



R Wade Litchfield  
Senior Attorney  
Florida Authorized House Counsel  
Florida Power & Light Company  
700 Universe Boulevard  
Juno Beach, FL 33408-0420  
(561) 691-7135 (Facsimile)

Writer's Direct Dial:  
(561) 691-7101

May 15, 2003

**VIA HAND DELIVERY**

Ms. Blanca S. Bayò, Director  
Division of the Commission Clerk and  
Administrative Services  
Florida Public Service Commission  
2540 Shumard Oak Boulevard, Room 110  
Tallahassee, FL 32399-0850

030002-EG

**Re: Florida Power & Light Company's First Request for Extension of  
Confidential Classification of Material Provided pursuant to Audit No. 01-  
058-4-2**

Dear Ms. Bayò:

I enclose and hand you herewith for filing in the above-referenced matter, the original and two (2) copies of the following:

1. Florida Power & Light Company's ("FPL") First Request for Extension of Confidential Classification in connection with Audit No. 01-058-4-2. FPL is incorporating herewith by reference its Exhibits A and B previously submitted in connection with its initial Request
2. Revised Exhibit C, Justification Table. Revised Exhibit C shall replace Exhibit C initially filed June 29, 2001.
3. New Exhibit D. Exhibit D consists of the Affidavits of Rick Del Cueto and Ken Getchell in support of FPL's First Request for Extension of Confidential Classification.

Also included is a computer diskette containing the electronic version of FPL's First Request for Extension of Confidential Classification in Microsoft Word format. Please do not hesitate to contact me should you or your Staff have any questions regarding this filing. Thanking you for your attention to this matter, I remain,

Sincerely,

R. Wade Litchfield

RWL/ec  
Enclosures

**BEFORE THE  
FLORIDA PUBLIC SERVICE COMMISSION**

In the Matter of Florida Power & Light Company's )  
First Request for Extension of Confidential ) DOCKET NO. \_\_\_\_\_  
Classification Granted by )  
Order No. PSC-01-2268-PHO-EG ) FILED: May 15, 2003  
In Docket No. 010002-EG )  
\_\_\_\_\_ )

**FIRST REQUEST FOR EXTENSION  
OF CONFIDENTIAL CLASSIFICATION  
GRANTED BY ORDER NO. PSC-01-2268-PHO-EG**

NOW, BEFORE THE COMMISSION, through undersigned counsel, comes Florida Power & Light Company ("FPL") and, pursuant to rule 25-22.006 of the Florida Administrative Code and section 366.093 of the Florida Statutes, hereby submits its First Request for Extension of Confidential Classification Granted by Order No PSC-01-2268-PHO-EG of the Florida Public Service Commission ("FPSC" or "Commission"), issued in Docket No. 010002-EG in connection with the capacity cost recovery audit, Audit Control No. 01-058-4-2 (the "Audit"). In support of its First Request, FPL states as follows:

1. Petitioner's name and address are:

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

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

William G. Walker, III  
Florida Power & Light Company  
Vice President  
215 South Monroe Street  
Suite 810  
Tallahassee, Florida 32301-1859  
(850) 521-3910

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

2. On June 29, 2001, FPL filed with the Commission its Request for Confidential Classification of certain materials obtained during the Audit. FPL's initial filing consists of the Request for Confidential Classification and Exhibits A through D.

3. By Order No. PSC-01-2268-PHO-EG, issued November 19, 2001, the Commission granted FPL's request.

4. The period of confidential treatment granted by the Commission will soon expire. The information that was the subject of FPL's June 29, 2001 Request warrants continued treatment as proprietary and confidential business information with the meaning of Section 366.093. Accordingly, FPL hereby submits its First Request for Extension of Confidential Classification.

5. FPL incorporates herein by reference Exhibits A and B from its June 29, 2001.

6. Included herewith and made a part hereof is revised Exhibit C. Revised Exhibit C is the Justification Table and shall replace Exhibit C initially filed June 29, 2001.

7. Also included herewith and made a part hereof is Exhibit D. Exhibit D consists of the Affidavits of Rick Del Cueto and Ken Getchell which Affidavits shall replace Exhibit D previously filed June 29, 2001.

8. 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.

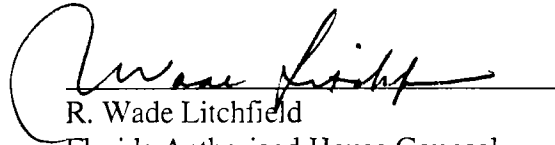
9. The statutory bases for FPL's assertion of confidentiality with regard to each document or portion thereof are set forth in the Justification Table under the column titled "FLORIDA STATUTE 366.093(3)." The letters (a) through (e) refer to subsections of section 366.093(3), as applicable. Support for FPL's First Request for Extension of Confidential Classification of the referenced material is provided through the affidavits of Rick Del Cueto and Ken Getchell. The Justification Table identifies the affiant attesting to the basis for FPL's assertion of confidentiality with regard to each document or portion thereof. The materials at issue contain information that is or is related to internal audit reports, customer account information, contract pricing information, and employee personnel information unrelated to compensation, duties, qualifications or responsibilities.

