



R. Wade Litchfield  
Senior Attorney  
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700 Universe Boulevard  
Juno Beach, FL 33408-0420  
(561) 691-7135 (Facsimile)

Writer's Direct Dial:  
(561) 691-7191

March 3, 2003

**VIA HAND DELIVERY**

Ms. Blanca S. Bayó, Director  
Division of the Commission Clerk and  
Administrative Services  
Florida Public Service Commission  
Betty Easley Conference Center, Room 110  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850

**Re: Florida Power & Light Company's Request for Confidential Classification of  
Certain Material Provided in Connection with the Monthly Fuel Filings  
Docket No. 030001-EI**

Dear Ms. Bayó:

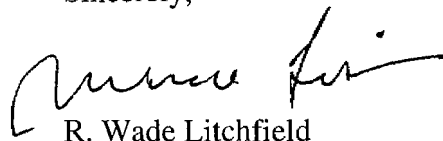
I enclose and hand you herewith for filing in the above-referenced matter, the original and five (5) copies of Florida Power & Light Company's ("FPL") Request for Confidential Classification. The original includes Attachments A, B, and C. The five copies include only Attachments B and C.

Attachment A contains the confidential information that is the subject of FPL's Request for Confidential Classification. Attachment A is submitted for filing in a separate, sealed folder or carton marked "**ATTACHMENT A – CONFIDENTIAL**". Attachment B is an edited version of Attachment A, in which the information FPL asserts is confidential has been blocked out. Attachment C contains FPL's justification for its request for confidential classification.

In accordance with Rule 25-22.006(3)(d), FPL requests confidential treatment of the information in Attachment A pending disposition of FPL's request for Confidential Classification.

Also included herewith is a computer diskette containing FPL's Request for Confidential Classification and Attachment C, in Microsoft Word. Please contact me should you or your Staff have any questions regarding this filing.

Sincerely,



R. Wade Litchfield

RWL/ec  
Enclosures  
cc: Service List (w/out Attachment A)

Doc/423 Fuel Filing/December 2002  
an FPL Group company

DOCUMENT NUMBER-DATE  
02100 MAR-3 03  
FPSC-COMMISSION CLERK

**BEFORE THE  
FLORIDA PUBLIC SERVICE COMMISSION**

In re: Fuel and Purchased Power                    )                    DOCKET NO. 030001-EI  
Cost Recovery Clause and Generating            )  
Performance Incentive Factor                    )                    FILED: March 3, 2003

**REQUEST FOR CONFIDENTIAL CLASSIFICATION**

**NOW, BEFORE THIS COMMISSION**, through undersigned counsel, comes Florida Power & Light Company (“FPL”) and, pursuant to section 25-22.006 of the Florida Administrative Code and section 366.093 of the Florida Statutes, hereby requests confidential classification of certain information on Florida Public Service Commission (“FPSC” or “Commission”) Forms 423-1(a), 423-2, 423-2(a) and 423-2(b) submitted in Docket No. 030001-EI. In support of its Request, FPL states as follows:

1. Petitioner's principal business address is as follows:

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

Orders, notices, or other pleadings relate d to this request should be served on:

William G. Walker, III  
Vice President  
Florida Power & Light Company  
215 South Monroe Street, Suite 810  
Tallahassee, FL 32301-1859  
Tel.: (850) 521-3900  
Fax: (850) 521-3939

R. Wade Litchfield  
Senior Attorney  
Florida Power & Light Company  
700 Universe Boulevard  
Juno Beach, Florida 33408-0420  
Tel.: (561) 691-7101  
Fax: (561) 691-7135

2. The following attachments are included herewith and made a part hereof:
  - a. Attachment A includes the complete and unedited version of FPL's December 2002 Form 423-1(a) and St. Johns River Power Park's (SJRPP) December 2002 Forms 423-2, 423-2(a) and 423-2(b) which contain certain information that FPL asserts should be accorded confidential treatment. The information in Attachment A for which FPL seeks confidential classification has been highlighted. Attachment A is submitted separately in a sealed envelope marked "**CONFIDENTIAL.**"
  - b. Attachment B is the edited version of Attachment A. All information that FPL asserts is entitled to confidential treatment has been blocked out in Attachment B.
  - c. Attachment C identifies information for which confidential treatment is sought and, with regard to each item or type of information, contains a brief statement that explains the need for confidentiality and refers to the specific statutory basis or bases for the request.

