

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for approval of negotiated purchase power contract for purchase of firm capacity and energy with BG&E of Florida, LLC by Progress Energy Florida.

Docket No. 070561-EI

Dated: August 23, 2007

COMMISSION CLERK

07 AUG 23 PM 12:50

RECEIVED - FPSC

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 negotiated contract ("the Contract") between PEF and BG&E of Florida, LLC ("BG&E") filed on August 10, 2007. In support of this Request, PEF states:

1. The Contract contains information that is "proprietary business information" under Section 366.093(3), Florida Statutes.

2. The following exhibits are included with this request:

(a) See Confidential Exhibit A as filed in PEF's Notice of Intent for Request for

Confidential Classification filed on August 10, 2007 which contains an unredacted copy of the documents for which PEF seeks confidential treatment.

(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.

- CMP
- COM
- CTR
- ECR
- GCL
- OPC
- RCA
- SCR
- SGA
- SEC
- OTH

(CONF. DN 07067-07)

DOCUMENT NUMBER-DATE

07510 AUG 23 5

COMMISSION CLERK

1 conf records

(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.

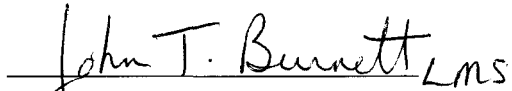
3. As indicated in Exhibit C, the information for which PEF requests confidential classification is “proprietary confidential business information” within the meaning of Section 366.093(3), F.S. Specifically, the information at issue relates to competitively negotiated contractual data, such as capacity factors, capacity prices, payment amounts and energy costs, the disclosure of which would impair the efforts of the Company or its affiliates to negotiate purchase power contracts on favorable terms. *See* § 366.093(3)(d), F.S.; Affidavit of David Gammon at ¶ 5. Furthermore, the information at issue relates to the competitive interests of PEF, the disclosure of which would impair their competitive businesses. *Id.* § 366.093(3)(e); Affidavit of David Gammon 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 David Gammon at ¶ 7. The information has not been disclosed to the public, and the Company has treated and continues to treat the information and contracts at issue as confidential. See Affidavit of David Gammon 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 23rd day of August, 2007.

 Lms

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

Attorneys for
PROGRESS ENERGY FLORIDA, INC.

EXHIBIT A

(A separate sealed envelope labeled “confidential” was previously filed on August 10, 2007 with PEF’s Notice of Intent to Request Confidential Classification. The envelope contains one copy of the confidential documents for which PEF seeks confidential treatment)