

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: *Review of Progress Energy Florida's Project Management Internal Controls for Nuclear Plant Uprate and Construction Projects*

Docket No: undocketed matter

Submitted for Filing: July 29, 2008

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PROGRESS ENERGY FLORIDA'S REQUEST FOR CONFIDENTIAL CLASSIFICATION REGARDING AUDIT REPORT, DATA REQUESTS, AND WORKPAPERS

Progress Energy Florida ("PEF" or the "Company"), pursuant to Section 366.093, Fla. Stats., and Rule 25-22.006(3), F.A.C., requests confidential classification of portions of the documents and information provided to Public Service Commission ("PSC") Staff auditors, in response to data requests, during Staff's *Review of Progress Energy Florida's Project Management Internal Controls for Nuclear Plant Uprate and Construction Projects*, portions of Staff's workpapers, and portions of the final audit report. These documents contain confidential internal audits, confidential cost information, confidential bid information, contractual information, and critical transmission infrastructure information, the disclosure of which would impair PEF's competitive business and violate PEF's third party confidentiality agreements. The unredacted documents discussed above are being

COM _____ filed under seal with the Commission on a confidential basis to keep the competitive
ECR _____
GCL | business information in those documents confidential.

The Confidentiality of the Documents at Issue

OPC _____
RCP |
SSC _____ Section 366.093(1), Florida Statutes, provides that "any records received by the
SGA _____
ADM _____ Commission which are shown and found by the Commission to be proprietary
CLK _____

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confidential business information shall be kept confidential and shall be exempt from [the Public Records Act].” § 366.093(1), Fla. Stats. Proprietary confidential business information means information that is (i) intended to be and is treated as private confidential information by the Company, (ii) because disclosure of the information would cause harm, (iii) either to the Company’s ratepayers or the Company’s business operation, and (iv) the information has not been voluntarily disclosed to the public.

§ 366.093(3), Fla. Stats. Specifically, “information... the disclosure of which would impair the efforts of the public utility or its affiliates to contract for goods or services on favorable terms” is defined as proprietary confidential business information.

§ 366.093(3)(d), Fla. Stats. Additionally, subsection 366.093(3)(e) defines “information relating to competitive interests, the disclosure of which would impair the competitive business of the provider of the information,” as proprietary confidential business information. Subsection 366.093(3)(b) further defines “internal auditing controls and reports of internal audits” as proprietary confidential business information.

Documents produced in response to DR-1, request 1a, DR-2, requests 1 and 2, DR-3, requests 2b, 9, 11a, and 11b, DR-4, request 2, DR-5, request 1a, DR-6, request 4, portions of the final audit report, and portions of the Staff’s workpapers

Portions of the documents produced in response to DR-1, request 1a, DR-2, requests 1 and 2, DR-3, requests 2b, 9, 11a, and 11b, DR-4, request 2, DR-5, request 1a, DR-6, request 4, portions of the final audit report, and portions of the Staff’s workpapers, should be afforded confidential treatment for the reasons set forth in the Affidavit of Daniel L. Roderick filed in support of PEF’s Request for Confidential Classification and for the following reasons. These documents contain confidential contractual information regarding the purchase of equipment and services necessary to complete the CR3 Uprate

and Levy nuclear projects. Certain of these documents contain contractual quantities and pricing arrangements between PEF and providers of various nuclear equipment and services that would adversely impact PEF's competitive business interests if disclosed to the public. See Affidavit of Daniel L. Roderick at ¶ 5. PEF must be able to assure these vendors that sensitive business information, such as the pricing and quantity terms of their contracts, will be kept confidential. Id. Indeed, most of the contracts at issue contain confidentiality provisions that prohibit the disclosure of the terms of the contract to third parties. Id.

Specifically, the information at issue relates to competitively negotiated contractual data, such as quantity and pricing of goods and services, and other contractual terms, the disclosure of which would impair the efforts of the Company to negotiate these contracts on favorable terms. See § 366.093(3)(d), Fla. Stats.; Affidavit of Roderick at ¶ 5. If other third parties were made aware of confidential contractual terms that PEF has with other parties, they may offer PEF less competitive contractual terms in future contractual negotiations. Id. Without PEF's measures to maintain the confidentiality of sensitive terms in contracts between PEF and these nuclear contractors, the Company's efforts to obtain competitive contracts for the CR3 Uprate and Levy nuclear projects could be undermined. Id.

Upon receipt of this confidential information, strict procedures are established and followed to maintain the confidentiality of the information provided, including restricting access to those persons who need the information to assist the Company, and restricting the number of, and access to the information. (Affidavit of Daniel L. Roderick at ¶ 22). At no time since receiving the information in question has the Company publicly

disclosed that information. Id. The Company has treated and continues to treat the information at issue as confidential. Id.

**Documents produced in response to DR-1, request 3a, DR-3,
requests 9 and 12, and DR-5, request 1a**

Portions of the documents produced in response to DR-1, request 3a, DR-3, requests 9 and 12, and DR-5, request 1a, should be afforded confidential treatment for the reasons set forth in the Affidavit of Daniel L. Roderick filed in support of PEF's Request for Confidential Classification and for the following reasons. These documents contain information regarding PEF's confidential and proprietary internal bid and contracting strategies and analyses. PEF is requesting confidential classification of its responses because public disclosure of the documents and information in question would impair PEF's competitive business interests (Affidavit of Daniel L. Roderick at ¶ 6).

Specifically, if PEF's suppliers or competitors were made aware of how PEF analyzes bid responses and chooses contract vendors, they may adjust their behavior in the market place with respect to activity such as pricing and the acquisition and provision of goods, materials, and services. (Id. at ¶ 7) This would impair PEF's ability to obtain competitive contracts, with favorable terms, that provide economic value to PEF and its ratepayers. (Id.)

In addition, certain of these documents contain technical and contractual bid information provided by third parties to PEF in response to Request for Proposals ("RFPs") issued by the Company. See Affidavit of Daniel L. Roderick at ¶ 7. PEF must be able to assure these third-party bidders that sensitive business information, such as the pricing and quantity terms, and technical information, of their bids, will be kept

confidential. Id. Indeed, most of the RFP responses at issue contain confidentiality provisions that prohibit the disclosure of the terms of the bids to third parties. Id.

Upon receipt of this confidential information, strict procedures are established and followed to maintain the confidentiality of the information provided, including restricting access to those persons who need the information to assist the Company, and restricting the number of, and access to the information. (Affidavit of Daniel L. Roderick at ¶ 22). At no time since receiving the information in question has the Company publicly disclosed that information. Id. The Company has treated and continues to treat the information at issue as confidential. Id.

Documents produced in response to DR-1, requests 1a and 7a, DR-3, requests 1a, 2a, 2b, and 7a, DR-5, requests 2a through 2c, and DR-7, request 5

Portions of the documents produced in response to DR-1, requests 1a and 7a, DR-3, requests 1a, 2a, 2b, and 7a, DR-5, requests 2a through 2c, and DR-7, request 5, should be afforded confidential treatment for the reasons set forth in the Affidavit of Daniel L. Roderick filed in support of PEF's Request for Confidential Classification and for the following reasons. These documents contain information regarding PEF's confidential and proprietary cost projections for various portions of the CR3 Uprate and Levy nuclear projects. PEF is requesting confidential classification of its responses because public disclosure of the documents and information in question would impair PEF's competitive business interests. (Affidavit of Daniel L. Roderick at ¶ 8). Specifically, portions of these documents reflect the Company's confidential cost projections regarding labor and materials. (Id. ¶ 9) If PEF's suppliers or competitors were made aware of PEF's detailed cost projections to obtain certain goods and services, they may adjust their behavior in the market place with respect to activity such as pricing and the acquisition and provision

of such goods, materials, and services. (Id.) In other words, if these third parties know what PEF expects to have to pay for these goods and services, then those third parties have leverage in negotiating for these goods and services. (Id.) This would impair PEF's ability to obtain competitive contracts, with favorable terms, that provide economic value to PEF and its ratepayers. (Id.)

Upon receipt of this confidential information, strict procedures are established and followed to maintain the confidentiality of the information provided, including restricting access to those persons who need the information to assist the Company, and restricting the number of, and access to the information. (Affidavit of Daniel L. Roderick at ¶ 22). At no time since receiving the information in question has the Company publicly disclosed that information. Id. The Company has treated and continues to treat the information at issue as confidential. Id.

Documents produced in response to DR-1, requests 3b and 7a, DR-3, requests 3a and 3b, DR-4, requests 2, 3, 4, 5, and 15, DR-5, request 2a through 2c, DR-7, requests 1, 2, and 3, and portions of the final audit report

Portions of the documents produced in response to DR-1, requests 3b and 7a, DR-3, requests 3a and 3b, DR-4, requests 2, 3, 4, 5, and 15, DR-5, request 2a through 2c, DR-7, requests 1, 2, and 3, and portions of the final audit report either are internal audit reports and procedures that resulted from the Company's audits of the CR3 Uprate Project, the Levy nuclear project, PEF's contractors, or uprate projects at other Progress nuclear plants, or these documents contain information obtained from such audits. (Affidavit of Daniel L. Roderick at ¶ 10). PEF is requesting confidential classification of these reports, procedures, and information because public disclosure of the documents and information in question would compromise PEF's ability to effectively audit the

Company's major projects. Id. ¶ 11. If the Company were to know that its internal auditing controls and processes were subject to public disclosure, it may not be as thorough while conducting such audits. Id. In addition, such information and documents are specifically defined by Section 366.093(3)(b) as proprietary confidential business information that is entitled to confidential status. Id.

Upon receipt of this confidential information, strict procedures are established and followed to maintain the confidentiality of the information provided, including restricting access to those persons who need the information to assist the Company, and restricting the number of, and access to the information. (Affidavit of Daniel L. Roderick at ¶ 22). At no time since receiving the information in question has the Company publicly disclosed that information. Id. The Company has treated and continues to treat the information at issue as confidential. Id.

**Documents produced in response to DR-1, request 1a,
and DR-3, requests 1a and 9**

Portions of the documents produced in response to DR-1, request 1a and DR-3, requests 1a and 9 should be afforded confidential treatment for the reasons set forth in the Affidavit of Dale Oliver filed in support of PEF's Request for Confidential Classification and for the following reasons. These documents include confidential and proprietary transmission studies, the disclosure of which would compromise PEF's competitive business interests and place PEF's critical energy infrastructure at risk. Specifically, these transmission studies provide details regarding PEF's existing transmission line system as well as information and recommendations for future transmission infrastructure development. (See Affidavit of Dale Oliver at ¶ 5). Disclosure of this study would

impair PEF's competitive business interests by providing third parties with information regarding PEF's future plans for expanding and improving its transmission system. (Id.) For example, if third party real property owners were to know the planned locations of new transmission line corridors, they may raise the asking price of their property, thus making it more expensive for PEF to purchase necessary easements and property for those transmission corridors. (Id.) Likewise, if third party contractors with whom PEF contracts to construct the transmission lines were to know PEF's specific transmission needs, they could increase the price of those goods and services. (Id.)

Disclosure of the information in this transmission study would also threaten the security of PEF's existing and proposed transmission lines, which are considered to be critical energy infrastructure. (See Affidavit of Dale Oliver at ¶ 6). Specifically, portions of the transmission study contain critical energy infrastructure information, which is specific engineering, vulnerability, or detailed information about proposed or existing critical infrastructure (physical or virtual) that relates details about the production, generation, transmission or distribution of energy and could be useful to a person planning an attack on critical infrastructure. (Id.)

Upon receipt of this confidential information, strict procedures are established and followed to maintain the confidentiality of the information provided, including restricting access to those persons who need the information to assist the Company, and restricting the number of, and access to the information. (Affidavit of Dale Oliver at ¶ 7). At no time since receiving the information in question has the Company publicly disclosed that information. Id. The Company has treated and continues to treat the information at issue as confidential. Id.

**Documents produced in response to DR-3, requests 1a, 2a, 7a, and 13
and DR-7, requests 5 and 6**

Portions of the documents produced in response to DR-3, requests 1a, 2a, 7a, and 13 and DR-7, requests 5 and 6 should be afforded confidential treatment for the reasons set forth in the Affidavit of Daniel L. Roderick filed in support of PEF's Request for Confidential Classification and for the following reasons. These documents contain sensitive business information regarding the Company's planned construction schedule for the CR3 Uprate and Levy nuclear projects. PEF is requesting confidential classification of this scheduling information because public disclosure of the information in question would allow other parties to discover when the Company plans to purchase and install various pieces of equipment for these projects and would thus impair PEF's ability to contract for such services on competitive and favorable terms. (Affidavit of Daniel L. Roderick at ¶ 12).

PEF must negotiate and contract for certain pieces of equipment well in advance of the actual installation of that equipment. If potential vendors and utilities or other potential purchasers competing for the equipment orders knew when PEF must purchase such equipment, PEF's ability to negotiate for and timely obtain such equipment will likely be impaired. (Affidavit of Daniel L. Roderick at ¶ 13). In order to obtain competitive contracts for the benefit of its ratepayers, PEF must be able to negotiate for long-lead items without potential vendors or competing purchasers knowing when the equipment must be ordered to meet deadlines. For example, if potential vendors or competing purchasers knew that PEF needed a particular piece of equipment by a certain date, they may change their behavior in the marketplace to the detriment of PEF's

ratepayers. Id. PEF has kept confidential and has not publicly disclosed the proprietary schedule terms and provisions at issue here. Id.

Upon receipt of this confidential information, strict procedures are established and followed to maintain the confidentiality of the information provided, including restricting access to those persons who need the information to assist the Company, and restricting the number of, and access to the information. (Affidavit of Daniel L. Roderick at ¶ 22). At no time since receiving the information in question has the Company publicly disclosed that information. Id. The Company has treated and continues to treat the information at issue as confidential. Id.

Documents produced in response to DR-3, request 9

Portions of the documents responsive to DR-3, request 9 should be afforded confidential treatment for the reasons set forth in the Affidavit of Daniel L. Roderick filed in support of PEF's Request for Confidential Classification and for the following reasons. Portions of these documents contain information regarding land acquisition costs and the Company's site selection analysis, that would adversely impact PEF's competitive business interests if disclosed to the public. See Affidavit of Daniel L. Roderick at ¶ 14. Specifically, these documents reflect the Company's confidential analysis of various sites for new power generation within Florida. Id. at ¶ 15. The sites which were considered by the Company for the Levy Nuclear project, but not chosen, may be candidate sites for future generation opportunities for PEF. Id. In that case, it would be compromise PEF's competitive business interests if potential real estate owners were to know how PEF analyzed site selection and estimated land acquisition costs. Id. Specifically, those real estate owners may alter their behavior in the marketplace

regarding their asking price for selling that property, to the detriment of PEF and its ratepayers. Id.

Upon receipt of this confidential information, strict procedures are established and followed to maintain the confidentiality of the information provided, including restricting access to those persons who need the information to assist the Company, and restricting the number of, and access to the information. (Affidavit of Daniel L. Roderick at ¶ 22). At no time since receiving the information in question has the Company publicly disclosed that information. Id. The Company has treated and continues to treat the information at issue as confidential. Id.

Documents produced in response to DR-4, request 12

Portions of the documents responsive to DR-4, request 12 should be afforded confidential treatment for the reasons set forth in the Affidavit of Daniel L. Roderick filed in support of PEF's Request for Confidential Classification and for the following reasons. Portions of these documents contain information regarding possible technical solutions for the temperature and flow of the water at the discharge canal at Crystal River, that would adversely impact PEF's competitive business interests if disclosed to the public. See Affidavit of Daniel L. Roderick at ¶ 16.

Specifically, PEF contracted with Sargent & Lundy to study the water temperature and flow at the discharge canal, which is impacted by the CR3 Uprate project. (Id. at ¶ 17) The study includes possible solutions to the problem, as well as analysis regarding the technical and practical effects of each solution. (Id.) PEF must choose a solution and move forward with securing goods and services to implement that solution. (Id.) If the potential suppliers of those goods and services were to know that

PEF needed their particular goods and services to complete this project, they may change their behavior in the marketplace. (Id.) This would be detrimental to PEF and its ratepayers.

Upon receipt of this confidential information, strict procedures are established and followed to maintain the confidentiality of the information provided, including restricting access to those persons who need the information to assist the Company, and restricting the number of, and access to the information. (Affidavit of Daniel L. Roderick at ¶ 22). At no time since receiving the information in question has the Company publicly disclosed that information. Id. The Company has treated and continues to treat the information at issue as confidential. Id.

**Documents produced in response to DR-6, request 2 and
a portion of the final audit report**

Portions of the documents responsive to DR-6, request 2, as well as a portion of the final audit report, should be afforded confidential treatment for the reasons set forth in the Affidavit of Daniel L. Roderick filed in support of PEF's Request for Confidential Classification and for the following reasons. Portions of these documents contain information regarding the length of the refueling outage for the CR3 Uprate project, that would adversely impact PEF's competitive business interests if disclosed to the public. See Affidavit of Daniel L. Roderick at ¶ 18.

Specifically, the specific number of days during which CR3 will be offline for the refueling outage is highly confidential to the Company. (Id. at ¶ 19) During that time period, the Company may need to enter into power purchase arrangements to account for the lost megawatts on PEF's system. (Id.) If such suppliers of power were to be aware of

the specific number of days that CR3 was to be offline, this could change the terms (such as price and quantity) of the power they are willing to offer to PEF during this refueling outage. (Id.) This would be detrimental to PEF and its ratepayers.

Upon receipt of this confidential information, strict procedures are established and followed to maintain the confidentiality of the information provided, including restricting access to those persons who need the information to assist the Company, and restricting the number of, and access to the information. (Affidavit of Daniel L. Roderick at ¶ 22). At no time since receiving the information in question has the Company publicly disclosed that information. Id. The Company has treated and continues to treat the information at issue as confidential. Id.

Documents produced in response to DR-6, request 3

Portions of the documents responsive to DR-6, request 3, should be afforded confidential treatment for the reasons set forth in the Affidavit of Daniel L. Roderick filed in support of PEF's Request for Confidential Classification and for the following reasons. Portions of these documents contain confidential and sensitive analyses of potential risks and strategies regarding the CR3 Uprate and Levy nuclear projects. These documents reflect the Company's internal strategies for evaluating projects and assessing potential risks that affect cost and schedules, the disclosure of which would impair PEF's competitive business interests. See Affidavit of Roderick at ¶ 20.

If such information was disclosed to PEF's competitors and/or other potential suppliers, PEF's efforts to obtain competitive nuclear equipment and service options that provide economic value to both PEF and its ratepayers could be compromised by PEF's competitors and/or suppliers changing their offers, consumption, or purchasing behavior

within the relevant markets. Id. at ¶ 21. For example, if one of PEF's suppliers was to know that PEF considered a particular good or service to be of utmost importance to the project, or that not timely obtaining such good or service was a risk to the timely completion of the project, that supplier could artificially increase the asking price for that good or service, to the detriment of the ratepayers. Id.

Upon receipt of this confidential information, strict procedures are established and followed to maintain the confidentiality of the information provided, including restricting access to those persons who need the information to assist the Company, and restricting the number of, and access to the information. (Affidavit of Daniel L. Roderick at ¶ 22). At no time since receiving the information in question has the Company publicly disclosed that information. Id. The Company has treated and continues to treat the information at issue as confidential. Id.

Conclusion

The competitive, confidential information at issue in this request fits the statutory definition of proprietary confidential business information under Section 366.093 and Rule 25-22.006, F.A.C., and that information should be afforded confidential classification. In support of this motion, PEF has enclosed the following:

(1). A separate, sealed envelope containing one copy of the confidential Appendix A to PEF's Request for Confidential Classification for which PEF intends to request confidential classification with the appropriate section, pages, or lines containing the confidential information highlighted. **This information should be accorded confidential treatment pending a decision on PEF's request by the Florida Public Service Commission;**

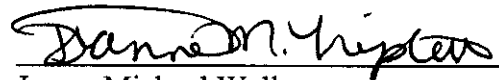
(2). Two copies of the documents with the information for which PEF intends to request confidential classification redacted by section, page, or lines where appropriate as Appendix B; and

(3). A justification matrix supporting PEF's request for confidential classification of the highlighted information contained in confidential Appendix A, as Appendix C.

WHEREFORE, PEF respectfully requests that the redacted portions of its responses to PSC Staff's audit requests, portions of the Staff's audit workpapers, as well as portions of the final audit report, be classified as confidential for the reasons set forth above.

Respectfully submitted this 29th day of July, 2008.

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of Progress Energy Florida, Inc.'s Request for Confidential Classification has been furnished electronically and by regular U.S. mail to the following this 29th day of July, 2008.



Attorney

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ACKNOWLEDGEMENT

DATE: July 29, 2008

TO: Dianne Triplett, Carlton Fields Law Firm

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 [Audit Report] portions of documents provided to staff auditors in response to data requests during staff's Review of Progress Energy's Project Management Internal Controls for Nuclear Plant Uprate and Construction, 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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TO: Dianne Triplett, Carlton Fields Law Firm

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 [DR-1, Item 1a] portions of documents provided to staff auditors in response to data requests during staff's Review of Progress Energy's Project Management Internal Controls for Nuclear Plant Uprate and Construction, 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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TO: Dianne Triplett, Carlton Fields Law Firm

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 [DR-1, Item 3a] portions of documents provided to staff auditors in response to data requests during staff's Review of Progress Energy's Project Management Internal Controls for Nuclear Plant Uprate and Construction, and filed on behalf of Progress Energy. The document will be maintained in locked storage.

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TO: Dianne Triplett, Carlton Fields Law Firm

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 [DR-1, Item 3b] portions of documents provided to staff auditors in response to data requests during staff's Review of Progress Energy's Project Management Internal Controls for Nuclear Plant Uprate and Construction, 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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TO: Dianne Triplett, Carlton Fields Law Firm

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 [DR-2, Items 1 and 1 Part A] portions of documents provided to staff auditors in response to data requests during staff's Review of Progress Energy's Project Management Internal Controls for Nuclear Plant Uprate and Construction, 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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DATE: July 29, 2008

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FROM: Ruth Nettles, Office of Commission Clerk

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ACKNOWLEDGEMENT

DATE: July 29, 2008

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RE: Acknowledgement of Receipt of Confidential Filing

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DATE: July 30, 2008

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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 [DR-3, Item 12] portions of documents provided to staff uditors in response to data requests during staff's Review of Progress Energy's Project Management Internal Controls for Nuclear Plant Uprate and Construction, and filed on behalf of Progress Energy. The document will be maintained in locked storage.

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RE: Acknowledgement of Receipt of Confidential Filing

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RE: Acknowledgement of Receipt of Confidential Filing

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CONFIDENTIAL

Public Service Commission

ACKNOWLEDGEMENT

DATE: July 30, 2008

TO: Dianne Triplett, Carlton Fields Law Firm

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 [DR-6, Item 2] portions of documents provided to staff uditors in response to data requests during staff's Review of Progress Energy's Project Management Internal Controls for Nuclear Plant Uprate and Construction, and filed on behalf of Progress Energy. The document will be maintained in locked storage.

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