

STEEL  
HECTOR  
& DAVIS  
INTERNATIONAL™

ORIGINAL

Steel Hector & Davis LLP  
200 South Biscayne Boulevard  
Suite 4000  
Miami, FL 33131-2398  
305.577.7000  
305.577.7001 Fax  
www.steelhector.com

John T. Butler  
305.577.2939  
jbutler@steelhector.com

July 15, 2003

RECEIVED FPSC  
JUL 15 PM 4: 17  
COMMISSION  
CLERK

-VIA HAND DELIVERY -

Blanca S. Bayó  
Director, Commission Clerk and Administrative Services  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850

Re: Docket No. 030001-EI

Dear Ms. Bayó:

I am enclosing for filing in the above docket the original and seven (7) copies of Florida Power & Light Company's Request for Confidential Classification of Additional Materials Provided Pursuant to Audit No. 03-036-4-1, together with a diskette containing the electronic version of same. The enclosed diskette is HD density, the operating system is Windows 2000, and the word processing software in which the documents appear is Word 2000. Pursuant to Rule 25-22.006, F.A.C., I am also enclosing one highlighted and two redacted copies of the confidential documents that are the subject of this request.

If there are any questions regarding this transmittal, please contact me at 305-577-2939.

Sincerely,

*Korel M. Rubin*  
for JTB  
John T. Butler

AUS   
CAF   
CMP   
COM   
CTR   
ECR   
GCL   
OPC   
MMS   
SEC   
OTH

Enclosure  
cc: Counsel for Parties of Record (w/encl.)

RECEIVED & FILED  
*L.V.N.*  
FPSC-BUREAU OF RECORDS

cc: *Comp. records*  
Miami

West Palm Beach Tallahassee Naples Key West London Caracas São Paulo Rio de Janeiro Santo Domingo

DOCUMENT NUMBER-DATE  
0055 JUL 15 03

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Fuel and Purchased Power ) DOCKET NO. 030001-EI  
Cost Recovery Clause with Generating )  
Performance Incentive Factor ) FILED: July 15, 2003

**REQUEST FOR CONFIDENTIAL CLASSIFICATION OF ADDITIONAL  
MATERIALS PROVIDED PURSUANT TO AUDIT NO. 03-036-4-1**

NOW, BEFORE THIS 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 requests confidential classification of certain materials provided to the Florida Public Service Commission ("FPSC" or "Commission") staff ("Staff") in connection with Audit Control No. 03-036-4-1 (hereinafter the "Audit") in Docket 030001-EI. In support of its 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

John T. Butler  
Steel Hector & Davis LLP  
Suite 4000  
200 South Biscayne Boulevard  
Miami, Florida 33131-2398  
(305) 577-2939  
(305) 358-7336 Facsimile

2. During the Audit, Staff requested access to various FPL reports and other documents. By letter dated June 18, 2003, Staff indicated its intent to retain certain workpapers for which confidential treatment previously had been requested. FPL filed a request for confidential treatment of those workpapers on July 9, 2003, consistent with Rule 25-

DOCUMENT NUMBER-DATE  
06255 JUL 15 8  
FPSC-COMMISSION CLERK

22.006(3)(a). Staff then sent FPL another letter, dated June 24, 2003, indicating its intent to retain certain additional workpapers for which confidential treatment had been requested (the "June 24 Workpapers"). Pursuant to Rule 25-22.006(3)(a), FPL was given twenty-one days from the date of that letter, or until July 15, 2003, within which to file a formal Request for Confidential Classification with respect to the June 24 Workpapers. FPL hereby makes such a request.

3. The following exhibits are included herewith and made a part hereof:

a. Composite Exhibit A consists of copies of the June 24 Workpapers, on which all information that FPL asserts is entitled to confidential treatment has been highlighted.

Composite Exhibit A is submitted separately in a sealed folder or carton marked "CONFIDENTIAL."

b. Composite Exhibit B consists of an edited version of the June 24 Workpapers on which all information FPL asserts is entitled to confidential treatment has been redacted.

c. Exhibit C is a table containing a line-by-line and page-by-page identification of the information for which confidential treatment is sought, and, with regard to each document or portions thereof, references to the specific statutory basis or bases for the claim of confidentiality and to the affidavits in support of the requested classification.

d. Exhibit D is the affidavit of Osvaldo J. Lom.

4. FPL seeks confidential protection for the information highlighted in Exhibit

A. FPL submits that the highlighted information is proprietary confidential business information

within the meaning of section 366.093(3). Pursuant to section 366.093, such information is entitled to confidential treatment and is 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.