3. Pursuant to section 366.093, FPL seeks confidential protection for the information highlighted in Attachment A. FPL submits that such information is proprietary confidential business information within the meaning of section 366.093(3). Pursuant to section 366.093, such materials are entitled to confidential treatment and are exempt from the disclosure provisions of the public records law. Thus, once the Commission determines that the information in question is proprietary confidential business information, the Commission is not required to engage in any further analysis or review such as weighing the harm of disclosure against the public interest in access to the information.

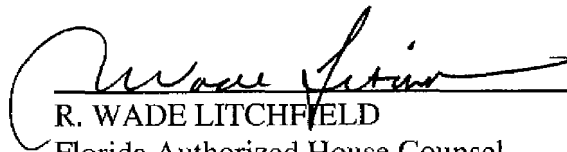
4. The statutory bases and support for FPL's assertion of confidentiality with regard to specific items or types of information are set forth in Attachment C. The information for which confidential classification is sought is intended to be and is treated by FPL as confidential and, to the best of FPL's knowledge and belief, has not been publicly disclosed.

5. Upon a finding by the Commission that the material in Attachment A for which FPL seeks confidential treatment is proprietary confidential business information within the meaning of

section 366.093(3), pursuant to section 366.093(4) such materials should not be declassified until the end of the minimum protective period allowed for by law, or as otherwise extended by the Commission. Further, the materials should be returned to FPL as soon as the information is no longer necessary for the Commission to conduct its business.

**WHEREFORE**, for the above and foregoing reasons, including those set forth in the supporting materials included herewith, Florida Power & Light Company respectfully requests that its Request for Confidential Classification be granted.

Respectfully submitted,



R. WADE LITCHFIELD

Florida Authorized House Counsel  
Attorney for Florida Power & Light Company  
700 Universe Boulevard  
Juno Beach, Florida 33408-0420  
Tel.: (561) 691-7101  
Fax: (561) 691-7135

## CERTIFICATE OF SERVICE

**I, THE UNDERSIGNED COUNSEL, HEREBY CERTIFY** that a copy of Florida Power & Light Company's Request for Confidential Classification, without Attachment A, has been served via first class mail, postage prepaid to the parties listed below, this 3<sup>rd</sup> day of March, 2003:

Wm. Cochran Keating, IV, Esq.  
Division of Legal Services  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, Florida 32399-0850

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Room 812  
Tallahassee, Florida 32399

James A. McGee, Esq.  
Florida Power Corporation  
P.O. Box 14042  
St. Petersburg, Florida 33733

Norman H. Horton, Esq.  
Floyd R. Self, Esq.  
Messer, Caparello & Self  
Attorneys for FPUC  
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Davidson, et al.  
Attorneys for FIPUG  
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Tallahassee, Florida 32301

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McWhirter, Reeves, McGlothlin,  
Davidson, et al.  
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P.O. Box 3350  
Tampa, Florida 33602

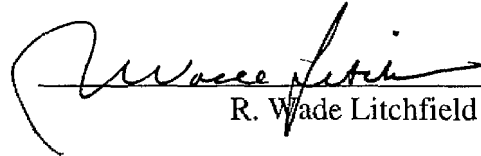
Jeffrey A. Stone, Esq.  
Russell A. Badders, Esq.  
Beggs & Lane  
Attorneys for Gulf Power  
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Pensacola, Florida 32591-2950

Mr. George Bachman  
Florida Public Utilities Co.  
P.O. Box 3395  
West Palm Beach, Florida 33402

