

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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In re: Petition for approval of
Proposed Demand-side Management Plan
of Progress Energy Florida, Inc.

DOCKET NO.: 100160-~~EE~~ COMMISSION
SERVED: May 7, 2010
CLERK

**NOTICE OF FILING AFFIDAVITS IN SUPPORT OF
REQUEST FOR CONFIDENTIAL CLASSIFICATION**

Progress Energy Florida, Inc., ("PEF" or "Company"), by and through their undersigned counsel, hereby gives notice of filing the Affidavits of Bruce Barkley as Manager of Fuel Forecasting & Regulatory Supply, and Marcia J. Olivier as Supervisor of PEF Regulatory Planning Strategy in support of PEF's Request for Confidential Classification requesting that certain information provided in PEF's response to FIPUG's First Request for Production of Documents (Nos. 1-10) be classified as confidential.

Respectfully submitted this 7th day of May, 2010.



JOHN T. BURNETT

Associate General Counsel

DIANNE M. TRIPLETT

Associate General Counsel

PROGRESS ENERGY SERVICE COMPANY, LLC

299 First Avenue North

St. Petersburg, FL 33701

Telephone: (727) 820-5184

Facsimile: (727) 820-5519

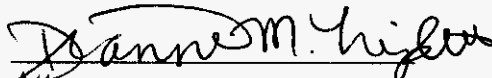
DOCUMENT NUMBER-DATE

03886 MAY-7 0

FPSC-COMMISSION CLERK

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Response to FIPUG's First Request for Production of Documents to PEF (Nos. 1-10) has been furnished via U.S. Mail this 7th day of May, 2010 to all parties of record as indicated below.


Attorney

<p>Katherine Fleming Jennifer Brubaker Florida Public Service Commission 2540 Shumard Oak Blvd. Tallahassee, FL 32399-0850 keflemin@psc.state.fl.us jbrubake@psc.state.fl.us</p> <p>Vicki Gordon Kaufman Jon C. Moyle, Jr. Keefe Anchors Gordon & Moyle, P.A. 118 North Gadsden Street Tallahassee, FL 32301 vkaufman@kagmlaw.com jmoyle@kagmlaw.com</p> <p>Suzanne Brownless Suzanne Brownless, PA 1975 Buford Blvd. Tallahassee, FL 32308 Phone: 850-877-5200 FAX: 878-0090 Email: suzannebrownless@comcast.net</p>	<p>Florida Industrial Power Users Group c/o John McWhirter, Jr. McWhirter Reeves & Davidson, P.A. P.O. Box 3350 Tampa, FL 33601-3350 jmcwhirter@mac-law.com</p> <p>George Cavros, Esq. 120 E. Oakland Park Blvd., Ste. 105 Fort Lauderdale, FL 33334 George@cavros-law.com</p> <p>James W. Brew F. Alvin Taylor Brickfield, Burchette, Ritts & Stone, P.C. 1025 Thomas Jefferson St., NW Eighth Floor, West Tower Washington, DC 20007-5201 jbrew@bbrslaw.com ataylor@bbrslaw.com</p>
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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for approval of
Proposed Demand-side Management Plan
of Progress Energy Florida, Inc.

DOCKET NO.: 100160-EI

SERVED: May 7, 2010

**AFFIDAVIT OF MARCIA J. OLIVIER IN SUPPORT OF
PROGRESS ENERGY FLORIDA'S
FIRST REQUEST FOR CONFIDENTIAL CLASSIFICATION**

STATE OF FLORIDA

COUNTY OF PINELLAS

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

1. My name is Marcia J. Olivier. 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 First Request for Confidential Classification. The facts attested to in my affidavit are based upon my personal knowledge.

2. I am the Supervisor of PEF Regulatory Planning Strategy. This department is responsible for the regulatory planning and reporting activities at Progress Energy Florida, Inc.

3. As PEF's Supervisor of Regulatory Planning Strategy, I am familiar with certain PEF business strategies, projected earnings, and budget information.

DOCUMENT NUMBER-DATE

03886 MAY-7 0

FPSC-COMMISSION CLERK

4. In its First Request for Confidential Classification, PEF is seeking confidential classification for portions of PEF's responses to FIPUG's First Request for Production of Documents (Nos. 1-10). The information for which PEF seeks confidential classification is more specifically described in Attachment C to PEF's First Request for Confidential Classification.

5. Portions of documents responsive to question 10 contain sensitive business information such as pricing estimates, projected earnings, and projected spending, the disclosure of which would adversely impact PEF's competitive business interests. For example, if PEF's suppliers or providers were made aware of such pricing estimates, projected earnings, and projected costs, they may adjust their behavior in the market place with respect to activity such as pricing and the provision of goods, materials, and services. Such suppliers and providers may decrease supply of such goods and services, and/or increase the cost and prices of such goods and services.

