

Diamond Williams

110009-EI

From: Schrand, Shelly [sschrand@carltonfields.com]
Sent: Tuesday, July 05, 2011 3:19 PM
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Subject: RE: Filing: Docket 090009-EI - verified affidavit
Attachments: Docket 090009 Franke Affidavit in support.pdf

Electronic Filing:

a. The person responsible for this electronic filing is:

Blaise N. Huhta
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b. Docket No. 090009-EI, In re: Nuclear Cost Recovery Clause.

c. This filing is being made on behalf of Progress Energy Florida, Inc.

d. There are a total of three (3) pages in the attached document

e. The document is Affidavit of Jon Franke in Support of Progress Energy Florida, Inc.'s Request for Extension Regarding the Review of Progress Energy Florida's Project Management Internal Controls for Nuclear Plant Uprate and Construction Projects Draft Report.

Thank you.

Shelly Schrand on behalf of Blaise N. Huhta, Esq.

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FPSC-COMMISSION CLERK

7/5/2011

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Nuclear Power Plant Cost
Recovery Clause

Docket No. 090009-EI
Submitted for Filing: ~~June 16~~, 2011
July 5, 2011

**AFFIDAVIT OF JON FRANKE IN SUPPORT OF PROGRESS ENERGY FLORIDA,
INC.'S REQUEST FOR EXTENSION REGARDING THE REVIEW OF PROGRESS
ENERGY FLORIDA'S PROJECT MANAGEMENT INTERNAL CONTROLS FOR
NUCLEAR PLANT UPRATE AND CONSTRUCTION PROJECTS DRAFT REPORT**

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 employed by Progress Energy Florida, Inc. ("PEF" or the "Company") in the Nuclear Generation Group and serve as Vice President – Crystal River Nuclear Plant. I am over the age of 18 years old and I have been authorized by PEF to give this affidavit in the above-styled proceeding on PEF's behalf and in support of PEF's Request for Extension of Confidential Classification regarding portions of the Commission's Auditor's Review of PEF's Project Management Internal Controls for Nuclear Plant Uprate and Construction Projects Draft Report, dated July, 2009 (the "Report"), Document No. 07587-09 (herein the "Request"). The facts attested to in my affidavit are based upon my personal knowledge.

2. PEF is requesting an extension of the confidential classification of portions of the Report because those portions contain confidential information related to the Company's competitive business interests. For example, the Report includes information related to the

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Company's internal audits, including reports of the Company's internal auditors. It is essential to the Company's internal auditing process that information provided to internal auditors and the reports thereof remain confidential – this allows for full cooperation and candor with the Company's auditors. The disclosure of this information would compromise the Company's ability to effectively perform internal audits of its projects and procedures and thereby harm PEF's competitive business interests.

3. Also included in the Report is information related to the contracts necessary for the successful completion of the CR3 Uprate. Disclosure of these contractual terms and arrangements, including pricing provisions, would harm the Company's ability to obtain favorable contracts. PEF's competitors and those third-parties with whom the Company seeks to contract would be able to change their behavior in the relevant markets or their contractual negotiating positions, respectively, to the detriment of PEF and its customers.

4. Upon receipt of this confidential information, as with all confidential information, strict procedures are established and followed to maintain the confidentiality of the terms of the documents and information provided therein. Such procedures include, but are not limited to, restricting access to the documents and information to only those persons who require it to assist the Company. At no time has PEF publicly disclosed the confidential information contained in the Report; PEF has treated and continues to treat the information contained in the Report as confidential. Nothing has changed since the Commission granted this information confidential classification to render it stale or public information. Accordingly, the confidential treatment of this information should be continued.

5. This concludes my affidavit.

Further affiant sayeth not.

Dated this 28 day of JUNE, 2011.



(Signature)

Jon Franke

Vice President - Crystal River Nuclear Plant

15760 W. Powerline St.

Crystal River, Florida 34442

THE FOREGOING INSTRUMENT was sworn to and subscribed before me this 28 day of June, 2011 by Jon Franke. He is personally known to me, or has produced his driver's license, or his as identification.



(Signature)

(Printed Name)

NOTARY PUBLIC, STATE OF

(AFFIX NOTARIAL SEAL)

(Comm)



(Serial Number, If Any)