

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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IN RE: NUCLEAR POWER PLANT
COST RECOVERY CLAUSE

Docket No. 110009-EI COMMISSION
Submitted for Filing: August 31, 2011 CLERK

PROGRESS ENERGY FLORIDA, INC.'S NOTICE OF FILING

Progress Energy Florida, Inc. ("PEF" or the "Company"), hereby gives notice of filing of the Affidavit of John Elnitsky in Support of Progress Energy Florida, Inc.'s Nineteenth Request for Confidential Classification Regarding Portions of the August 3, 2011 Deposition Transcript and Exhibits of John Elnitsky.

Respectfully submitted,



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COM _____
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RAD _____
SRC _____
ADM _____
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CLK _____

CERTIFICATE OF SERVICE

I HEREBY CERTIFY a true and correct copy of the foregoing has been furnished to counsel and parties of record as indicated below via electronic and U.S. Mail this 31st day of August, 2011.



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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Nuclear Power Plant Cost
Recovery Clause

Docket No. 110009-EI
Submitting for filing: August __, 2011

**AFFIDAVIT OF JOHN ELNITSKY IN SUPPORT OF PROGRESS ENERGY FLORIDA,
INC.'S NINETEENTH REQUEST FOR CONFIDENTIAL CLASSIFICATION**

STATE OF FLORIDA

COUNTY OF PINELLAS

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

1. My name is John Elnitsky. I am over the age of 18 years 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 Request for Confidential Classification regarding portions of my August 3, 2011 deposition and exhibits filed in this docket (the "Request"). The facts attested to in my affidavit are based upon my personal knowledge.

2. As Vice President of New Generation Programs and Projects, I am responsible for the licensing and construction of the Levy Nuclear Project ("LNP"), including the direct management of the Engineering, Procurement, and Construction Agreement ("EPC Agreement") with Westinghouse and Shaw, Stone, & Webster (the "Consortium").

3. A detailed description of the confidential information at issue is contained in confidential Attachment A to PEF's Request and is outlined in PEF's Justification Matrix that is attached to PEF's Request as Appendix C.

4. The Company is requesting confidential classification of this information because it contains proprietary and confidential contractual terms as well as cost information related to and/or derived from contractual agreements necessary to complete the LNP including the EPC Agreement. Those agreements, including the EPC Agreement, contain non-disclosure provisions that limit the use and forbid the dissemination of the information. The disclosure of this information would impair the Company's ability to contract on favorable terms, or at all, for necessary goods and services to complete the LNP. The Company and its customers would be harmed if PEF were not able to contract for the goods and services necessary to complete the LNP on favorable terms.

5. Also included in the deposition transcript is information related to the ongoing negotiations with potential joint-owners of the LNP. The Company is maintaining the confidentiality of the details of these negotiations, including the identity of the potential joint-owners. Public release of the identities and other details of the negotiations could harm PEF's competitive negotiating position, and possibly lead to the end of negotiations all together. PEF must be able to maintain the confidentiality of its negotiations with potential joint owners in order to be in the best position to negotiate a favorable agreement that benefits the Company and its customers. Without the Company's measures to maintain the confidentiality of the negotiation process, the Company's efforts to obtain competitive contracts could be undermined to the detriment of PEF and its ratepayers.

6. Finally, the transcript and the exhibits to the deposition contain strategic planning information provided to senior management which is competitive-sensitively business information. The transcript discussions and document portions in question contain confidential


information relating to competitive business interests, the disclosure of which would impair the competitive business of the Company.

7. Upon receipt of all this confidential information, 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. At no time has the Company publicly disclosed the information at issue. The Company has treated and continues to treat the information at issue as confidential.

8. This concludes my affidavit.

Further affiant sayeth not.

Dated this 26th day of August, 2011.



(Signature)

John Elnitsky, Vice President of New Generation Programs and Projects

THE FOREGOING INSTRUMENT was sworn to and subscribed before me this ___ day of August, 2011 by John Elnitsky. He is personally known to me, or has produced his _____ driver's license, or his _____ as identification.



(Signature)

Joanne A Godsey-Baur

(Printed Name)

NOTARY PUBLIC, STATE OF FL

August 8 2015

(Commission Expiration Date)

EE 082112

(Serial Number, If Any)

(AFFIX NOTARIAL SEAL)

