

# ORIGINAL

## BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Progress Energy Florida, Inc.'s )  
 petition for approval of long-term fuel ) Docket No.: 041414-EI  
 supply and transportation contracts for )  
 Hines Unit 4 and additional system )  
 supply and transportation. ) Submitted for Filing: April 20, 2005

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**AFFIDAVIT OF PAMELA R. MURPHY IN SUPPORT OF  
 PROGRESS ENERGY FLORIDA'S  
 SIXTH REQUEST FOR CONFIDENTIAL CLASSIFICATION**

STATE OF NORTH CAROLINA

COUNTY OF WAKE

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


1. My name is Pamela R. Murphy. 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 Sixth Request for Confidential Classification. The facts attested to in my affidavit are based upon my personal knowledge.

CMP \_\_\_\_\_ 2. I am the director of PEF's Gas and Oil Trading Section in the Regulated Fuels  
 COM \_\_\_\_\_ Department. This department is responsible for fuel acquisition for both PEF and Progress  
 CTR \_\_\_\_\_  
 ECR \_\_\_\_\_ Energy Carolinas ("PEC") systems.

GCL \_\_\_\_\_ 3. As the director of PEF's Gas and Oil Trading Section in the Regulated Fuels  
 OPC \_\_\_\_\_ Department, I am responsible, along with the other members of the department, for the  
 MMS \_\_\_\_\_  
 RCA \_\_\_\_\_ procurement of residual fuel oil, distillate oil, and natural gas for PEC's and PEF's electrical

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power generation facilities, and the administration of PEC's and PEF's gas and oil contracts with various suppliers.

4. PEF is seeking confidential classification for portions of PEF's responses to Staff's Interrogatories Numbers 64, 76, 77, 79, 84, 87, 95, 96, 99, 100, 103, 106, 107, 115-118, 120, 132, 134, 136, 137, 140, 141, 144, and 146 and Document Requests 12-18, 23-24, 28-37, 39, 41, and 42. A detailed description of the confidential information at issue is contained in confidential Appendix A to PEF's Sixth Request for Confidential Classification and is outlined in PEF's Justification Matrix that is attached to PEF's Sixth Request for Confidential Classification as Appendix C. PEF is requesting confidential classification of this information because it contains competitive confidential business information of both PEF and third-party fuel supply and transportation companies that PEF has contracts with.

5. PEF negotiates with potential fuel suppliers and transportation companies to obtain competitive contracts for fuel options that provide economic value to PEF and its ratepayers. In order to obtain such contracts, however, PEF must be able to assure fuel suppliers and transportation companies that sensitive business information, such as the quantity and pricing terms of their contracts, will be kept confidential. PEF has kept confidential and has not publicly disclosed confidential contract terms such as quantity and pricing. Absent such measures, suppliers and transportation companies would run the risk that sensitive business information that they provided in their contracts with PEF would be made available to the public and, as a result, end up in possession of potential competitors. Faced with that risk, persons or companies who otherwise would contract with PEF might decide not to do so if PEF did not keep those terms of their contracts confidential. Without PEF's measures to maintain the confidentiality of sensitive terms in contracts between PEF and fuel suppliers and transportation

contractors, the Company's efforts to obtain competitive fuel supply and transportation contracts would be undermined.

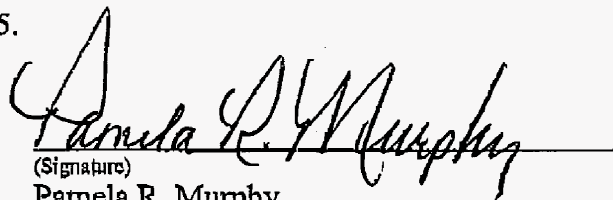
6. Additionally, the disclosure of confidential information in PEF's fuel supply and transportation contracts, proposals, and business analysis plans would adversely impact PEF's competitive business interests. If such information was disclosed to PEF's competitors, PEF's efforts to obtain competitive fuel supply and transportation options that provide economic value to both PEF and its ratepayers would be compromised.

7. Upon receipt of confidential information from fuel suppliers and transportation companies, 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. At no time since receiving the contracts and information in question has the Company publicly disclosed that information or contracts. The Company has treated and continues to treat the information and contracts at issue as confidential.

8. This concludes my affidavit.

Further affiant sayeth not.

Dated the 20<sup>th</sup> day of April, 2005.



(Signature)

Pamela R. Murphy

Director

Gas and Oil Trading Section

Regulated Fuels Department

Progress Energy Carolinas

Post Office Box 1551

Raleigh, NC. 27602

