

Hopping Green & Sams

Attorneys and Counselors

Writer's Direct Dial No.
(850) 425-2359

September 13, 2012

BY HAND DELIVERY

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

claim of confidentiality
 notice of intent
 request for confidentiality
 filed by OPC

For DN 06171-12, which
is in locked storage. You must be
authorized to view this DN.-CLK

Re: Docket No. 120007-EI – Request for Confidential Classification

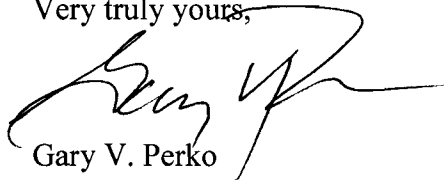
Dear Ms. Cole:

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

- (1) The original and seven copies of its Request for Confidential Classification. DN 06169-12
- (2) An envelope containing Exhibit A, which includes two redacted copies of the confidential document; and DN 06170-12
- (3) A CONFIDENTIAL envelope containing Exhibit B which includes one copy of the document on which the confidential material has been highlighted. DN 06171-12

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

Very truly yours,


Gary V. Perko

Enclosures	COM	_____
	AFD	_____
	APA	_____
	ECO	_____
	ENG	_____
	GCL	_____
	IDM	_____
	TEL	_____
	CLK	_____

DOCUMENT NUMBER-DATE

06169 SEP 13 02

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Environmental Cost Recovery Clause.

DOCKET NO. 120007-EI

FILED: SEPTEMBER 13, 2012

**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 being provided in response to Interrogatory No. 19(c) of Staff's Third Set of Interrogatories (Nos. 17-19). In support of this request, PEF states:

1. Contemporaneously with this request, PEF is serving its responses to Staff's Third Set of Interrogatories (Nos. 17-19) which, for the reasons discussed below, includes the following proprietary confidential business information:

(a) In response to Staff Interrogatory No. 19(c), PEF is providing competitively sensitive information related to PEF's sale of gypsum generated by air pollution control equipment at Crystal River Units 4 and 5. Such information includes the amount of gypsum sold in 2011 and the amount of gypsum that PEF projects to sell in 2012. Disclosure of this information would give potential gypsum purchasers significant competitive advantage in future negotiations because they would no longer need to make their best offers to ensure the competitiveness of their proposed rates or prices. Additionally, disclosure of PEF's gypsum customers would enable other gypsum suppliers to target PEF's customers. As such, disclosure of this information would impair the efforts of PEF to contract for goods or services on favorable terms. See § 366.093(3)(d), F.S. Furthermore, the information at issue relates to the competitive interests of PEF, the disclosure of which would impair PEF's competitive business.

DOCUMENT NUMBER-DATE

06169 SEP 13 2012

366.093(3)(e). 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.

2. The following exhibits are included with this request:

(a) Exhibit A is a package containing two copies of a redacted version of the document for which the Company requests confidential classification. In the redacted version of the document, the confidential information has been blackened out by opaque marker or other means.

(c) Exhibit B is a package containing an unredacted copy of the document for which PEF seeks confidential treatment. Exhibit B is being submitted separately in a sealed envelope labeled “CONFIDENTIAL.” In the unredacted version of the document, the confidential information has been highlighted in yellow on page 3 (lines 1-2).

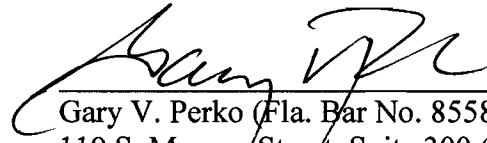
3. The information in Exhibit B is intended to be and is treated as confidential by PEF. The information has not been disclosed to the public.

4. Progress Energy requests that the information 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 ^{3rd} 2 day of September, 2012.

HOPPING GREEN & SAMS, P.A.

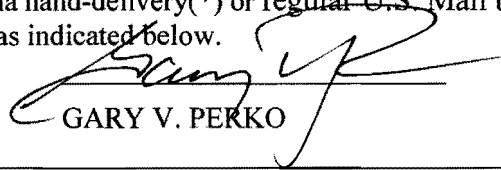


Gary V. Perko (Fla. Bar No. 855898)
119 S. Monroe Street, Suite 300 (32301)
Post Office Box 6526
Tallahassee, FL 32314
Telephone: 805-425-2359
Facsimile: 805-224-8551

Attorneys for PROGRESS ENERGY FLORIDA

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of Progress Energy Florida's Request for Confidential Classification has been furnished via hand-delivery(*) or regular U.S. Mail this 13th day of September, 2012 to all parties of record as indicated below.


GARY V. PERKO

<p>Charles Murphy, Esq*. Office of General Counsel Florida Public Service Commission 2540 Shumard Oak Blvd. Tallahassee, FL 32399-0850 cmurphy@psc.state.fl.us</p> <p>James D. Beasley, Esq. Jeffrey Wahlen, Esq. Ausley & McMullen Law Firm P.O. Box 391 Tallahassee, FL 32302 jbeasley@ausley.com</p> <p>John T. Butler, Esq. Florida Power & Light Co. 700 Universe Boulevard Juno Beach, FL 33408 John.butler@fpl.com</p> <p>Ken Hoffman Florida Power & Light 215 S. Monroe Street, Ste. 810 Tallahassee, FL 32301-1859 Wade.litchfield@fpl.com</p> <p>Jeffrey A. Stone, Esq. Russell A. Badders, Esq. Steven R. Griffin Beggs & Lane Law Firm P.O. Box 12950 Pensacola, FL 32591 jas@beggslane.com rab@beggslane.com; srg@beggslane.com</p> <p>Ms. Paula K. Brown Tampa Electric Company P.O. Box 111 Tampa, FL 33601 regdept@tecoenergy.com</p> <p>Capt Samuel Miller c/o AFLSA/JACL-ULT 139 Barnes Drive, Suite 1 Tyndall AFB, FL 32403-5319 samuel.miller@tyndall.af.mil</p>	<p>J.R.Kelly/Charles Rehwinkel Office of Public Counsel c/o The Florida Legislature 111 West Madison Street, #812 Tallahassee, FL 32399 Kelly.jr@leg.state.fl.us Rehwinkel.charles@leg.state.fl.us</p> <p>Mr. James W. Brew, Esq. c/o Brickfield Law Firm 1025 Thomas Jefferson St., NW 8th Floor, West Tower Washington, DC 20007 jbrew@bbrslaw.com</p> <p>Keefe Law Firm Vicki Gordon Kaufman Jon C. Moyle, Jr. 118 North Gadsden Street Tallahassee, FL 32301 vkaufman@moylelaw.com jmoyle@moylelaw.com</p> <p>Ms. Susan D. Ritenour Gulf Power Company One Energy Place Pensacola, FL 32520-0780 sdriteno@southernco.com</p> <p>White Springs Agricultural Chemicals P.O. Box 300 White Springs, FL 32096 Rmiller@pcsposphate.com</p> <p>R. Alexander Glenn/John Burnett/Dianne Triplett P.O. Box 14042 St. Petersburg, FL 33733 John.burnett@pgnmail.com Dianne.triplett@pgnmail.com</p> <p>Paul Lewis, Jr. 106 E. College Ave., Ste. 800 Tallahassee, FL 32301 Paul.lewisjr@pgnmail.com</p>
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