Ms. Angela Llewellyn  
Regulatory Specialist  
Regulatory & Business Specialist  
Tampa Electric Co.  
P.O. Box 111  
Tampa, Florida 33601

Susan D. Ritenour  
Richard McMillan  
Gulf Power Company  
One Energy Place  
Pensacola, FL 32520-0780

Paul Lewis, Jr./Bonnie Davis  
Progress Energy Florida, Inc.  
106 East College Avenue  
Suite 800  
Tallahassee, FL 32301-7740



R. Wade Litchfield

**ATTACHMENT “A”**

**FPL’S FPSC FORM 423-1(a)**

**SJRPP’S FPSC FORMS**

**423-2**

**423-2 (a)**

**423-2 (b)**

**CONFIDENTIAL**  
**FILED UNDER SEPARATE COVER**

# **ATTACHMENT “B”**

**EDITED VERSION  
FPL’S FPSC FORM 423-1(a)  
SJRPP’S FPSC FORMS  
423-2  
423-2 (a)  
423-2 (b)**



# EDITED COPY

## MONTHLY REPORT OF COST AND QUALITY OF FUEL OIL FOR ELECTRIC PLANTS DETAIL OF INVOICE AND TRANSPORTATION CHARGES

FPSC FORM NO. 423-1 (a)

1. REPORTING MONTH: DEC YEAR: 2002

2. REPORTING COMPANY: FLORIDA POWER LIGHT COMPANY

3. NAME, TITLE, TELEPHONE NUMBER OF CONTACT PERSON CONCERNING DATA  
SUBMITTED ON THIS FORM: RITA MCLELLAN, REGULATORY AFFAIRS, (305) 552-4069

