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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: NUCLEAR POWER PLANT  
COST RECOVERY CLAUSE

Docket No. 090009-EI  
Submitted for Filing: July 23, 2009

**THIRTEENTH NOTICE OF INTENT TO REQUEST  
CONFIDENTIAL CLASSIFICATION**

Progress Energy Florida ("PEF" or the "Company"), pursuant to Section 366.093, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, files this Notice of Intent to Request Confidential Classification of the portions of the testimony and exhibits of Office of Public Counsel's ("OPC") witness William R. Jacobs, Jr., Ph.D., filed in the above referenced docket. Portions of Dr. Jacobs' testimony, as well as Exhibit WRJ-(PEF)3, contains PEF's confidential information. Mr. Jacobs' testimony and the Exhibit contain confidential competitive business information, the release of which would harm PEF's competitive business interests and violate PEF's contractual confidentiality agreements. Furthermore, this information has previously been provided in response to various requests throughout the discovery process, and at all times PEF has maintained its confidentiality. For these reasons, PEF is requesting that the Commission afford these documents confidential classification.

PEF is providing as Exhibit "A" a CD containing the confidential information in question, as well as Exhibit "B" a CD containing redacted copies of the testimony and exhibit for

posting on the Commission's website.

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Pursuant to Rule 25-22.006(3)(a)(1), PEF will file its Request for Confidential Classification for such confidential information contained therein within twenty-one (21) days of filing this request.

This docketed notice of intent was filed with Confidential Document No. 07527-09. The document has been placed in confidential storage pending timely receipt of a request for confidentiality.


DOCUMENT NUMBER-DATE

07526 JUL 23 09

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Respectfully submitted.

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**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 23<sup>rd</sup> day of July, 2009.

  
\_\_\_\_\_  
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**Public Service Commission**

**ACKNOWLEDGEMENT**

DATE: July 23, 2009

TO: James Michael Walls, Carlton Fields

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 090009 or, if filed in an undocketed matter, concerning portions of testimony filed by OPC of witness William R. Jacobs, Jr., Ph.D and Exhibit WRJ- (PEF)3, filed on CD, 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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