

Hopping Green & Sams

Attorneys and Counselors

Writer's Direct Dial No.
(850) 425-2328

August 31, 2007

BY HAND DELIVERY

Ms. Ann Cole
Director Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399

Re: Docket No. 070007-EI
Request for Confidential Classification and Motion for Protective Order
CONFIDENTIAL MATERIALS ENCLOSED

Dear Ms. Cole:

Enclosed for filing on behalf of Progress Energy Florida, Inc., (PEF) are the following:

(1) The original and seven copies of PEF's Request for Confidential Classification;

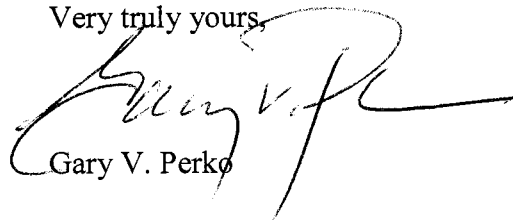
(2) A package containing Exhibit A, which includes two redacted copies of the confidential documents; and

(3) A CONFIDENTIAL package containing Exhibit B which includes one copy of the documents on which the confidential material has been highlighted.

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

Please stamp and return the enclosed extra copy of this filing. If you have any question regarding this filing, please contact the undersigned.

Very truly yours,



Gary V. Perko

GVP/dg
Enclosures
cc: certificate of service

Request CL *Redacted* *Confidential*
DOCUMENT NUMBER-DATE DOCUMENT NUMBER-DATE DOCUMENT NUMBER-DATE
07904 AUG 31 5 07905 AUG 31 5 07906 AUG 31 5
Post Office Box 6526 Tallahassee, Florida 32314 123 South Calhoun Street (32301) 850.222.7500 850.224.8551 fax www.hgslaw.com
FPSC-COMMISSION CLERK FPSC-COMMISSION CLERK FPSC-COMMISSION CLERK

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished to all counsel of record and interested parties as listed below by regular U.S. mail this 31st day of August, 2007.

Martha Carter Brown
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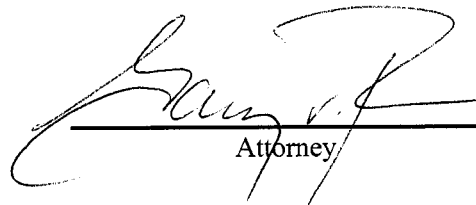
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Attorney

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Environmental Cost Recovery Clause.

DOCKET NO. 070007-EI

FILED: AUGUST 31, 2007

**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, submits this Request For Confidential Classification of information included in the pre-filed testimony of Patricia Q. West submitted for filing contemporaneously with this Request. In support of this Request, Progress Energy states:

1. Contemporaneously with this request, PEF is submitting the pre-filed testimony of Patricia Q. West. Page 7, Line 17 through Page 8, Line 5 of Ms. West's testimony include information concerning PEF's strategy for procuring nitrogen oxide ("NOx") emission allowances to comply with regulatory requirements of the Clean Air Interstate Rule ("CAIR"). Specifically, the information relates to the timing and costs of planned allowance purchases. This information could be used to determine when PEF intends to purchase nitrogen oxide ("NOx") emission allowances and how much PEF has agreed to pay to date for such allowances. As discussed in the pre-filed testimony of Joseph McCallister submitted on August 3, 2007, CAIR establishes certain seasonal and annual NOx emission compliance requirements. Although a seasonal NOx allowance market currently exists, CAIR's effect on the market is uncertain. In addition, as a result of CAIR, a new annual NOx allowance market is developing with limited observed activity to date. As a result, allowance prices for annual NOx have been and could be volatile and future prices are uncertain. For these reasons, disclosure of the redacted

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information in Ms. West's testimony concerning allowance market positions could put PEF at a competitive disadvantage in purchasing emission allowances on the market which could further contribute to price volatility to the detriment of PEF and its customers. As such, the redacted information constitutes confidential 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), F.S. As such, all of the information identified above constitutes "proprietary confidential business information" as that term is defined in Section 366.093, Florida Statutes, and is therefore exempt from disclosure under the Public Records Act.