6. Strict procedures are established and followed to maintain the confidentiality of the terms of the confidential documents and information at issue, including restricting access to those persons who need the information and documents to assist the Company. At no time has the Company publicly disclosed the confidential information or documents at issue. The Company has treated and continues to treat the information and documents at issue as confidential.

7. This concludes my affidavit.

Further affiant sayeth not.

Dated this 6th day of May, 2010.


(Signature)

THE FOREGOING INSTRUMENT was sworn to and subscribed before me this 6th day of May, 2010 by Marcia J. Olivier. She is personally known to me, or has produced his driver's license, or his _____ as identification.



(AFFIX NOTARIAL SEAL)

Suzanne H. Miller
(Signature)

SUZANNE H. MILLER
(Printed Name)

NOTARY PUBLIC, STATE OF Florida

3/27/2013
(Commission Expiration Date)

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for approval of
Proposed Demand-side Management Plan
of Progress Energy Florida, Inc.

DOCKET NO.: 100160-EI

SERVED: May 6, 2010

**AFFIDAVIT OF BRUCE BARKLEY IN SUPPORT OF
PROGRESS ENERGY FLORIDA'S
REQUEST FOR CONFIDENTIAL CLASSIFICATION**

STATE OF NORTH CAROLINA

COUNTY OF WAKE

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

1. My name is Bruce Barkley. 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 Manager of Fuel Forecasting & Regulatory Supply in the Fuels & Power Optimization Department. This section is responsible for coal and gas acquisition for both PEF and Progress Energy Carolinas ("PEC") systems.

3. As the Manager of Fuel Forecasting & Regulatory Supply, I am responsible for the preparation of fuel forecasts, support of fuel-related regulatory proceedings and internal reporting of fuel costs.

4. In this Request for Confidential Classification, PEF is seeking confidential classification for portions of its responses to FIPUG'S First Request for Production of Documents (Nos. 1-10) in Docket 100160-EI. The detailed description of the confidential information at issue is outlined in PEF's Justification Matrix that is attached to PEF's Request for Confidential Classification as Exhibit C.

5. Portions of PEF's attachments to its response to FIPUG's First Request for Production, Question Nos. 8c, and 8d contain competitive confidential business information of both PEF and third-party coal and gas supply and transportation companies that PEF has contracts with. PEF negotiates with potential coal and gas suppliers and transportation companies to obtain competitive contracts for coal and gas options that provide economic value to PEF and its ratepayers. In order to obtain such contracts, however, PEF must be able to assure coal and gas suppliers and transportation companies that sensitive business information, such as the pricing terms of their contracts, will be kept confidential.

6. With respect to the information at issue in this request, PEF has kept confidential and has not publicly disclosed confidential contract terms such as pricing, and similar competitive information. Absent such measures, suppliers and transportation companies would run the risk that sensitive business information that they provided in their contracts with PEF would be made available to the public and, as a result, end up in possession of potential competitors. Faced with that risk, persons or companies who

otherwise would contract with PEF might decide not to do so if PEF did not keep those terms of their contracts confidential. Without PEF's measures to maintain the confidentiality of sensitive terms in contracts between PEF and coal and gas suppliers and transportation contractors, the Company's efforts to obtain competitive coal supply and transportation contracts could be undermined.

Additionally, the disclosure of confidential information in PEF's coal and gas supply and transportation contracts, proposals, and other such documents could adversely impact PEF's competitive business interests. If such information was disclosed to PEF's competitors, PEF's efforts to obtain competitive coal and gas supply and transportation options that provide economic value to both PEF and its ratepayers could be compromised by PEF's competitors changing their consumption or purchasing behavior within the relevant markets.

7. Upon receipt of confidential information from coal and gas suppliers, and transportation companies, and with its own confidential information, strict procedures are established and followed to maintain the confidentiality of the terms 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 and contracts. At no time since receiving the contracts and information in question has the Company publicly disclosed that information or contracts. The Company has treated and continues to treat the information and contracts at issue as confidential.

8. This concludes my affidavit.

Further affiant sayeth not.

Dated the 6th day of May, 2010.

Bruce Barkley

(Signature)

Bruce Barkley

Manager

Fuel Forecasting & Regulatory Supply

Progress Energy Carolinas

Post Office Box 1551

Raleigh, NC. 27602

THE FOREGOING INSTRUMENT was sworn to and subscribed before me this 6th day of May, 2010 by Barkley Barkley. He is personally known to me, or has produced his _____ driver's license, or his _____ as identification.

Donna J. Sears

(Signature)

DONNA J. SEARS

(Printed Name)

NOTARY PUBLIC, STATE OF _____

AUGUST 23, 2014

(Commission Expiration Date)

(AFFIX NOTARIAL SEAL)

DONNA J. SEARS
NOTARY PUBLIC
Wake County
North Carolina
My Commission Expires Aug. 23, 2014

(Serial Number, If Any)