

09 AUG 28 PM 3: 18

In re: Environmental Cost Recovery Clause.

DOCKET NO. 090007-EI

FILED: AUGUST 28, 2009 COMMISSION CLERK

**PROGRESS ENERGY FLORIDA INC.'S FIRST 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 included in the pre-filed testimony of PEF witness Kevin Murry. In support of this Request, Progress Energy states:

1. Contemporaneously with this request, PEF is filing the pre-filed testimony of Mr. Kevin Murray. PEF is requesting confidential classification of certain information on line 18 page 3 of Mr. Murray's testimony which identifies when PEF anticipates placing certain air quality control projects into service and, as a result, when a significant unit outages may occur. Disclosure of this information could allow competitors to predict PEF's ability to make wholesale sales or its need to make purchases. Knowledge of this information could impair PEF's efforts to contract for goods or services (i.e., power purchases) on favorable terms because potential power providers would no longer need to make their best offers to ensure the competitiveness of their rates. Instead, suppliers could simply offer the highest rates that would allow them to maintain a marginally competitive position against the Company's cost of generation. As such, disclosure of the information would impair the Company's efforts to contract for goods or services on favorable terms. See §

366.093(3)(d), F.S.

2. The following exhibits are included with this request:

- COM \_\_\_\_\_
- ECR 4
- GCL 1
- OPC \_\_\_\_\_
- RCP \_\_\_\_\_
- SSC \_\_\_\_\_
- SGA \_\_\_\_\_
- ADM \_\_\_\_\_
- CLK 1

DOCUMENT NUMBER-DATE

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(a) Attached to this request is Exhibit A, which is a package containing two copies of redacted versions of the document for which the Company requests confidential classification. The specific information for which confidential treatment is requested has been blocked out by opaque marker or other means.

(c) Exhibit B is a package containing an unredacted copy of the document for which Progress Energy seeks confidential treatment. Exhibit B is being submitted separately in a sealed envelope labeled "CONFIDENTIAL." In the unredacted version, the information asserted to be confidential is highlighted in yellow.

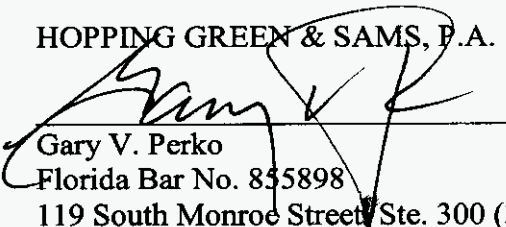
3. The highlighted information in Exhibit B is intended to be and is treated as confidential by the Company. The information has not been disclosed to the public.

4. PEF requests that the information identified above and included 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 28<sup>th</sup> day of August, 2009.

HOPPING GREEN & SAMS, P.A.

  
Gary V. Perko  
Florida Bar No. 855898  
119 South Monroe Street Ste. 300 (32301)  
Post Office Box 6526  
Tallahassee, FL 32314  
Tel.: 805-425-2359; Fax: 805-224-8551

Attorneys for PROGRESS ENERGY FLORIDA

STATE OF FLORIDA

COMMISSIONERS:  
MATTHEW M. CARTER II, CHAIRMAN  
LISA POLAK EDGAR  
KATRINA J. MCMURRIAN  
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NATHAN A. SKOP



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# Public Service Commission

## ACKNOWLEDGEMENT

DATE: August 28, 2009

TO: Gary Perko, Hopping 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 090007 or, if filed in an undocketed matter, concerning information included in prefiled testimony of PEF witness Kevin Murray, 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.

DOCUMENT NUMBER-DATE  
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PSC Website: <http://www.floridapsc.com>

Internet E-mail: [contact@psc.state.fl.us](mailto:contact@psc.state.fl.us)