### BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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

Docket No. 100001-EI COMMISSION OLERK Dated: January 5, 2011

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 provided in its Responses to Staff Data Request No. 3 dated December 17, 2010. In support of this Request, PEF states:

1. Pef's Responses to Staff Data Request No. 3 contains "proprietary business information" under Section 366.093(3), Florida Statutes.

2. The following exhibits are included with this request:

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ECR

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ADM

OPC CLK

SSC

(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 in yellow.

(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.
 claim of confidentiality notice of intent
 claim of confidentiality filed by OPC

For DN (20072-1), which is in locked storage. You must be authorized to view this DN.-CLK DUCUMENT NUMBER-CATE () 0071 JAN-5 = FPSC-COMMISSION CLERK (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 hedging savings/costs, the disclosure of which would impair the efforts of the Company or its affiliates 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 and its fuel suppliers, the disclosure of which would impair their competitive businesses. *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 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 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 5<sup>th</sup> day of January, 2011.

nett, ms

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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 5<sup>th</sup> day of January, 2011.

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FPSC-COMMISSION CLERK

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# REDACTED

## Exhibit B

### PROGRESS ENERGY FLORIDA, INC.'S RESPONSES TO STAFF'S DATA REQUEST NO. 3 DOCKET NO. 100001-EI

Q1. Please fill in the tables below for the Company's hedging results (realized gains / losses) in dollars for the years 2003 through 2010 for Natural Gas, No. 6 Oil, and No. 2 Oil.

	Natural Gas, No. 6 Oil, and No. 2 Oil Realized Gains / Losses on hedges		
Year	Financial Hedges	Physical Hedges	Total Hedged
2003			\$18,542,952
2004			\$50,309,712
2005			\$192,059,066
2006			\$118,999,150
2007			(\$15,074,486)
2008			\$239,767,495
2009			(\$583,595,032)
2010	*		(\$282,901,808) *

\*Note: The data above for 2010 is based on actual natural gas settlements for the period of January through December 2010, actual settlements for PEF plant No. 6 and No. 2 fuel oil for January through November 2010, and actual settlements for coal barge and rail transportation fuel oil hedges for January through November 2010. The above totals for 2010 do not include any December 2010 settlements for PEF plant No. 6 and No. 2 fuel oil, or any coal barge and rail transportation fuel oil hedges will be available by mid January 2011. The net settlements for these outstanding December 2010 hedges will not have a material effect on the totals for 2010.

Q2. Please fill in the tables below for the Company's hedging results (realized gains / losses) in dollars for the years 2003 through 2010 for Natural Gas.

		Natural Gas Realized Gains / Losses on he	1 hedges	
Year	Financial Hedges	Physical Hedges	Total Hedged	
2003			\$19,772,126	
2004			\$51,068,145	
2005			\$121,672,401	
2006			\$62,066,818	
2007			(\$34,399,955)	
2008			\$120,203,994	
2009			(\$556,627,599)	
2010			(\$285,895,813)	

### **Exhibit** C

PAGE/LINE	JUSTIFICATION
Q1 Response: Financial & Physical hedging savings/costs per year for 2003-2010. Q2 Response: Financial & Physical hedging savings/costs per year for 2003-2010.	<ul> <li>§366.093(3)(d), F.S.</li> <li>The document in question contains confidential information, the disclosure of which would impair PEF's efforts to contract for goods or services on favorable terms.</li> <li>§366.093(3)(e), F.S.</li> <li>The document in question contains confidential information relating to competitive business interests, the disclosure of which would impair the competitive</li> </ul>
	the disclosure of which would
	<ul> <li>Physical hedging savings/costs per year for 2003-2010.</li> <li>Q2 Response: Financial &amp; Physical hedging savings/costs per year for</li> </ul>

### **PROGRESS ENERGY FLORIDA Confidentiality Justification Matrix**

DOCUMENT NUMBER CATE D D D 7 1 JAN -5 =

FPSC-COMMISSION CLEAD

State of Florida



Public Service Commission

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John T. Burnett P.O. Box 14042 St. Petersburg FL 33733

Re: Acknowledgement of Confidential Filing in Docket No. 100001-EI

This will acknowledge receipt by the Florida Public Service Commission, Office of Commission Clerk, of a CONFIDENTIAL DOCUMENT filed on January 5, 2011, in the above-referenced docket.

Document Number 00072-11 has been assigned to this filing, which will be maintained in locked storage.

If you have any questions regarding this document, please contact Kim Peña, Records Management Assistant, at (850) 413-6393.