



ORIGINAL

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

(305) 552-4657

May 30, 2003

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COMMISSION
CLERK

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

VIA HAND DELIVERY

011403-EI

**Re: Florida Power & Light Company's
First Request For Extension Of Confidential Classification Granted
by Order No. PSC-01-2339-CFO-EI of Certain Material Obtained
Pursuant To Audit Control No. 01-073-4-1**

Dear Ms. Bayó:

I enclose and hand you herewith for filing in the above-referenced matter, the original and two (2) copies of Florida Power & Light Company's ("FPL") First Request for Extension of Confidential Classification Granted by FPSC Order No. PSC-01-2339-CFO-EI.

Exhibit D contains the Affidavit Rick Del Cueto 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 in Word format and the Revised Justification Table in Word format.

Pursuant to rule 25-22.006(9)(c) of the Florida Administrative Code, FPL requests confidential treatment of the information identified in Order No. PSC-01-2339-CFO-EI pending disposition of FPL's First Request for Extension of Confidential Classification.

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

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FPSC-BUREAU OF RECORDS

(DN3 13412-01
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DOCUMENT NUMBER DATE

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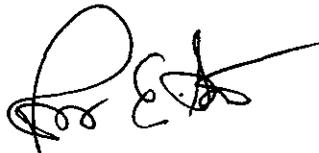
Ms. Blanca S. Bayó, Director
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and Administrative Services
Florida Public Service Commission
May 30, 2003
Page 2

Finally, enclosed is an additional copy of FPL's First Request For Extension of Confidential Classification. Please file stamp this additional copy and return to FPL at your convenience.

Please do not hesitate to me at (305) 552-4657 should you or your Staff have any questions regarding this filing.

Thanking you for your attention to this matter, I remain,

Sincerely,

A handwritten signature in black ink, appearing to read "Rob E. Stone", with a long horizontal flourish extending to the right.

Robert E. Stone
Attorney

RES/sm

Enclosures

2. On October 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. FPL adopts and incorporates by reference its October 29, 2001 request, including Exhibits A, B, C and D.

3. By Order No. PSC-01-2339-CFO-EI dated December 5, 2001, the Commission granted FPL's request.

4. The period of confidential treatment granted by the Commission will soon expire. With the exception of Workpaper 8-1, all of the information that was the subject of FPL's October 29, 2001 Request warrants continued treatment as proprietary and confidential business information with the meaning of section 366.093. Attached as Exhibit C hereto is a table containing a line-by-line and page-by-page identification of the information for which continued confidential treatment is sought, and, with regard to each document or portion thereof, reference to the specific statutory basis or bases for the claim of confidentiality and to the affidavits in support of the requested classification. Exhibit C is sometimes referred to hereinafter as the "Revised Justification Table."

5. Included herewith and made a part hereof is Exhibit D. Exhibit D consists of the Affidavit of Rick Del Cueto, which Affidavit shall supplement Exhibit D previously filed on October 29, 2001.

6. 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.

7. The statutory bases for FPL's assertion of confidentiality with regard to each document or portion thereof are set forth in the Revised Justification Table under the column titled "FLORIDA STATUTE 366.093(3)." The letters (a) through (f) refer to subsections of section 366.093(3), as applicable. Support for FPL's Request for Confidential Classification of the referenced material is provided through the Affidavit of Rick Del Cueto. The Revised Justification Table identifies the basis for FPL's assertion of confidentiality with regard to each document or portion thereof.

8. Except for the information in Workpaper 8-1, FPL submits that the information in Exhibit A continues to be proprietary confidential business information within the meaning of section 366.093(3). As indicated in the affidavit of Rick Del Cueto, all of the highlighted information in Exhibit A (except for Workpaper 8-1) includes information that contains or constitutes internal audit controls or reports or information relating to same. Such information is entitled to protection under section 366.093(3)(b).

9. The material for which FPL seeks continued confidential classification is intended to be and is treated by FPL as private and has not been disclosed. Nothing has

changed since the issuance of Order No. PSC-01-2339-CFO-EI to render the information stale or public such that continued confidential treatment would not be appropriate.

10. Accordingly, FPL requests that the information identified in the Revised Justification Table and highlighted in Exhibit A to the October 29, 2001 Request for Confidential Classification and referenced in Order No. PSC-01-2339-CFO-EI be accorded confidential classification for an additional eighteen month period. FPL further requests that the information 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, 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,



Robert E. Stone
Attorney for
Florida Power & Light Company
9250 West Flagler Street
Miami, Florida 33174
(305) 552-4657

10/27/01

EXHIBIT C

**REVISED
JUSTIFICATION TABLE**

MAY 2003

REVISED JUSTIFICATION TABLE – 5/29/03

EXHIBIT C

COMPANY: Florida Power & Light Company
TITLE: List of Confidential Workpapers
AUDIT: Surveillance Audit
AUDIT CONTROL NO: 01-073-4-1

FLORIDA
 STATUTE
 366.093(3)
 Subsection:

WKPAPER NO. DESCRIPTION NO. OF PAGES CONF. Y/N LINE NO./ COL. NO. AFFIANT

<u>WKPAPER NO.</u>	<u>DESCRIPTION</u>	<u>NO. OF PAGES</u>	<u>CONF. Y/N</u>	<u>LINE NO./ COL. NO.</u>	<u>AFFIANT</u>
8-1	Committee Notes	7	N	Page 3 Lines 1-5	Dennis P. Coyle
9A	Summary Int & External Audit	3	Y	Page 1 All Page 2 All	Rick Del Cueto
9-1	Internal Audit Notes	9	Y	All	Rick Del Cueto
9-2	Internal Audit Notes	2	Y	All	Rick Del Cueto
9-3	Internal Audit Notes	5	Y	All	Rick Del Cueto
9-4	Internal Audit Notes	3	Y	All	Rick Del Cueto
9-5	Internal Audit Notes	3	Y	All	Rick Del Cueto
9-7	Internal Audit Notes	5	Y	All	Rick Del Cueto
9-8	Internal Audit Notes	2	Y	All	Rick Del Cueto
9-9	Internal Audit Notes	3	Y	All	Rick Del Cueto
9-10	Internal Audit Notes	3	Y	All	Rick Del Cueto
9-11	Internal Audit Notes	1	Y	All	Rick Del Cueto
9-12	Internal Audit Notes	2	Y	All	Rick Del Cueto

9-13	Internal Audit Notes	1	Y	All	(b)	Rick Del Cueto
9-14	Internal Audit Notes	1	Y	All	(b)	Rick Del Cueto
9-15	Internal Audit Notes	5	Y	All	(b)	Rick Del Cueto
9-16	Internal Audit Notes	1	Y Y	All	(b)	Rick Del Cueto
9-17	Internal Audit Notes	2	Y	All	(b)	Rick Del Cueto
9-18	Internal Audit Notes	2	Y	All	(b)	Rick Del Cueto
9-19	Internal Audit Notes	1	Y	All	(b)	Rick Del Cueto
9-20	Internal Audit Notes	5	Y	All	(b)	Rick Del Cueto
9-21	Internal Audit Notes	1	Y	All	(b)	Rick Del Cueto
9-22	Internal Audit Notes	4	Y	All	(b)	Rick Del Cueto
9-23	Internal Audit Notes	1	Y	All	(b)	Rick Del Cueto
9-24	Internal Audit Notes	2	Y	All	(b)	Rick Del Cueto
9-25	Internal Audit Notes	1	Y	Lines 1 - 11	(b)	Rick Del Cueto
10	Audit Reports	3	Y	Page 3 Lines 9-15	(b)	Rick Del Cueto
59	Reconciliation	3	Y	Page 1 Lines 20-28 Page 2 All Page 3 Lines 9-19	(b) (b) (b)	Rick Del Cueto

EXHIBIT D

AFFIDAVIT

MAY 2003

EXHIBIT D

**BEFORE THE FLORIDA
PUBLIC SERVICE COMMISSION**

In the matter of Florida Power &)
Light Company's First Request for)
Extension of Confidential Classification)
By Order No. PSC-01-2339-CFO-EI)
In Docket No. 011403-EI)

Docket No.: _____

Filed _____

STATE OF FLORIDA)
)
MIAMI-DADE COUNTY)

AFFIDAVIT OF RICK DEL CUETO

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

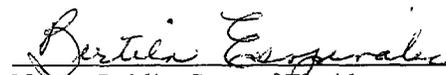
1. My name is Rick Del Cueto. I am currently employed by Florida Power & Light Company (FPL) as Manager, Internal Auditing. I have personal knowledge of the matters stated in this affidavit.

2. I have reviewed Exhibits A, B, C and D of FPL's Request for Confidential Classification of materials pursuant to Audit No. 01-073-4-1 filed on October 29, 2001 ("FPL's Request for Confidential Classification"). 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. The documents or materials continue to be proprietary confidential business information and should be accorded confidential classification by the Commission for an additional eighteen months.

3. Affiant says nothing further.


Rick Del Cueto

SWORN TO AND SUBSCRIBED before me this 13 day of May, 2003, by Rick Del Cueto, who is personally known to me or who has produced _____ (type of identification) as identification.


Notary Public, State of Florida
BERTILA ESTOPINALES
Print Name of Notary

My Commission Expires:

