

ORIGINAL

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Charles A. Guyton
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March 5, 2002

VIA U.S. MAIL

Ms. Blanca S. Bayó, Director
Division of the Commission Clerk and
Administrative Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Re: **CONFIDENTIAL DOCUMENT FILING**
Docket No. 001148-EI

Dear Ms. Bayó:

Enclosed for filing on behalf of Florida Power & Light Company ("FPL") are the original and fifteen copies of a Notice of Intent to Request Confidential Classification. The Notice of Intent pertains to certain documents responsive to Staff's Tenth Set of Interrogatories to FPL, Nos. 367, 372 and 382 in Docket No.001148-EI.

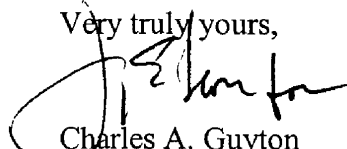
Please note that the separate envelope stamped "CONFIDENTIAL" contains the information which is CONFIDENTIAL. To facilitate the confidential handling of this document, we have stamped each page containing confidential information CONFIDENTIAL and enclosed it in a separate envelope labeled CONFIDENTIAL. Only the portions of the documents highlighted are CONFIDENTIAL.

Copies of the Notice of Intent without the confidential documents have been served upon the Division of Legal Services and all parties of record. So that your office will have redacted copies available for public disclosure, two redacted copies are enclosed as well.

AUS _____
CAF _____
CMP _____
COM _____
CTR _____
ECR _____
GCL _____
OPC _____
MMS _____
SEC _____
OTH _____

If you or your staff have any questions regarding this transmittal, please contact me at 222-2300.

This docketed notice of intent was filed with Confidential Document No. 02635-02. The document has been placed in confidential storage pending timely receipt of a request for confidentiality.

Very truly yours,

Charles A. Guyton

cc: Cochran Keating
Counsel for parties of record

DOCUMENT NUMBER-DATE
02634 MAR-7 02

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Review of the retail rates of Florida)
Power & Light Company) Docket No. 001148-EI
) Date: March 5, 2002
)

NOTICE OF INTENT TO REQUEST
CONFIDENTIAL CLASSIFICATION

Pursuant to Florida Administrative Code Rule 25-22.006(3)(a), Florida Power & Light Company ("FPL") files this Notice of Intent to Request Confidential Classification. This Notice relates to Staff's Tenth Set of Interrogatories Nos. 367, 372 and 382. A copy of Staff's Tenth Set of Interrogatories is appended hereto. FPL, pursuant to Rule 25-22.006(3)(a), requests confidential handling of the three documents enclosed in the attached envelope labeled "CONFIDENTIAL." The documents in that envelope are the portions of the responses to Interrogatory Nos. 367, 372 and 382 which are confidential.

Respectfully submitted,

Steel Hector & Davis LLP
Suite 601
215 South Monroe Street
Tallahassee, Florida 32301

Attorneys for Florida Power &
Light Company

By: 
Charles A. Guyton

DOCUMENT NUMBER-DATE

02634 MAR-7 2002

FPSC-COMMISSION CLERK

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of Florida Power & Light Company's Notice Of Intent To Request Confidential Classification, was served by U.S. Mail this 5th day of March, 2002 to the following:

Wm. Cochran Keating, IV, Esq.
Legal Division
Florida Public Service Commission
2540 Shumard Oak Boulevard
Room 370
Tallahassee, FL 32399-0850

Florida Industrial Power Users Group
c/o John McWhirter, Jr., Esq.
McWhirter Reeves
400 North Tampa Street, Suite 2450
Tampa, FL 33601-3350

Thomas A. Cloud, Esq.
Gray, Harris & Robinson, P.A.
301 East Pine Street, Suite 1400
Orlando, Florida 32801

J. Roger Howe, Esq.
Office of Public Counsel
c/o Florida Legislature
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Tallahassee, Florida 32399-1400

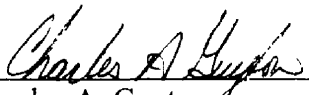
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Tallahassee, FL 32314-5256

Andrews & Kurth Law Firm
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Hollywood, FL 33024

By: 
Charles A. Guyton

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Review of the retail
rates of Florida Power & Light
Company.

DOCKET NO. 001148-EI

DATED: FEBRUARY 12, 2002

STAFF'S TENTH SET OF INTERROGATORIES TO
FLORIDA POWER & LIGHT COMPANY (NOS. 348 - 394)

The Staff of the Florida Public Service Commission, by and through its undersigned attorney, propounds the following interrogatories, pursuant to Rule 1.340, Florida Rules of Civil Procedure, to Florida Power & Light Company ("FPL"). These interrogatories shall be answered under oath by you or your agent, who is qualified and who will be identified, with the answers being served as provided by the Rules of Civil Procedure. As provided by Rule 1.340(a), Florida Rules of Civil Procedure, each interrogatory shall be answered separately and fully in writing under oath unless it is objected to. Each answer shall be signed by the person making it.