2. The following exhibits are included with this request:

(a) Exhibit A is a package containing two copies of redacted versions of the document 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.

(b) Exhibit B is a package containing unredacted copies of the document or which Progress Energy seeks confidential treatment. Exhibit B is being submitted separately in a sealed envelope labeled "CONFIDENTIAL." In the unredacted versions, the information asserted to be confidential is highlighted in yellow.

3. The information redacted in Exhibit A and highlighted in Exhibit B is intended to be and is treated as confidential by the Company. The information has not been disclosed to the public.

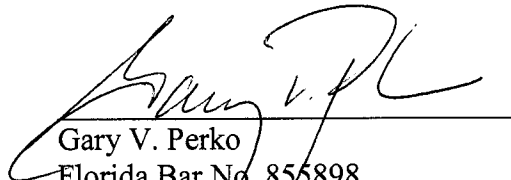
4. PEF requests that the information redacted in Exhibit A and highlighted in Exhibit B be classified as "proprietary confidential business information" within the meaning of section 366.093(3), F.S., that the information remain confidential for a period of at least 18 months as

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, Progress Energy Florida, Inc., respectfully requests that this Request for Confidential Classification be granted.

RESPECTFULLY SUBMITTED this ^{31st} day of August, 2007.

HOPPING GREEN & SAMS, P.A.



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STATE OF FLORIDA

COMMISSIONERS:
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MATTHEW M. CARTER II
KATRINA J. McMURRIAN
NANCY ARGENZIANO
NATHAN A. SKOP



OFFICE OF COMMISSION CLERK
ANN COLE
COMMISSION CLERK
(850) 413-6770

Public Service Commission

ACKNOWLEDGEMENT

CONFIDENTIAL

DATE: 8/31/07

TO: PERKO / HOPPING LAW FIRM

FROM: M. Sanders, Office of Commission Clerk

RE: Acknowledgement of Receipt of Confidential Filing

This will acknowledge receipt of a CONFIDENTIAL DOCUMENT filed in Docket Number 070002-E1 or, if filed in an undocketed matter, concerning WEST TESTIMONY, and filed on behalf of PEF. 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.

DOCUMENT NUMBER - DATE
07906 AUG 31 06
FPSC - COMMISSION CLERK

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STATE OF FLORIDA

COMMISSIONERS:
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KATRINA J. MCMURRIAN
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OFFICE OF COMMISSION CLERK
ANN COLE
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Public Service Commission

M-E-M-O-R-A-N-D-U-M

DATE: September 6, 2007

TO: _____ OFFICE OF THE GENERAL COUNSEL
_____ DIVISION OF COMPETITIVE MARKETS & ENFORCEMENT
XX _____ DIVISION OF ECONOMIC REGULATION
_____ DIVISION OF REGULATORY COMPLIANCE AND
CONSUMER ASSISTANCE

FROM: DIVISION OF THE COMMISSION CLERK AND ADMINISTRATIVE SERVICES

RE: CONFIDENTIALITY OF CERTAIN INFORMATION

DOCUMENT NO(s): 07906-07

DESCRIPTION: Progress (Perko) - (CONFIDENTIAL) Information included in prefiled testimony of Patricia Q. West.

SOURCE: Progress Energy Florida, Inc.

DOCKET NO(s): 070007-EI

The above material was received with a request for confidential classification. Please prepare a recommendation for the attorney assigned to the case by completing the section below and forwarding a copy of this memorandum, together with a brief memorandum supporting your recommendation, to the attorney. Copies of your recommendation should also be provided to the Division of the Commission Clerk and Administrative Services, Bureau of Records and Hearing Services, and to the Office of General Counsel.