10. As reflected by the renewed affidavits submitted as Exhibit D, nothing has changed since the issuance of Order no. PSC 01-2268-PHO-EG to render the information stale or public such that continued confidential treatment would not be appropriate. Accordingly, FPL requests that the information be accorded confidential classification for an additional eighteen month period. FPL further requests that the information be returned to FPL as soon as it is no longer necessary for the Commission to conduct its business.

**WHEREFORE**, for the above and foregoing reasons, as more fully set forth in the supporting materials and affidavits included herewith or incorporated herein by reference,

Florida Power & Light Company respectfully requests that its First Request for Extension of Confidential Classification be granted.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "R. Wade Litchfield", is written over a horizontal line.

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

**REVISED  
ATTACHMENT C**

**REVISED EXHIBIT C**

**COMPANY:** Florida Power & Light Company  
**TITLE:** List of Confidential Workpapers  
**AUDIT:** Energy Conservation Cost Recovery Clause  
**PERIOD ENDING:** December 31, 2000  
**AUDIT CONTROL NO:** 01-058-4-2

| Workpaper No | Description                       | No. of Pages | Confidential Yes / No | Line No. / Col. No.   | Florida Statute 366.093(3) Subsection | Affiant      |
|--------------|-----------------------------------|--------------|-----------------------|---|---------------------------------------|--------------|
| 9            | CILC Internal Audit notes         | 3            | Y                     | p.1, line 3, line 5-43<br>p.2, line 1-42<br>p.3, line 1-37  | (b)                                   | R. Del Cueto |
| 9-1          | Internal Audit list               | 3            | Y                     | p.1, col. C, line 1-51<br>p.2, col. C, line 1-51<br>p.3, col. C, line 1-22  | (b)                                   | R. Del Cueto |
| 43-6         | Sample Items                      | 4            | Y                     | p.1, col. G, line 1-21<br>p.1, col. H, line 1-30<br>p.1, col. I, line 1-21<br>p.2, col. G, line 1-27<br>p.2, col. H, line 1-30<br>p.2, col. I, line 1-30<br>p.3, col. G, line 1-29<br>p.3, col. H, line 1-31<br>p.3, col. I, line 1-29<br>p.4, col. G, line 1-5<br>p.4, col. H, line 1-10<br>p.4, col. I, line 1-10 | (d) (e)                               | K. Getchell  |
| 43-6/1       | ECCR Report for CILC Billing 1/00 | 9            | Y                     | p.1-9, col. A,B,C,J, K,L,N  | (e)                                   | K. Getchell  |
| 43-6/2       | ECCR Report for CILC Billing 9/00 | 9            | Y                     | p.1-9, col. A,B,C,J, K,L,N  | (e)                                   | K. Getchell  |
| 43-6/2-1     | Georgia Pacific Billing Report    | 1            | Y                     | line 1-3, col. A & B<br>line 8-44, col. C & F<br>line 11-16, col. B<br>line 11-19, col. E<br>line 36, all   | (e)                                   | K. Getchell  |

## REVISED EXHIBIT C

**COMPANY:** Florida Power & Light Company  
**TITLE:** List of Confidential Workpapers  
**AUDIT:** Energy Conservation Cost Recovery Clause  
**PERIOD ENDING:** December 31, 2000  
**AUDIT CONTROL NO:** 01-058-4-2

| Workpaper No. | Description                             | No. of Pages | Confidential Yes / No | Line No. / Col. No.   | Florida Statute 366 093(3) Subsection | Affiant     |
|---------------|---|--------------|-----------------------|---|---------------------------------------|-------------|
| 43-6/2-1/1    | Georgia Pacific Power Billing Calc.     | 1            | Y                     | col. B, line 2-10   | (e)                                   | K. Getchell |
| 44-8/4        | ECCR Report for CILC Billing 8/00       | 10           | Y                     | p.1-10, col. A,B,C,J, K,L,N   | (e)                                   | K. Getchell |
| 44-8/4-1      | Georgia Pacific Billing Report          | 1            | Y                     | line 1-3, col. A & B<br>line 8-44, col. C & F<br>line 11-16, col. B<br>line 11-19, col. E<br>line 36, all                   | (e)                                   | K. Getchell |
| 44-8/4-1/1    | Georgia Pacific Power Billing Calc.     | 1            | Y                     | col. B, line 2-10   | (e)                                   | K. Getchell |
| 44-8/4-1/1-1  | Georgia Pacific CILC Agreement          | 2            | Y                     | p.1, line 2-3,20-21<br>p.2, line 40-43  | (e)                                   | K. Getchell |
| 44-8/4-2      | United Technologies Billing Report      | 1            | Y                     | line 1-3, col. A & B<br>line 5, col. B<br>line 8-44, col. C & F<br>line 11-16, col. B<br>line 11-19, col. E<br>line 36, all | (e)                                   | K. Getchell |
| 44-8/4-2/1    | United Technologies Power Billing Calc. | 1            | Y                     | col. B, line 2-10   | (e)                                   | K. Getchell |
| 44-8/4-2/1-1  | United Technologies CILC Agreement      | 2            | Y                     | p.1, line 2-3<br>p 2. line 38-45  | (e)                                   | K. Getchell |



