

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

080437

In re: Fuel Procurement Hedging Practices
of Florida's Investor-Owned Utilities.

Docket No. 080000-B1

Dated: June 26, 2008

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**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 Staff's audit work papers and data request responses pertaining to the Fuel Procurement Hedging Practices of Florida's Investor-Owned Utilities. In support of this Request, PEF states:

1. The Staff audit work papers and data request responses at issue contain "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 audit work papers and data request responses 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.

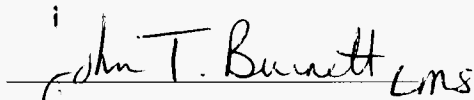
3. As indicated in Exhibit C, the information for which PEF requests confidential classification is “proprietary confidential business information” within the meaning of Section 366.093(3), F.S. Specifically, the audit work papers and data request responses contain information that relates to sensitive business information, such as internal hedging practices and procedures, hedging volumes and transactions, risk assessment of financial counterparties, hedging forecasts, percentages, credit limits, credit ratings, internal audit findings and pricing information, the disclosure of which would impair the efforts of the Company to negotiate fuel supply contracts and fuel hedges 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 audit work papers and data request responses 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 26th day of June, 2008.

 i
John T. Burnett *ems*

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Attorneys for
PROGRESS ENERGY FLORIDA, INC.

Exhibit A

(audit work papers)

“CONFIDENTIAL”

*(Note: Confidential Data Request responses to be provided by
FPSC Audit Staff)*

STATE OF FLORIDA

COMMISSIONERS:
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KATRINA J. McMURRIAN
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Public Service Commission

ACKNOWLEDGEMENT

DATE: June 26, 2008

TO: John Burnett, Alexander Glenn, Progress Energy

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 certain information contained in staff's audit work papers and data request responses pertaining to Fuel Procurement Hedging Practices 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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