Give the name, address and relationship to Florida Power & Light Company of those persons providing the answers to each of the following interrogatories.

If an interrogatory contained herein asks for information that has already been provided or is in the process of being provided to the Commission through a Commission audit, please so state, indicating the date provided and the audit document/record request number.

STAFF'S TENTH SET OF INTERROGATORIES TO
FLORIDA POWER & LIGHT COMPANY (NOS. 348 - 394)
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PAGE 2

INTERROGATORIES

348. Please provide FPL's total annual lobbying expenses charged below the line for each of the last 5 years?

349. If any portion of the association fees or dues paid by FPL are used by the receiving organization(s) for lobbying, please identify those portions of the association fees or dues that are used for lobbying which have not been recorded below the line.

STAFF'S TENTH SET OF INTERROGATORIES TO
FLORIDA POWER & LIGHT COMPANY (NOS. 348 - 394)
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350. For 2000, please provide detail for account 923 by vendor for single payments (to individual vendors) over \$50,000, including a description of the services rendered. Please provide detail for aggregate payments (to individual vendors) over \$250,000.

351. Please provide a schedule of rate case expense to date and FPL's forecast of remaining rate case expenses.

STAFF'S TENTH SET OF INTERROGATORIES TO
FLORIDA POWER & LIGHT COMPANY (NOS. 348 - 394)
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352. Please provide a schedule of FPL's actual 2001 working capital
in the form of MFR schedule B-14.

353. Please identify and explain the cause(s) of the approximately
96% increase in medical insurance from 1999 to 2002, as shown
by Schedule C-33. In your response, please include the
assumptions underlying the projected 15% increase in these
expenses over 2000 levels.

STAFF'S TENTH SET OF INTERROGATORIES TO
FLORIDA POWER & LIGHT COMPANY (NOS. 348 - 394)
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354. Please identify and explain the cause(s) of the approximately 112% increase in Worker's Compensation from 2000 to 2002, as shown by Schedule C-33. In your response, please include the underlying assumptions used to develop the projected levels for Worker's Compensation.

355. Please identify and explain the cause(s) of the approximately 135% increase in Life Insurance from 2000 to 2002, as shown by Schedule C-33. In your response, please include the underlying assumptions used to develop the projected levels for Life Insurance.

356. For Life Insurance (Schedule C-33), please provide a schedule for the years 1999 through 2002 categorized by class (type) of covered employees (e.g., executive, middle management, line supervisors, low level employees) with detail as to the number of covered employees by class and the average salary by class.

357. Please explain how FPL developed its 2001 O&M budget. In your response, please describe the techniques and methodologies used by FPL in developing the budget. Also, please provide all assumptions (e.g., assumed CPI, customer growth rate, etc.) used to develop the budget.

358. Please explain how FPL developed its 2002 O&M budget. In your response, please describe the techniques and methodologies used by FPL in developing the budget. Also, please provide all assumptions (e.g., assumed CPI, customer growth rate, etc.) used to develop the budget.

359. Please identify all differences in methodologies, techniques, and assumptions used to develop the 2001 O&M budget versus the 2002 O&M budget, other than specific known adjustments.

STAFF'S TENTH SET OF INTERROGATORIES TO
FLORIDA POWER & LIGHT COMPANY (NOS. 348 - 394)
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360. If the 2001 and 2002 O&M budgets were developed based on the same qualitative and quantitative methodologies, techniques, and assumptions, please identify for each year the proportion of each budget/department group that is based on the same qualitative and quantitative methodologies, techniques, and assumptions and the proportion of each budget/department group that is based on specific adjustments. For specific adjustments to each group, please provide the dollar amount and description of each adjustment for 2001 and 2002.

361. a. If the 2001 and 2002 O&M budgets were developed based on different qualitative and/or quantitative methodologies, techniques, and assumptions, please prepare a revised 2002 projected test year O&M budget based on the qualitative and quantitative methodologies, techniques, and assumptions used to prepare the 2001 budget. For specific adjustments to each group, please provide the dollar amount and description of each adjustment for 2001 and 2002.
- b. Please provide a revised Schedule C-9 based on the revised 2002 O&M budget, including specific adjustments. Please list any associated tax, rate base, capital structure, or other effects of this revision.

