

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Fuel and purchased power cost recovery
clause with generating performance incentive
factor.

DOCKET NO. 070001-EI
ORDER NO. PSC-07-0347-CFO-EI
ISSUED: April 25, 2007

ORDER GRANTING FLORIDA POWER & LIGHT COMPANY'S
FIRST REQUEST FOR EXTENSION OF CONFIDENTIAL CLASSIFICATION
GRANTED BY ORDER NO. PSC-05-0507-CFO-EI IN DOCKET NO. 050001-EI
(DOCUMENT NO. 03211-05)

This Order addresses the continuation of confidential treatment for certain information on fuel hedging activities that is contained in Exhibits GJY-1 through GJY-6 to the prefiled direct testimony of Gerard J. Yupp, filed April 1, 2005 in the fuel docket. By Order No. PSC-05-0507-CFO-EI, the Commission initially granted confidential classification for the document on May 9, 2005. On November 8, 2006, Florida Power & Light Company ("FPL") requested that confidential treatment be extended for the information contained in Document No. 03211-05. The document was granted confidentiality for 18 months, and FPL now requests that confidentiality be extended for an additional 18 months. This request was filed in Docket No. 060001-EI.

In its request, FPL states that the period of confidential classification granted by Order No. PSC-05-0507-CFO-EI will soon expire, and that all of the information covered by that Order warrants continued treatment as proprietary and confidential business information within the meaning of Section 366.093, Florida Statutes.

FPL states that this information contains Fuel Hedging Information, which comprises trade secrets of FPL which allow it to purchase and sell fuel and electric power on favorable terms for FPL and its customers. FPL asserts that the disclosure of this information would provide other participants in the fuel and electric power markets insight into FPL's marketing and trading practices that would allow them to anticipate FPL's marketing and trading decisions and/or impair FPL's ability to negotiate, to the detriment of FPL and its customers. FPL further asserts that the Fuel Hedging Information relates to bids and other contractual data, the disclosure of which would impair FPL's ability to contract for fuel and electric power on favorable terms. FPL further states that this information is intended to be and is treated by FPL as private and has not been publicly disclosed. Nothing has changed since the issuance of Order No. PSC-05-0507-CFO-EI to render the information stale or public, such that continued confidential treatment would not be appropriate, according to FPL.

As a result, FPL requests that the confidential information identified in Order No. PSC-05-0507-CFO-EI be accorded confidential classification for an additional 18 month period.

DOCUMENT NUMBER-DATE

03499 APR 25 07

FPSC-COMMISSION CLERK

Upon review, it appears that portions of Exhibits GJY-1 through GJY-6 to the prefiled direct testimony of Gerard J. Yupp, which were the subject of Order No. PSC-05-0507-CFO-EI, dated May 9, 2005, continue to be proprietary confidential business information within the meaning of Section 366.093, Florida Statutes, to the same extent confidentiality was granted by this Commission's prior order. The information constitutes "information concerning bids or other contractual data, the disclosure of which would impair the efforts of the public utility or its affiliates to contract for goods or services on favorable terms." Therefore, FPL's request for extension of confidential treatment of the portions of Exhibits GJY-1 through GJY-6 to the prefiled direct testimony of Gerard J. Yupp is granted.

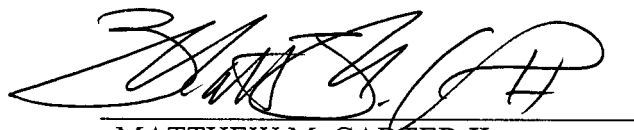
Section 366.093(4), Florida Statutes, provides that any finding by the Commission that records contain proprietary confidential business information shall be effective for a period not to exceed 18 months, absent good cause shown. Accordingly, the redacted information identified in Document No. 03211-05, shall be granted confidential classification for a period of 18 months from the issuance of this Order.

Based on the foregoing, it is

ORDERED by Commissioner Matthew M. Carter II, as Prehearing Officer, that the information described in the body of this Order and contained in Document No. 03211-05 shall be granted confidential classification for a period of 18 months from the issuance of this Order. It is further

ORDERED that this Order will be the only notification by the Commission to the parties of the date of declassification of the materials discussed herein.

By ORDER of Commissioner Matthew M. Carter II, as Prehearing Officer, this 25th day of April, 2007.


MATTHEW M. CARTER II
Commissioner and Prehearing Officer

(S E A L)

LCB/pz

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

Any party adversely affected by this order, which is preliminary, procedural or intermediate in nature, may request: (1) reconsideration within 10 days pursuant to Rule 25-22.0376, Florida Administrative Code; or (2) judicial review by the Florida Supreme Court, in the case of an electric, gas or telephone utility, or the First District Court of Appeal, in the case of a water or wastewater utility. A motion for reconsideration shall be filed with the Office of Commission Clerk, in the form prescribed by Rule 25-22.060, Florida Administrative Code. Judicial review of a preliminary, procedural or intermediate ruling or order is available if review of the final action will not provide an adequate remedy. Such review may be requested from the appropriate court, as described above, pursuant to Rule 9.100, Florida Rules of Appellate Procedure.