4. SIGNATURE OF OFFICIAL SUBMITTING REPORT: *Michael A. Berger*

5. DATE COMPLETED: 02/18/2003

(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)	(I)	(J)	(K)	(L)	(M)	(N)	(O)	(P)	(Q)	(R)
LINE NO.	PLANT	SUPPLIER	DELIVERY LOCATION	DELIVERY DATE	TYPE OIL	VOLUME (BBL)	INVOICE PRICE (\$/BBL)	INVOICE AMOUNT (\$)	DISCOUNT (\$)	NET AMOUNT (\$)	NET PRICE (\$/BBL)	QUALITY ADJUST. (\$/BBL)	EFFECTIVE PUR PRICE (\$/BBL)	TRANSP TO TERM (\$/BBL)	ADDITIONAL TRANS CHGS (\$/BBL)	OTHER CHGS (\$/BBL)	DELIVERED PRICE (\$/BBL)
1	MANATEE	EL PASO	PORT MANATEE	12/28/2002	F06	147228											27.6957
2	RIVIERA	EL PASO	RIVIERA	12/19/2002	F06	145183											27.4580
3	CAPE CANAVERAL	PETROBRAS	PORT CANAVERAL	12/02/2002	F06	117576											17.3565
4	MARTIN	VITOL	PALM BEACH	12/09/2002	F06	153803											28.5079
5	MANATEE	VITOL	PORT MANATEE	12/18/2002	F06	169234											27.8757
6	MANATEE	VITOL	PORT MANATEE	12/24/2002	F06	142299											27.6757
7	MARTIN	VPEM	PALM BEACH	12/04/2002	F06	149604											25.1879
8	MARTIN	VPEM	PALM BEACH	12/18/2002	F06	148556											29.2089
9	MARTIN	VPEM	PALM BEACH	12/31/2002	F06	149038											29.2079
10	MARTIN	EL PASO	PALM BEACH	12/08/2002	F06	145740											27.7039
11	MANATEE	GLENORE	PORT MANATEE	12/17/2002	F06	119514											28.7557
12	RIVIERA	GLENORE	RIVIERA	12/05/2002	F06	47006											25.1870
13	TURKEY POINT	GLENORE	FISHER ISLAND	12/04/2002	F06	69459											30.0279
14	TURKEY POINT	GLENORE	FISHER ISLAND	12/26/2002	F06	118072											29.5329
15	MANATEE	SEMPRA	PORT MANATEE	12/23/2002	F06	330796											29.9957
16	MARTIN	WPI	PALM BEACH	12/01/2002	F06	104858											26.8009
17	MARTIN	WPI	PALM BEACH	12/06/2002	F06	104390											27.1419
18	MANATEE	COASTAL		12/09/2002	F02	177											36.0400
19	MANATEE	COASTAL		12/10/2002	F02	178											36.2500
20	MARTIN	PORT		12/22/2002	F03	12497											39.2400
21	FT. MYERS	ROYAL		12/31/2002	F03	20520											41.8700
22	PT. EVERGLADES	AMERIGAS		12/12/2002	PRO	14	44.8800	628	0	628	44.8800	0.0000	44.8800	0.0000	0.0000	0.0000	44.8800
23	TURKEY POINT	AMERIGAS		12/30/2002	PRO	7	47.6300	333	0	333	47.6300	0.0000	47.6300	0.0000	0.0000	0.0000	47.6300
24	RIVIERA	FERRELL		12/03/2002	PRO	2	41.7500	84	0	84	41.7500	0.0000	41.7500	0.0000	0.0000	0.0000	41.7500
25	RIVIERA	FERRELL		12/06/2002	PRO	2	41.9800	84	0	84	41.9800	0.0000	41.9800	0.0000	0.0000	0.0000	41.9800
26	RIVIERA	FERRELL		12/10/2002	PRO	2	42.4200	85	0	85	42.4200	0.0000	42.4200	0.0000	0.0000	0.0000	42.4200
27	RIVIERA	FERRELL		12/13/2002	PRO	2	42.7500	86	0	86	42.7500	0.0000	42.7500	0.0000	0.0000	0.0000	42.7500
28	RIVIERA	FERRELL		12/27/2002	PRO	2	45.4200	91	0	91	45.4200	0.0000	45.4200	0.0000	0.0000	0.0000	45.4200
29	RIVIERA	FERRELL		12/31/2002	PRO	2	45.4000	91	0	91	45.4000	0.0000	45.4000	0.0000	0.0000	0.0000	45.4000
30	RIVIERA	FERRELL GAS		12/20/2002	PRO	2	43.5700	87	0	87	43.5700	0.0000	43.5700	0.0000	0.0000	0.0000	43.5700

FPSC FORM NO. 423-1 (a)

MONTHLY REPORT OF COST AND QUALITY OF FUEL OIL FOR ELECTRIC PLANTS  
 DETAIL OF INVOICE AND TRANSPORTATION CHARGES

1. REPORTING MONTH: DEC YEAR: 2002

2. REPORTING COMPANY: FLORIDA POWER LIGHT COMPANY

3. NAME, TITLE TELEPHONE NUMBER OF CONTACT PERSON CONCERNING DATA  
 SUBMITTED ON THIS FORM: RITA MCLELLAN, REGULATORY AFFAIRS, (305) 552 - 4069