362. Has FPL ever had an Employee Stock Option Plan (ESOP) or a Leveraged Employee Stock Option Plan (LESOP)? If so, please provide the following for each such plan:

- a. The date it was formed;
- b. The date it was terminated;
- c. The tax savings realized during the prior year ended December 31, 2000, and the projected test year ending December, 31, 2002.

363. Has FPL or any affiliate of FPL been affected in any way by Internal Revenue Service Notice 2001-82, which expands the safe harbor provisions of interties to include interties from non-Qualifying Facilities?

STAFF'S TENTH SET OF INTERROGATORIES TO
FLORIDA POWER & LIGHT COMPANY (NOS. 348 - 394)
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364. Does FPL anticipate any interconnections or interties subsequent to December 24, 2001, that meet the safe harbor provisions of this notice? If so, are the tax consequences of IRS Notice 2001-82 reflected in FPL's MFR filings in this docket?

365. Has FPL requested, or does FPL intend to request, any private letter rulings as a result of IRS Notice 2001-82?

366. Has FPL collected any CIAC gross-up funds that may now be refundable as a result of IRS Notice 2001-82? If so, please identify and describe the tax consequence that should be reflected in FPL's MFRs.

367. Has FPL included any interest on tax deficiencies in its projected test year? If so, please provide:

- a. A breakdown of the amounts and related tax positions taken that gave rise to the interest recorded;
- b. The location and amounts of any related balance sheet accounts included in the MFRs;
- c. Justification in the form of a cost/benefit analysis for the inclusion of each tax position taken.

368. Please describe and provide justification for any consolidating tax adjustments that FPL has made for its projected test year. If consolidating tax adjustments were not made, please explain why.

369. For the projected 2002 test year, please provide the following: (1) the projected post retirement benefits other than pensions expense; (2) the administrative and general benchmark of post retirement benefits other than pensions; and (3) the variance between the projected amount and the benchmark.

STAFF'S TENTH SET OF INTERROGATORIES TO
FLORIDA POWER & LIGHT COMPANY (NOS. 348 - 394)
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370. With regard to the "Other Reg Assets - Okeelanta Settlement", please reconcile the projected December 31, 2002, total company balance of \$200,250,000 shown on MFR Schedule B-7, and the projected December 31, 2002 total company balance of \$183,135,000 shown on MFR Schedule B-14.

371. Does FPL purchase natural gas for resale by FPL Energy Services ("FPLES")? If so, under what terms does FPLES receive natural gas from FPL?

STAFF'S TENTH SET OF INTERROGATORIES TO
FLORIDA POWER & LIGHT COMPANY (NOS. 348 - 394)
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372. Is FPLES required to purchase all or any specific amount of its natural gas requirements from FPL? If so, please explain the nature of this arrangement.

373. Does FPLES purchase natural gas from any entity other than FPL? If so, please identify the percentage of FPLES' total natural gas purchases that it purchased from entities other than FPL for each of the last three years.

STAFF'S TENTH SET OF INTERROGATORIES TO
FLORIDA POWER & LIGHT COMPANY (NOS. 348 - 394)
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374. Is FPLES required to purchase all or any specific amount of its natural gas transportation capacity requirements from FPL? If so, please explain the nature of this arrangement.

375. Does FPLES purchase natural gas transportation capacity from any entity other than FPL? If so, please identify the percentage of FPLES' total natural gas transportation capacity purchases that it purchased from entities other than FPL for each of the last three years.

376. Please indicate whether FPL can purchase natural gas for FPLES at a cost less than FPLES can purchase natural gas. Please explain the basis for your response.

377. Please identify, by position, all FPLES full-time employees and indicate the type of work performed by each such employee. If any FPL employee(s) also provides labor for FPLES, please identify each such FPL employee, by position, and indicate the following: (1) the type of work performed by each such employee on behalf of FPLES; (2) the time devoted by each such employee to work on behalf of FPLES; (3) the date each such employee was hired; and (4) the date each such employee began working on behalf of FPLES.

STAFF'S TENTH SET OF INTERROGATORIES TO
FLORIDA POWER & LIGHT COMPANY (NOS. 348 - 394)
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378. Please identify and describe each type of service provided by FPL to FPLES. For each service identified, please provide the charge for the service, if any, and FPL's cost to provide the service.

379. Are the office of FPLES located in FPL facilities? If so, please provide the amount charged by FPL to FPLES for use of these facilities and explain how this charge is calculated, including a listing of the items included in this charge.

STAFF'S TENTH SET OF INTERROGATORIES TO
FLORIDA POWER & LIGHT COMPANY (NOS. 348 - 394)
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380. Please identify all FPL facilities shared with FPLES.

381. Please explain the procedure used by FPL in purchasing gas for
FPLES.

STAFF'S TENTH SET OF INTERROGATORIES TO
FLORIDA POWER & LIGHT COMPANY (NOS. 348 - 394)
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382. Please explain how FPLES prices natural gas to its customers.

If FPLES uses a pricing model, please provide that model.

383. For the last five years in which FPLES made sales of natural gas, please describe FPL's accounting treatment for increases and decreases in FPLES' revenues, indicating the dollar amount of revenues for each year.

384. For each year in which FPLES experienced a loss, please describe FPL's accounting treatment for such losses. If FPL "absorbed" those losses, please explain the rationale for such accounting treatment.

385. Please identify and describe all increases in Plant in Service for 2001 and 2002 that FPL attributes to repowering of its Ft. Myers and Sanford units.

386. What portion of the increase in 2002 Plant in Service does FPL attribute to the economic downturn and national security issues, respectively? What portion of FPL's November 9, 2001, revision of (\$27,321,000) to Plant in Service does FPL attribute to the economic downturn and security measures, respectively? Please explain how FPL determined each of these amounts.

387. What portion of the increase in 2002 Plant in Service does FPL attribute to its association with the proposed Florida RTO? Please explain how FPL determined this amount.

STAFF'S TENTH SET OF INTERROGATORIES TO
FLORIDA POWER & LIGHT COMPANY (NOS. 348 - 394)
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388. What portion of the increase in 2002 Plant in Service does FPL attribute to Land and Right-of-Ways acquisitions? Please explain how FPL determined this amount.

389. MFR Schedule C-9 shows \$17,241,000 in the 2002 projected test year for Maintenance of Electric Plant (Account 513). Please identify and describe each of the budgeted costs used to reach this amount, and indicate whether each cost item is attributed to scheduled or unscheduled maintenance.

390. Please identify and describe each of the budgeted cost items used to develop the 2002 projected test year budget for Steam Power Generation (O&M) expenses (fuel expenses excluded), and indicate whether each cost item is attributed to scheduled or unscheduled maintenance.

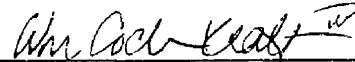
391. What portion of Steam Power Generation (O&M) expense budgeted in the 2002 projected test year is associated with units included in calculating FPL's Generating Performance Incentive Factor ("GPIF")?

392. What portion of the increase (decrease) for Steam Power Generation (O&M) in the 2002 projected test year does FPL attribute to the economic downturn and national security issues, respectively? Please explain how FPL determined these amounts.

393. Please provide a list of all Plant Held for Future Use included in the 2002 projected test year. Provide the date when each listed piece of property was acquired.

STAFF'S TENTH SET OF INTERROGATORIES TO
FLORIDA POWER & LIGHT COMPANY (NOS. 348 - 394)
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394. Please provide a list of all projects over \$500,000 included in FPL's Construction Work in Progress budget in the 2002 projected test year. Provide starting and ending date for each construction project listed.



WM. COCHRAN KEATING IV
Senior Attorney
FLORIDA PUBLIC SERVICE COMMISSION
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850
(850) 413-6193

AFFIDAVIT

STATE OF FLORIDA)
) ss
COUNTY OF _____)

I hereby certify that on this _____ day of _____,
_____, before me, an officer duly authorized in the State and
County aforesaid to take acknowledgments, personally appeared
_____, who is personally known to me, and [HE/SHE]
acknowledged before me that [HE/SHE] provided the answers to
Interrogatory Nos. _____ of Staff's Tenth Set of
Interrogatories to Florida Power & Light Company on the _____ day
of _____, _____, in Docket No. 001148-EI, and that the
responses are true and correct based on [HIS/HER] personal
knowledge.

In Witness Whereof, I have hereunto set my hand and seal in
the State and County aforesaid as of this _____ day of _____,
_____.

Notary Public
State of Florida, at Large

My Commission Expires:

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Review of the retail
rates of Florida Power & Light
Company.

DOCKET NO. 001148-EI

FILED: FEBRUARY 12, 2002

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the original and one copy of STAFF'S TENTH SET OF INTERROGATORIES TO FLORIDA POWER & LIGHT COMPANY (NOS. 348 - 394) has been served by Overnight Courier to John T. Butler, Steel, Hector & Davis, 200 South Biscayne Blvd., Suite 4000, Miami, Florida 33131-2398, on behalf of Florida Power & Light Company, and that a true and correct copy thereof has been furnished to the following by U. S. Mail this 12th day of February 2002:

Andrews & Kurth Law Firm
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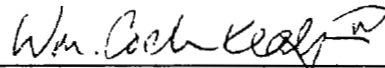
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DOCKET NO. 001148-EI
PAGE ?

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