



Public Service Commission

-M-E-M-O-R-A-N-D-U-M-

DATE: May 31, 2002  
 TO: Office of the General Counsel (M. Brown, Harris)  
 FROM: Division of Economic Regulation (Haff) *MWH* *JTB*  
 RE: Docket Nos. 020262-EI and 020263-EI, Petitions for  
 Determination of Need for Electrical Power Plants in *JDT*  
 Martin and Manatee Counties by Florida Power & Light  
 Company

On May 22, 2002, Florida Power Light Company (FPL) filed a Request for Confidential Classification for information contained in Document No. 05483-02. The document in question is FPL's Response to Staff Interrogatory Nos. 40-41 (containing sensitive information on FPL's discussions with potential natural gas suppliers, including cost information) and the Attachment to FPL's Response to Staff Interrogatory No. 23 (containing sensitive information relative to FPL's analysis of responses to its Request for Proposals).

FPL asserts that Document No. 05483-02 contains proprietary, confidential business information, as defined in Section 366.093(3), Florida Statutes. Bidders responding to FPL's RFP consider their proposals to be confidential and competitively sensitive. FPL assured these bidders that their responses would be treated as confidential. FPL asserts that disclosure of this information will impair its ability to engage in meaningful solicitations in the future.

Staff concurs with FPL's request to grant confidential status to Document No. 05483-02. However, in accord with Section 366.093(4), Florida Statutes, staff recommends that the document remain confidential for a period of eighteen months from the date of the request. Prior to the end of the eighteen month time period, it is anticipated that either FPL can renew its request for confidential status or the affected document can be returned.

Attachment  
 cc: Blanca S. Bayo, Division of the Commission Clerk and  
 Administrative Services

- US \_\_\_\_\_
- AF \_\_\_\_\_
- MP \_\_\_\_\_
- OM \_\_\_\_\_
- TR \_\_\_\_\_
- CR \_\_\_\_\_
- CL \_\_\_\_\_
- PC \_\_\_\_\_
- IMS \_\_\_\_\_
- EC \_\_\_\_\_
- TH \_\_\_\_\_

DOCUMENT NUMBER-DATE  
 05829 JUN-4 2002  
 FPSC-COMMISSION CLERK

*Shay...*

STATE OF FLORIDA

COMMISSIONERS:  
LILA A. JABER, CHAIRMAN  
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BRAULIO L. BAEZ  
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DIVISION OF THE COMMISSION CLERK &  
ADMINISTRATIVE SERVICES  
BLANCA S. BAYÓ  
DIRECTOR  
(850) 413-6770 (CLERK)  
(850) 413-6330 (ADMIN)

Public Service Commission

M-E-M-O-R-A-N-D-U-M

02 MAY 23 11:10:50  
REGULATION  
SERVICES

DATE: May 23, 2002

TO:            DIVISION OF APPEALS, RULES AND MEDIATION  
           DIVISION OF COMPETITIVE MARKETS & ENFORCEMENT  
XX            DIVISION OF ECONOMIC REGULATION | *Mike Hoff*  
           DIVISION OF AUDITING AND SAFETY

FROM: DIVISION OF THE COMMISSION CLERK AND ADMINISTRATIVE SERVICES

RE: CONFIDENTIALITY OF CERTAIN INFORMATION

DOCUMENT NO(s): 05483-02

DESCRIPTION: FPL (Guyton) - (CONFIDENTIAL) Responses to staff's  
1st set of interrogatories, Nos. 40 - 41 and attachment to  
No. 23. [x-ref. DN 04749-02 for Nos. 23, 40, and 41 only.]  
[CCA note: This filing entered in 020262-EI and  
020263-EI.]

SOURCE: Florida Power & Light Company

DOCKET NO(S): 020262-EI and 020263-EI

The above material was received with a request for confidentiality. Please prepare a recommendation for the attorney assigned to the case by completing the section below and forwarding a copy of this memorandum, together with a brief memorandum supporting your recommendation, to the attorney. Copies of your recommendation should also be provided to the Division of the Commission Clerk and Administrative Services, Bureau of Records and Hearing Services and to the Division of Appeals.

- The document(s) is (are), in fact, what the utility asserts it (them) to be.
- The utility has provided enough details to perform a reasoned analysis of its request.
- The material has been received incident to an inquiry.
- The material is confidential business information because it includes:

- (a) Trade secrets;
- (b) Internal auditing controls and reports of internal auditors;
- (c) Security measures, systems, or procedures;
- (d) Information concerning bids or other contractual data, the disclosure of which would impair the efforts of the company to contract for services on favorable terms;
- (e) Employee personnel information unrelated to compensation, duties, qualifications, or responsibilities;
- (f) Tax returns or tax-related information;
- (g) Information relating to competitive interests, the disclosure of which would impair the competitive business of the provider of information.

- The material appears to be confidential in nature and harm to the company or its ratepayers will result from public disclosure.
- The material appears not to be confidential in nature.
- The material is a periodic or recurring filing and each filing contains confidential information.

Response prepared by: Michael S. Waff

Date: 5/31/2002

cc:  APP       PAI  
 CMP       RAR  
 ECR       RGO  
 LEG       SER

PSC/CCA 15 (Rev 02/02)