4. SIGNATURE OF OFFICIAL SUBMITTING REPORT: *Michael A. Robinson*

5. DATE COMPLETED: 02/18/2003

(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)	(I)	(J)	(K)	(L)	(M)	(N)	(O)	(P)	(Q)	(R)
LINE NO.	PLANT	SUPPLIER	DELIVERY LOCATION	DELIVERY DATE	TYPE OIL	VOLUME (BBL)	INVOICE PRICE (\$/BBL)	INVOICE AMOUNT (\$)	DISCOUNT (\$)	NET AMOUNT (\$)	NET PRICE (\$/BBL)	QUALITY ADJUST. (\$/BBL)	EFFECTIVE PUR PRICE (\$/BBL)	TRANSP TO TERM (\$/BBL)	ADDITIONAL TRANS CHGS (\$/BBL)	OTHER CHGS (\$/BBL)	DELIVERED PRICE (\$/BBL)
31	RIVIERA	FERRELL GAS		12/24/2002	PRO	3	55.6300	167	0	167	55.6300	0.0000	55.6300	0.0000	0.0000	0.0000	55.6300
32	RIVIERA	FERRELLGAS		12/17/2002	PRO	2	42.1500	84	0	84	42.1500	0.0000	42.1500	0.0000	0.0000	0.0000	42.1500
33	MARTIN	INDIANTOWN		12/09/2002	PRO	13	34.8600	453	0	453	34.8600	0.0000	34.8600	0.0000	0.0000	0.0000	34.8600
34	MANATEE	SUBURBAN		12/07/2002	PRO	10	54.9900	550	0	550	54.9900	0.0000	54.9900	0.0000	0.0000	0.0000	54.9900

MONTHLY REPORT OF COST AND QUALITY OF COAL FOR ELECTRICITY  
 ORIGIN, TONNAGE, DELIVERED PRICE AND AS RECEIVED QUALITY

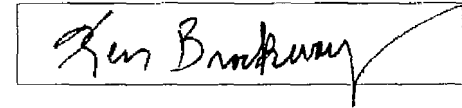
**EDITED COPY**

1. Report For Month/Yr: **December 2002**

4. Name, Title & Telephone Number of Contact  
 Person Concerning Data Submitted on this Form: **Korel M. Dubin (305-552-4910)**

2. Reporting Company: **Florida Power & Light**

5. Signature of Official Submitting Report:



3. Plant Name: **St. Johns River Power Park (SJRPP)**

6. Date Completed: **January 10, 2003**

Line No.	Supplier Name	Mine Location	Purchase Type	Transportation Mode	Tons	Effective Purchase Price (\$/Ton)	Total Trans Cost (\$/Ton)	FOB Plant Price (\$/Ton)	As Received Coal Quality			
									Sulfur Content (%)	Btu Content (%)	Ash Content (%)	Moisture Content (%)
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)	(k)	(l)	(m)
1	Aimcor	,VI,	S	OC	9,594			12.42	3.53	14,249	0.32	7.40
2	Arch Coal Sales	08,KY,119	LTC	UR	7,713			40.46	2.42	12,400	12.00	10.00
3	Arch Coal Sales	08,KY,195	LTC	UR	3,896			40.68	1.09	12,429	11.48	6.05
4	Arch Coal Sales	08,WV,039	LTC	UR	3,849			39.23	0.94	11,892	15.43	5.41
5	Cerrejon Coal Corp.	45,IM,999	LTC	OC	19,094			35.97	0.64	11,819	7.92	10.58
6	DTE Clover, LLC	08,KY,095	LTC	UR	13,902			36.53	1.20	12,451	8.92	8.02

MONTHLY REPORT OF COST AND QUALITY OF COAL FOR ELECTRIC PLANTS  
 DETAIL OF INVOICE PURCHASE PRICE

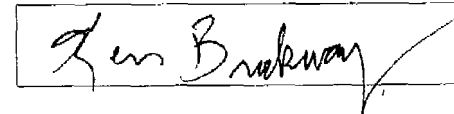
**EDITED COPY**

1. Report For Month/Yr: **December 2002**

4. Name, Title & Telephone Number of Contact  
 Person Concerning Data Submitted on this Form: **Korel M. Dubin (305-552-4910)**

2. Reporting Company: **Florida Power & Light**

5. Signature of Official Submitting Report:



3. Plant Name: **St. Johns River Power Park (SJRPP)**

6. Date Completed: **January 10, 2003**

Line No.	Supplier Name	Mine Location	Purchase Type	Tons	FOB Mine Price (\$/Ton)	Short Haul & Loading Charge	Original Invoice Price (\$/Ton)	Retro-active Price Increases (\$/Ton)	Base Price (\$/Ton)	Quality Adjustments (\$/Ton)	Effective Purchase Price (\$/Ton)
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)	(k)	(l)
1	Aimcor	,VI,	S	9,594		0.00		0.00		0.00	
2	Arch Coal Sales	08,KY,119	LTC	7,713		0.00		0.00		0.00	
3	Arch Coal Sales	08,KY,195	LTC	3,896		0.00		0.00		0.00	
4	Arch Coal Sales	08,WV,039	LTC	3,849		0.00		0.00		0.00	
5	Cerrejon Coal Corp.	45,IM,999	LTC	19,094		0.00		0.00		0.00	
6	DTE Clover, LLC	08,KY,095	LTC	13,902		0.00		0.00		0.00	

MONTHLY REPORT OF COST AND QUALITY OF COAL FOR ELECTRIC PLANTS  
 DETAIL OF TRANSPORTATION CHARGES

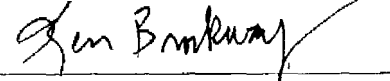
**EDITED COPY**

1. Report For Month/Yr: **December 2002**

4. Name, Title & Telephone Number of Contact  
 Person Concerning Data Submitted on this Form: **Korel M. Dubin (305-552-4910)**

2. Reporting Company: **Florida Power & Light**

5. Signature of Official Submitting Report:



3. Plant Name: **St. Johns River Power Park (SJRPP)**

6. Date Completed: **January 10, 2003**

Line No.	Supplier Name	Mine Location	Shipping Point	Transportation Mode	Tons	Effective Purchase Price (\$/Ton)	Short Haul & Loading Charge (\$/Ton)	Rail Charges		Waterborne Charges					Total Transport Charges (\$/Ton)	FOB Plant Price (\$/Ton)
								Rail Rate (\$/Ton)	Other Rail Charges (\$/Ton)	River Barge Rate (\$/Ton)	Trans-loading Rate (\$/Ton)	Ocean Barge Rate (\$/Ton)	Other Water Charges (\$/Ton)	Related Charges (\$/Ton)		
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)	(k)	(l)	(m)	(n)	(o)	(p)	(q)
1	Aimcor	,VI,	AIMCOR ST. CRO	OC	9,594		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		12.42
2	Arch Coal Sales	08,KY,195	APEX MINE	UR	3,896		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		40.68
3	Arch Coal Sales	08,KY,119	KY MAY	UR	7,713		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		40.46
4	Arch Coal Sales	08,WV,039	SAMPLES MINE	UR	3,849		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		39.23
5	Cerrejon Coal Corp.	45,IM,999	EL CERREJON	OC	19,094		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		35.97
6	DTE Clover, LLC	08,KY,095	CLOVER DTE	UR	13,902		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		36.53

NOTES: 1) SJRPP reported coal volumes represents FPL's 20% share of total receipts.

**ATTACHMENT C**

**Docket No. 030001-EI  
December 2002**

**Justification for Confidentiality of December 2002 Report:**

<u>FORM</u>	<u>LINE(S)</u>	<u>COLUMN</u>	<u>RATIONALE</u>
423-1(a)	1 - 21	H	(1)
423-1(a)	1 - 21	I	(2)
423-1(a)	1 - 21	J	(2), (3)
423-1(a)	1 - 21	K	(2)
423-1(a)	1 - 21	L	(2)
423-1(a)	1 - 21	M	(2), (4)
423-1(a)	1 - 21	N	(2), (5)
423-1(a)	1 - 21	P	(6), (7), (8)
423-1(a)	1 - 21	Q	(6), (7), (8)

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**Rationale for confidentiality:**

- (1) This information is contractual information which, if made public, "would impair the efforts of [FPL] to contract for goods or services on favorable terms." Section 366.093(3)(d), Fla. Stat. The information delineates the price per barrel FPL has paid for fuel oil for specific shipments from specific suppliers. This information would allow suppliers to compare an individual supplier's price with the market quote for that date of delivery and thereby determine the contract pricing formula between FPL and that supplier.

Contract pricing formulas generally contain two components, which are: (1) a markup in the market quoted price for that day; and (2) a transportation charge for delivery at an FPL chosen port of delivery. Discounts and quality adjustment components of fuel price contract formulas are discussed in paragraphs 3 and 4. Disclosure of the invoice price would allow suppliers to determine the contract price formula of their competitors. The knowledge of others' prices (*i.e.*, contract formulas) among fuel oil suppliers is reasonably likely to cause

the suppliers to converge on a target price, or to follow a price leader, effectively eliminating any opportunity for a major buyer like FPL to obtain price concessions from any one supplier. The end result is reasonably likely to be increased fuel oil prices and therefore increased electric rates.

- (2) The contract data found in Columns I through N are an algebraic function of Column H. That is, the publication of these Columns together, or independently, could allow a supplier to derive the invoice price of oil.
- (3) If FPL fuel contracts provide for an early payment incentive in the form of a discount from the invoice price, the existence and amount of such discount is confidential for the reasons stated in paragraph (1) relative to price concessions.
- (4) For fuel that does not meet contract requirements, FPL may reject the shipment, or accept the shipment and apply a quality adjustment. This is, in effect, a pricing term which is as important as the price itself and is therefore confidential for the reasons stated in paragraph (1) relative to price concessions.
- (5) Column N is as important as H from a confidentiality standpoint because of the relatively few times that there are quality or discount adjustments. That is, Column N will equal Column H most of the time. Consequently, Column N needs to be protected for the same reasons as set forth in paragraph (1).
- (6) Column R is used to mask the delivered price of fuel such that the invoice or effective price of fuel cannot be determined. Columns P and Q are algebraic variables of Column R. Consequently, disclosure of Columns P and Q would allow a supplier to calculate the invoice or effective purchase price of oil (Columns H and N) by subtracting these columnar variables from Column R.
- (7) Terminaling and transportation services in Florida tend to have the same, if not more severe, oligopolistic attributes of fuel oil suppliers. Due to the small demand in Florida for both of these services, market entry is difficult. In instances in which FPL has attempted to determine the level of interest in bidding either or both of these services, FPL has found only a very few qualified parties with such an interest. Consequently, disclosure of these contract data is reasonably likely to result in increased prices for terminaling and transportation services.

Petroleum inspection services also have the market characteristics of an oligopoly. Due to the limited number of fuel terminal operations, there are correspondingly few requirements for fuel inspection services. In FPL's last bidding process for petroleum inspection services, only six qualified bidders were found for FPL's bid solicitations. Consequently, disclosure of these contract data is reasonably likely to result in increased prices for petroleum inspection services.

**Justification for Confidentiality of December 2002 Report:**

<u>FORM</u>	<u>LINES</u>	<u>COLUMNS</u>	<u>RATIONALE</u>
423-2	1-6	G, H	(1)
423-2	1-6	H	(2)

**Rationale for Confidentiality:**

- (1) Disclosure of the effective purchase price "would impair the efforts of [JEA, acting on its own behalf and as agent for FPL] to contract for goods or services [at the St. Johns River Power Park (SJRPP)] on favorable terms." Section 366.093(3)(d), Fla. Stat. The data informs other potential coal suppliers as to the price SJRPP is paying for coal. Disclosure of this information, which is particularly sensitive given SJRPP's reliance on long term contracts with fixed price provisions or short term spot transactions, could adversely affect FPL's interests in subsequent solicitations for coal and/or in negotiating coal supply agreements. JEA maintains this information as confidential pursuant to section 163.01(15)(m), Fla. Stat. Additionally, providing the purchase price would enable one to ascertain the total transportation charges in Column H by subtracting the effective purchase price from the delivered price at the transfer facility, shown in Column I.
- (2) Disclosure of the total transportation cost "would impair the efforts of [JEA acting on its own behalf and as agent for FPL] to contract for goods or services [at SJRPP] on favorable terms." Section 366.093(3)(d), Fla Stat. Moreover, the service provider itself typically designates the transportation costs in the contract as confidential. JEA maintains this information as confidential pursuant to section 163.01(15)(m), Fla. Stat. Further, disclosure of this information would enable potential coal suppliers to calculate Column G which FPL seeks to protect by subtracting Column H from Column I.

**Justification for Confidentiality of December 2002 Report:**

<u>FORM</u>	<u>LINE(S)</u>	<u>COLUMN</u>	<u>RATIONALE</u>
423-2(a)	1-6	F	(1)
423-2(a)	1-6	H	(1)
423-2(a)	1-6	J	(1)
423-2(a)	1-6	L	(2)



**Rationale for Confidentiality:**

- ...
- (1) The information presented in these columns are algebraic derivations of the information in column L that FPL seeks to protect.
  - (2) Disclosure of the effective purchase price "would impair the efforts of [JEA, acting on its own behalf and as agent for FPL] to contract for goods or services [at the St. Johns River Power Park (SJRPP)] on favorable terms." Section 366.093(3)(d), Fla. Stat. The data informs other potential coal suppliers as to the price SJRPP is paying for coal. Disclosure of this information could adversely affect FPL's interests in subsequent solicitations for coal and/or in negotiating coal supply agreements. JEA maintains this information as confidential pursuant to section 163.01(15)(m), Fla. Stat. Additionally, providing the purchase price would enable one to ascertain the total transportation charges in Column H on Form 423-2, which FPL seeks to protect, by subtracting the effective purchase price from the delivered price at the transfer facility shown in Column I on Form 423-2.

**Justification for Confidentiality of December 2002 Report:**

FORM	LINE(S)	COLUMN	RATIONALE
423-2(b)	1-6	G	(1)
423-2(b)	1-6	I	(2)
423-2(b)	1-6	P	(2)

**Rationale for Confidentiality:**

- (1) Disclosure of the effective purchase price "would impair the efforts of [JEA, acting on its own behalf and as agent for FPL] to contract for goods or services [at the St. Johns River Power Park (SJRPP)] on favorable terms." Section 366.093(3)(d), Fla. Stat. The data informs other potential coal suppliers as to the price SJRPP is paying for coal. Disclosure of this information, which is particularly sensitive given SJRPP's reliance on long term contracts with fixed price provisions or short term spot transactions, could adversely affect FPL's interests in subsequent solicitations for coal and/or in negotiating coal supply agreements. JEA maintains this information as confidential pursuant to section 163.01(15)(m), Fla. Stat. Additionally, providing the purchase price would enable one to ascertain the total transportation charges in Column P, which FPL seeks to protect, by subtracting the effective purchase price from the delivered price at the transfer facility shown in Column Q.

- (2) Disclosure of the total transportation cost "would impair the efforts of [JEA acting on its own behalf and as agent for FPL] to contract for goods or services [at SJRPP] on favorable terms." Section 366.093(3)(d), Fla Stat. Moreover, the service provider itself typically designates the transportation costs in the contract as confidential. JEA maintains this information as confidential pursuant to section 163:01(15)(m), Fla. Stat. Further, disclosure of this information would enable potential coal suppliers to calculate Column G which FPL seeks to protect, by subtracting Column P from Column Q.

**Date of Declassification:**

<b>FORM</b>	<b><u>LINE(S)</u></b>	<b><u>COLUMN</u></b>
423-1(a)	1-2	H - N, P & Q
423-1(a)	3	H - N, P & Q
423-1(a)	4-6	H - N, P & Q
423-1(a)	7-21	H - N, P & Q
423-2	1-6	G, H
423-2(a)	1-6	F, H, & J, L
423-2(b)	1-6	G, I, P

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FPL requests that the confidential information identified above not be disclosed for a period of eighteen (18) months.