

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: NUCLEAR POWER PLANT COST
RECOVERY CLAUSE


Docket No. 090009-EI
Submitted for Filing: July 28, 2009

**NOTICE OF FILING AFFIDAVIT OF JON FRANKE IN SUPPORT OF PEF'S
THIRTEENTH REQUEST FOR CONFIDENTIAL CLASSIFICATION**

Notice is hereby given, through the undersigned counsel, on behalf of Progress Energy Florida, Inc. of filing the Affidavit of JON FRANKE in support of Progress Energy Florida's Thirteenth Request for Confidential Classification.

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 28th day of July, 2009.



ATTORNEY

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Nuclear Cost Recovery Clause

Docket No: 090009-EI
Submitted for Filing: July 28, 2009

**AFFIDAVIT OF JON FRANKE IN SUPPORT OF PROGRESS ENERGY FLORIDA'S
THIRTEENTH REQUEST FOR CONFIDENTIAL CLASSIFICATION**

STATE OF FLORIDA

COUNTY OF CITRUS

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

1. My name is Jon Franke. I am over the age of 18 years old 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. The facts attested to in my affidavit are based upon my personal knowledge.

2. I am the Vice President at Crystal River Unit 3. As such, I am responsible for the safe operation of the nuclear generating station. Additionally, I have indirect responsibilities in oversight of major project activities at the station. Through my management team I have about 490 employees that perform the daily work required to operate the station and provide engineering training and support to the station.

3. PEF is seeking confidential classification for the responsive documents to OPC's Seventh Request for Production of Documents, number 96. A detailed description of the confidential information at issue is contained in confidential Exhibit A to PEF's Request for Confidential Classification and is outlined in PEF's Justification Matrix that is attached to PEF's Request for Confidential Classification as Exhibit C. PEF is requesting confidential classification of these documents because they include confidential and proprietary contractual information and other information related to the Company's competitive business interests, the disclosure of which would compromise PEF's competitive business interests.

4. Specifically, these responsive documents contain confidential information related to the Crystal River Unit 3 Extended Power Uprate ("CR3 Uprate") provided to PEF by a third party under a contractually agreed to confidentiality provision. Disclosure of this information would not only impair PEF's competitive business interests by publishing sensitive information in the public arena, but would also be a violation of PEF's confidentiality agreements. Disclosure of this information would impair PEF's competitive business interests by providing third parties with information regarding the CR3 Uprate that could be used to the advantage of other parties and to PEF's detriment. Furthermore, violating the confidentiality provision under which the review of the CR3 Uprate was provided to PEF would, among other detrimental impacts, make it more difficult for PEF to guarantee its ability to keep information confidential, in turn making it more difficult to enter into like contracts going forward.

5. Upon receipt of this confidential information, and with its own confidential information, strict procedures are established and followed to maintain the confidentiality of the documents and 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.

At no time since receiving the information in question has the Company publicly disclosed that information. The Company has treated and continues to treat the information at issue as confidential.

6. This concludes my affidavit.

Further affiant sayeth not.

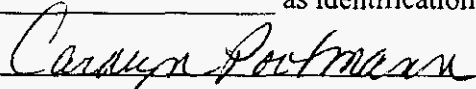
Dated the 27 day of July, 2009.



(Signature)

Jon Franke
Vice President
Crystal River Unit 3
15760 W. Powerline St.
Crystal River, Florida 34442

THE FOREGOING INSTRUMENT was sworn to and subscribed before me this 27 day of July, 2009, by Jon Franke. He is personally known to me, or has produced his July, 2009 driver's license, or his _____ as identification.



(Signature)

(Printed Name)

NOTARY PUBLIC, STATE OF _____

(AFFIX NOTARIAL SEAL)

(Commission Expiration Date)

(Serial Number, If Any)