# **ATTACHMENT D**

**EXHIBIT D**

**BEFORE THE FLORIDA  
PUBLIC SERVICE COMMISSION**

STATE OF FLORIDA )  
 )  
 )  
MIAMI-DADE COUNTY )

AFFIDAVIT OF RICK DEL CUETO

Date: May 12, 2003

**BEFORE ME**, the undersigned authority, personally appeared Rick Del Cueto, who, being first duly sworn, deposes and says:

1. My name is Rick Del Cueto. I am currently employed by Florida Power & Light Company (FPL) as Manager, Internal Auditing. I have personal knowledge of the matters stated in this affidavit.

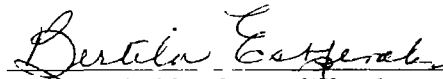
2. With respect to Exhibit C, I have reviewed the documents and information for which I am listed as Affiant and which are included in Exhibit A to FPL's Request for Confidential Classification. Documents or materials that I have reviewed and which are asserted by FPL to be proprietary confidential business information contain or constitute internal auditing controls and reports of internal auditors or information relating to same. To the best of my knowledge, FPL has maintained the confidentiality of these documents and materials.

3. Consistent with the provisions of the Florida Administrative Code, such materials should continue to remain confidential for an additional period of not less than 18 months. In addition, they should be returned to FPL as soon as the information is no longer necessary for the Commission to conduct its business so that FPL can maintain the confidentiality of these documents.

4. Affiant says nothing further.

  
Rick Del Cueto

**SWORN TO AND SUBSCRIBED** before me this 12 day of May, 2003, by Rick Del Cueto, who is personally known to me or who has produced \_\_\_\_\_ (type of identification) as identification and who did take an oath.

  
Notary Public, State of Florida

My Commission Expires:



EXHIBIT D

BEFORE THE FLORIDA  
PUBLIC SERVICE COMMISSION

STATE OF FLORIDA )  
 )  
 )  
MIAMI-DADE COUNTY )

AFFIDAVIT OF KEN GETCHELL

Date: May 13, 2003

**BEFORE ME**, the undersigned authority, personally appeared Ken Getchell, who, being first duly sworn, deposes and says:

1. My name is Ken Getchell. I am currently employed by Florida Power & Light Company (FPL) as a Budget and Regulatory Support Supervisor. I have personal knowledge of the matters stated in this affidavit.

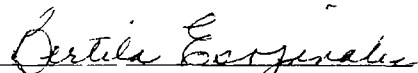
2. With respect to Exhibit C, I have reviewed the documents and information for which Ken Getchell is listed as Affiant and which are included in Exhibit A to FPL's Request for Confidential Classification. Documents or materials that Ken Getchell has reviewed and which are asserted by FPL to be proprietary confidential business information contain or constitute customer-specific account information. Indeed, FPL has a corporate policy not to disclose customer-specific information. This policy includes, but is not limited to, customer names, addresses, telephone numbers, account numbers, rates, billing determinants (kW and kWh usage), conservation savings in kW, kWh and bills. FPL treats such information as confidential and does not disclose it, except as required by law, to entities or persons other than the customer without the permission of the customer. Disclosure of this information may impair FPL's competitive business interests and ability to contract favorably.

3. Consistent with the provisions of the Florida Administrative Code, such materials should continue to remain confidential for an additional period of not less than 18 months. In addition, they should be returned to FPL as soon as the information is no longer necessary for the Commission to conduct its business so that FPL can maintain the confidentiality of these documents.

4 Affiant says nothing further.

  
\_\_\_\_\_  
Ken Getchell

**SWORN TO AND SUBSCRIBED** before me this 13 day of May, 2003, by Ken Getchell, who is personally known to me or who has produced \_\_\_\_\_ (type of identification) as identification and who did take an oath

  
\_\_\_\_\_  
Notary Public, State of Florida

My Commission Expires:

