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AIRBORNE EXPRESS

March 7, 1995

Ms. Blanca Bayo, Director
Division of Records and Reporting
Florida Public Service Commission
Fletcher Building
101 East Gaines Street
Tallahassee, Florida 32399-0850

Re: **Florida Power & Light Company's (FPL)
Notice of Intent to Request Confidential Classification (NOI)
In The Fuel and Purchased Power Cost Recovery Clause and
Generating Performance Incentive Factor, Docket No. 950001-EI**

Dear Ms. Bayo:

Please find enclosed an original and fifteen copies of FPL's Notice of Intent regarding the Commission Staff's Document/Record Request Numbers 9 and 11, dated February 22, 1995, for the Staff's audit of FPL's fuel and purchase power cost recovery clause and generating performance incentive factor. Pursuant to F.A.C. Rule 25-22.006, Confidential Information, as amended and filed April 6, 1990, FPSC Order No. 22795, FPL hereby files its Notice of Intent with the Commission's Division of Records and Reporting.

Please return a file stamped copy of this letter to me in the stamped, self-addressed envelope provided herein. If you have any questions regarding this filing, please call me at (305) 552-2724.

Sincerely,

Steven H. Feldman
Attorney

SHF:sk

Enclosure

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RECEIVED & FILED
mas
FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE
02562 MAR-8 1995
FPSC-RECORDS/REPORTING

BC: K. M. DUBIN RAC/GO
C.A. SUASTEGUI ACG/GO
EUGENE UNGAR ACG/GO

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In the Matter of Florida Power & Light)
Company's Request for Confidential)
Classification in the Fuel and) Docket No. 950001-EI
Purchased Power Cost Recovery)
Clause and Generating Performance)
Incentive Factor)

NOTICE OF INTENT TO REQUEST
CONFIDENTIAL CLASSIFICATION IN THE
FUEL AND PURCHASED POWER COST RECOVERY CLAUSE
AND GENERATING PERFORMANCE INCENTIVE FACTOR

Comes Now Florida Power & Light Company (hereinafter FPL) and files this its Notice of Intent to Request Confidential Classification (hereinafter NOI) pursuant to F.A.C. Rule 25-22.006, Confidential Information, as amended and filed on April 6, 1990, FPSC Order No. 22795, FPL further states:

1. Petitioner's name and address is:

Florida Power & Light Company
P. O. Box 029100
Miami, Florida 33102-9100

Orders, notices, or other pleadings relevant hereto should be served on:

Steven H. Feldman
LAW/GO, Room 6529
Florida Power & Light Company
P. O. Box 029100
Miami, Florida 33102-9100

2. Pursuant to the Florida Public Service Commission's ("Commission") audit of FPL's fuel and purchased power cost recovery clause and generating performance incentive factor for the period April, 1994 - March 1995, the Commission's

DOCUMENT NUMBER-DATE

02562 MAR-88

FPSC-RECORDS/REPORTING

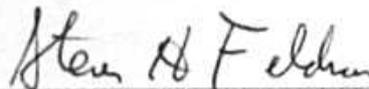
Staff has provided FPL with several written requests for information.

3. The material requested by Staff Document/Record Requests (D/RR) Nos. 9 and 11 provided pursuant to the Commission's audit of FPL's fuel and purchased power cost recovery clause and generating performance incentive factor are intended to be and are treated by FPL as proprietary confidential business information as that term is defined in §366.093, Florida Statutes.
4. D/RR Nos. 9 and 11 are confidential propriety business information because disclosure of the information concerning contractual data of FPL's vendors would impair the efforts of FPL to contract for goods and services on favorable terms. The disclosure of contractual data would also impair the competitive business of the provider of the information. The material is confidential pursuant to §§366.093 (3) (d) and (e).
5. D/RR Nos. 9 and 11 are attached hereto as Attachments A and B, respectively.
6. Pursuant to F.A.C. Rule 25-22.006 (3)(a), as amended, this filing constitutes a temporary exemption from §119.07, F.S.,

for the material identified by the Staff D/RR delineated above which the Staff obtains, as defined in Subsection (1)(e) of F.A.C. Rule 25-22.006. Furthermore, in accordance with Subsection (3)(d) of F.A.C. Rule 25-22.006, the Commission shall accord the material subject to the above listed D/RR's stringent safeguards against public disclosure.

WHEREFORE, FPL requests the Commission to treat the above-mentioned material identified as confidential in accordance with Subsection (3)(d) of Rule 25-22.006, Florida Administrative Code, as amended.

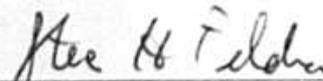
Respectfully submitted,



Steven H. Feldman, Esq.
Florida Power & Light Company
P. O. Box 029100-9100
Miami, Florida 33102-9100
Florida Bar No. 0869181

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of Florida Power & Light Company's Notice of Intent to Request Confidential Classification was provided by first class mail to Ruth Young, Kathy Welch and Raymond Grant at the Florida Public Service Commission, Division of Auditing and Financial Analysis, 3625, N.W. 82 Avenue, Suite 400, Miami, Florida 33166-7602 on this 7th day of March, 1995.



Steven H. Feldman, Esq.

FLORIDA PUBLIC SERVICE COMMISSION
DOCUMENT / RECORD REQUEST

TO: Carlos Sustegual

UTILITY: FPL

FROM: Raymond Grant
(AUDIT MANAGER)

Raymond Grant
(AUDITOR PREPARING REQUEST)

REQUEST NUMBER: 9

DATE OF REQUEST: 2-22-95

AUDIT PURPOSE: FPL - Fuel

REQUEST THE FOLLOWING ITEM(S) BE PROVIDED BY 2-27-95
(DATE)

REFERENCE RULE 25-22.006, F.A.C., THIS REQUEST IS MADE:

- INCIDENT TO AN INQUIRY
- OUTSIDE OF AN INQUIRY

ITEM DESCRIPTION:

Please provide the following for work order 9382 and work order 2852. (Re Martin Gas Pipe Line)

- 1 Pre Qualified Bidders List
- 2 List of invitations to bid
- 3 Bid set of contractual documents including but not limited to proposal forms, agreement, general conditions and special conditions
- 4 Proposals from successful and unsuccessful bidders: all proposal received from bidders

TO: AUDIT MANAGER RAYMOND GRANT

DATE 3/2/95

THE REQUESTED RECORD OR DOCUMENTATION:

- (1) HAS BEEN PROVIDED TODAY
- (2) CANNOT BE PROVIDED IN THREE (3) WORK DAYS BUT WILL BE MADE AVAILABLE BY 3/2/95
- (3) AND IN MY OPINION THIS MATERIAL IS PROPRIETARY AND CONFIDENTIAL BUSINESS INFORMATION AS DEFINED IN 364.183, 366.093, OR 367.156, F.S. I UNDERSTAND THAT TO OBTAIN TEMPORARY CONFIDENTIAL HANDLING A NOTICE OF INTENT MUST BE FILED WITH THE DIVISION OF RECORDS AND REPORTING. TO MAINTAIN CONTINUED CONFIDENTIAL HANDLING OF THIS MATERIAL THE UTILITY OR OTHER PERSON MUST WITHIN 21 DAYS AFTER THE COMMISSION STAFF HAS OBTAINED THE MATERIAL (OR IN THE CASE OF MATERIAL OBTAINED DURING THE COURSE OF AN AUDIT, WITHIN 21 DAYS AFTER THE AUDIT EXIT CONFERENCE) FILE A REQUEST FOR CONFIDENTIAL CLASSIFICATION WITH THE DIVISION OF RECORDS AND REPORTING, REFER TO RULE 25-22.006 F.A.C.
- (4) THE ITEM WILL NOT BE PROVIDED. (SEE ATTACHED MEMORANDUM)

Raymond Grant
SIGNATURE AND TITLE OF RESPONDENT

FLORIDA PUBLIC SERVICE COMMISSION
DOCUMENT / RECORD REQUEST

TO: Carlos Sualtegui

UTILITY: FPL

FROM: Raymond Grant
(AUDIT MANAGER)

Raymond Grant
(AUDITOR PREPARING REQUEST)

REQUEST NUMBER: 14

DATE OF REQUEST: 2-22-95

AUDIT PURPOSE: FPL - Fuel

REQUEST THE FOLLOWING ITEM(S) BE PROVIDED BY _____
(DATE) 2-27-95

REFERENCE RULE 25-22.006 F.A.C., THIS REQUEST IS MADE:

ITEM DESCRIPTION:

Re Marlin Gas Pipeline.

- INCIDENT TO AN INQUIRY
- OUTSIDE OF AN INQUIRY

① Please provide bid tabulation, analysis and evaluation. This could be a los maintained listing all bidders invited to bid, the date and time of bids received should be recorded

This should also include a receipt analysis and a recommendation with respect to contract award made to management

Please include company's documentation evaluating each bid.

② Provide minutes of Pre-Bid + Postbid meetings

③ Are there any special procedures for bid evaluation if so provided

TO: AUDIT MANAGER RAYMOND GRANT

DATE 3/2/95

THE REQUESTED RECORD OR DOCUMENTATION:

- (1) HAS BEEN PROVIDED TODAY
- (2) CANNOT BE PROVIDED IN THREE (3) WORK DAYS BUT WILL BE MADE AVAILABLE BY 3/2/95
- (3) AND IN MY OPINION THIS MATERIAL IS PROPRIETARY AND CONFIDENTIAL BUSINESS INFORMATION AS DEFINED IN 364.183, 366.093, OR 367.156, F.S. I UNDERSTAND THAT TO OBTAIN TEMPORARY CONFIDENTIAL HANDLING A NOTICE OF INTENT MUST BE FILED WITH THE DIVISION OF RECORDS AND REPORTING. TO MAINTAIN CONTINUED CONFIDENTIAL HANDLING OF THIS MATERIAL THE UTILITY OR OTHER PERSON MUST, WITHIN 21 DAYS AFTER THE COMMISSION STAFF HAS OBTAINED THE MATERIAL (OR IN THE CASE OF MATERIAL OBTAINED DURING THE COURSE OF AN AUDIT, WITHIN 21 DAYS AFTER THE AUDIT EXIT CONFERENCE) FILE A REQUEST FOR CONFIDENTIAL CLASSIFICATION WITH THE DIVISION OF RECORDS AND REPORTING, REFER TO RULE 25-22.006 F.A.C.
- (4) THE ITEM WILL NOT BE PROVIDED. (SEE ATTACHED MEMORANDUM)

Raymond Grant Sr Accountant
SIGNATURE AND TITLE OF RESPONDENT