5. The information for which FPL seeks confidential classification, described in Exhibits C and D, includes information relating to FPL's competitive interests, the disclosure of which would impair the competitive business of FPL. This confidential information is protected against disclosure by Section 366.093(3)(e). The confidential information also includes contractual data such as pricing and other terms, payment records, and contractor/supplier rates, the disclosure of which would impair the efforts of FPL to contract for goods and services on favorable terms and/or would impair the competitive interests of the contractors. This confidential information is protected against disclosure by Section 366.093(3)(d). Finally, the confidential information includes bank account information, which has no relevance to the issues in this docket. FPL and its counter-parties routinely protect each other's bank account information as a matter commercial security. The bank account information constitutes proprietary confidential business information within the meaning of Section 366.093(3). Further support for FPL's request is provided in the affidavit included as Exhibit D.

6. The information highlighted in Exhibit A, and referenced in Exhibit C, is proprietary confidential business information within the meaning of section 366.093(3). Upon a finding by the Commission that such information is proprietary confidential business information, the information should not be declassified for a period of at least eighteen (18) months and should be

returned to FPL as soon as the information is no longer necessary for the Commission to conduct its business. See §366.093(4), Fla. Stat.

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

Respectfully submitted,

STEEL HECTOR & DAVIS LLP

Attorneys for Florida Power & Light Company  
200 South Biscayne Boulevard  
Suite 4000  
Miami, Florida 33131-2398  
Telephone: 305-577-7000

By: John T. Butler per JTB  
John T. Butler  
Fla. Bar No. 283479

**CERTIFICATE OF SERVICE**

I, THE UNDERSIGNED COUNSEL, HEREBY CERTIFY that a copy of Florida Power & Light Company's Request for Confidential Classification without exhibits\*, has been served via first class mail, postage prepaid, or hand delivery (\*\*) to the parties listed below, this 15<sup>th</sup> day of July 2003:

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

Lee L. Willis, Esq.  
James D. Beasley, Esq.  
Ausley & McMullen  
Attorneys for TECO  
P.O. Box 391  
Tallahassee, Florida 32302

Robert Vandiver, Esq.  
Jack Shreve, Esq.  
Office of Public Counsel  
111 West Madison Street  
Room 812  
Tallahassee, Florida 32399

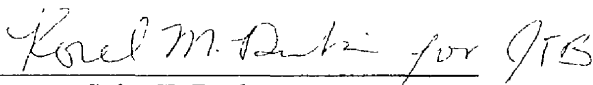
James A. McGee, Esq.  
Florida Power Corporation  
P.O. Box 14042  
St. Petersburg, Florida 33733

Norman H. Horton, Esq.  
Floyd R. Self, Esq.  
Messer, Caparello & Self  
Attorneys for FPUC  
215 South Monroe Street, Suite 701  
Tallahassee, Florida 32302-0551

Joseph A. McGlothlin, Esq.  
Vicki Gordon Kaufman, Esq.  
McWhirter, Reeves, McGlothlin,  
Davidson, et al.  
Attorneys for FIPUG  
117 South Gadsden Street  
Tallahassee, Florida 32301

John W. McWhirter, Jr., Esq.  
McWhirter, Reeves, McGlothlin,  
Davidson, et al.  
Attorneys for FIPUG  
P. O. Box 3350  
Tampa, Florida 33602

Jeffrey A. Stone, Esq.  
Russell A. Badders, Esq.  
Beggs & Lane  
Attorneys for Gulf Power  
P.O. Box 12950  
Pensacola, Florida 32591-2950

  
\_\_\_\_\_  
John T. Butler

\* Exhibits (redacted documents) furnished upon request

# **EXHIBIT A**

## **CONFIDENTIAL DOCUMENTS**

**(SUBMITTED SEPARATELY)**

# **EXHIBIT B**

# **REDACTED DOCUMENTS**

*(See DN 06257-03)*



FPSC Capacity Clause Audit

Audit Request # 3

Item # 1

NOTE:

There should be a true up of:

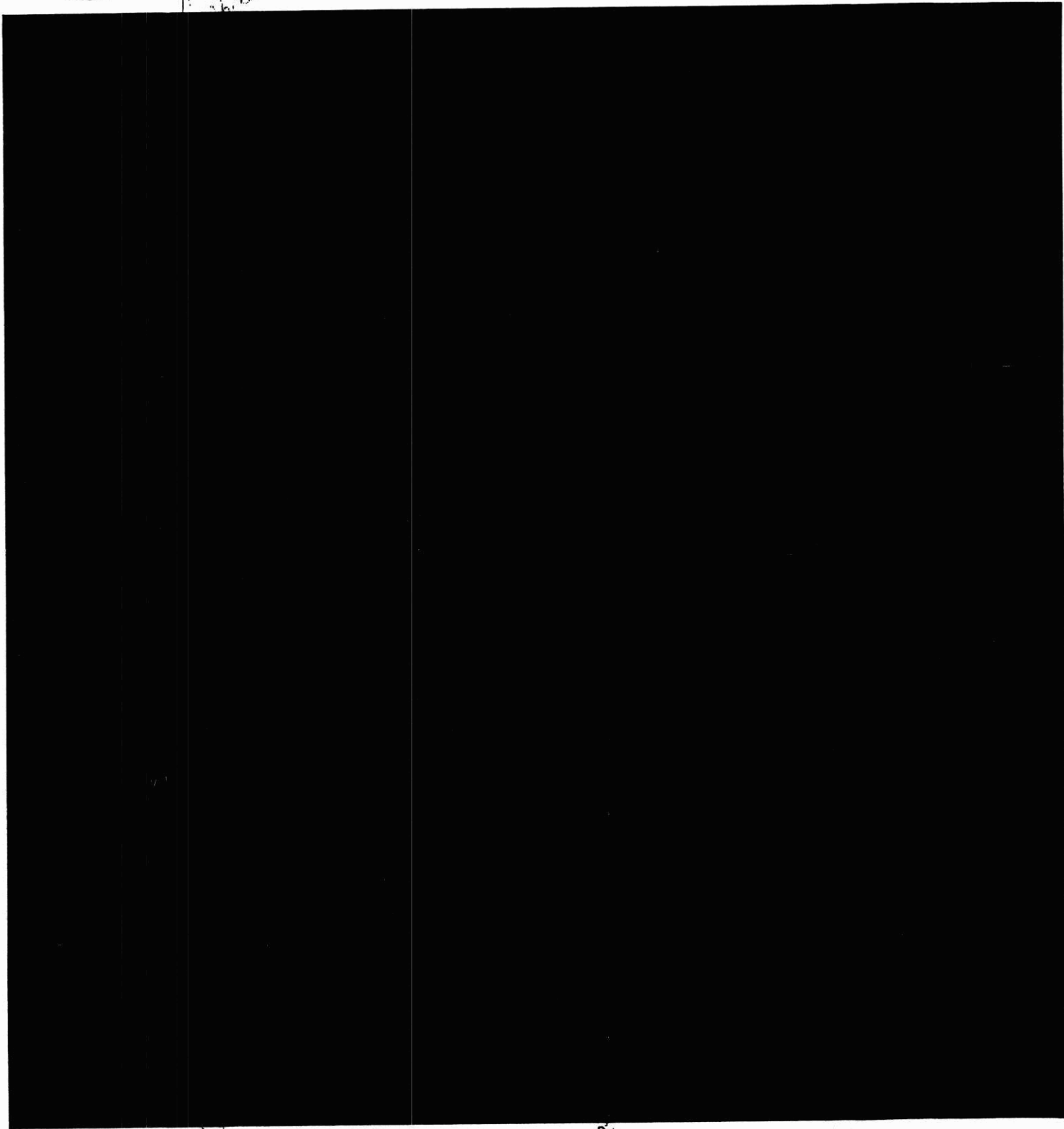
*	\$ 3,620,400.00	(42-1/1)
less	2,833,987.73	<u>42-1/1-4/1</u>
	786,412.27	

in the subsequent month.

\* The estimate, actual, & true up amounts were traced to On Demand Billing Report W.P. 42-1/1-4/3.

PBC

*Handwritten scribbles*

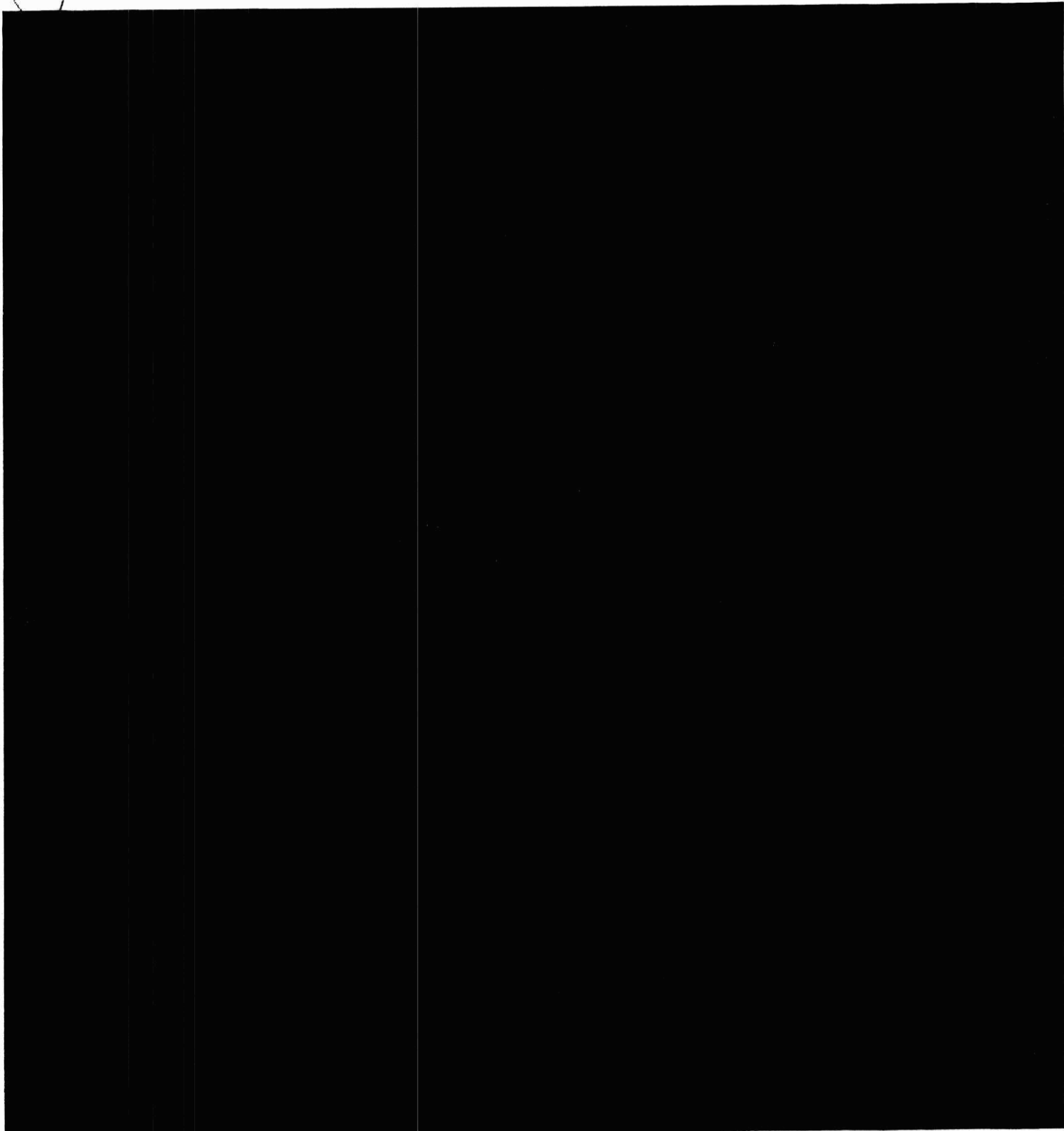


(B) SUR

44 10

P.1

73C



INVOICE NUMBER:  
RAP-0302-02-24  
SI-0481

SAP APPROVAL  
1990634115  
Authorized By: [Signature]  
Approval Number: 1990634115

APPROVED BY: [Signature] DATE: 3-15-02  
PRINT NAME: DELIA PEREZ-ALFARO  
PRINT POSITION TITLE: MANAGER, WHOLESALE SERVICES  
SUPERVISOR, PURCHASED POWER CONTRACTS

VEHICLE WORK ORDER	BLK	COMP	SECT	LOC	CHARGE LOCATION	FAC	IND	TAX	SALES	DISTRIBUTION	DESCRIPTION
		A	15	242	054	X	790			14,833,210.61	Date Service (Mardy)
		A	41	185	054	X	790			1,928,217.57	Renewal & Replacement (Deposit)
		A				X					
		A				X					
		A				X					
		A				X					
		A				X					
		A				X					
		A				X					
		A				X					
		A				X					
		A				X					
		A				X					
		A				X					
		A				X					
		A				X					

**APPROVAL** 44-1-1-2-1-1-10.2

CITY JACKSONVILLE STATE FL ZIP 32226

ADDRESS/ P.O. BOX 11201 NEW BERTIN ROAD

PAYABLE TO ST. JOHNS RIVER POWER PARK

VEHICLE WORK ORDER BLK

ACCOUNT NO. CHARGE LOCATION

FAC IND TAX SALES

DISTRIBUTION AMOUNT

DESCRIPTION

DATE SERVICE (MARDY) 14,833,210.61

RENEWAL & REPLACEMENT (DEPOSIT) 1,928,217.57

AMOUNT

DESCRIPTION

TOTAL AMOUNT \$16,761,428.18

DATE: 3-15-02

APPROVED BY: [Signature]

APPROVAL: [Signature]

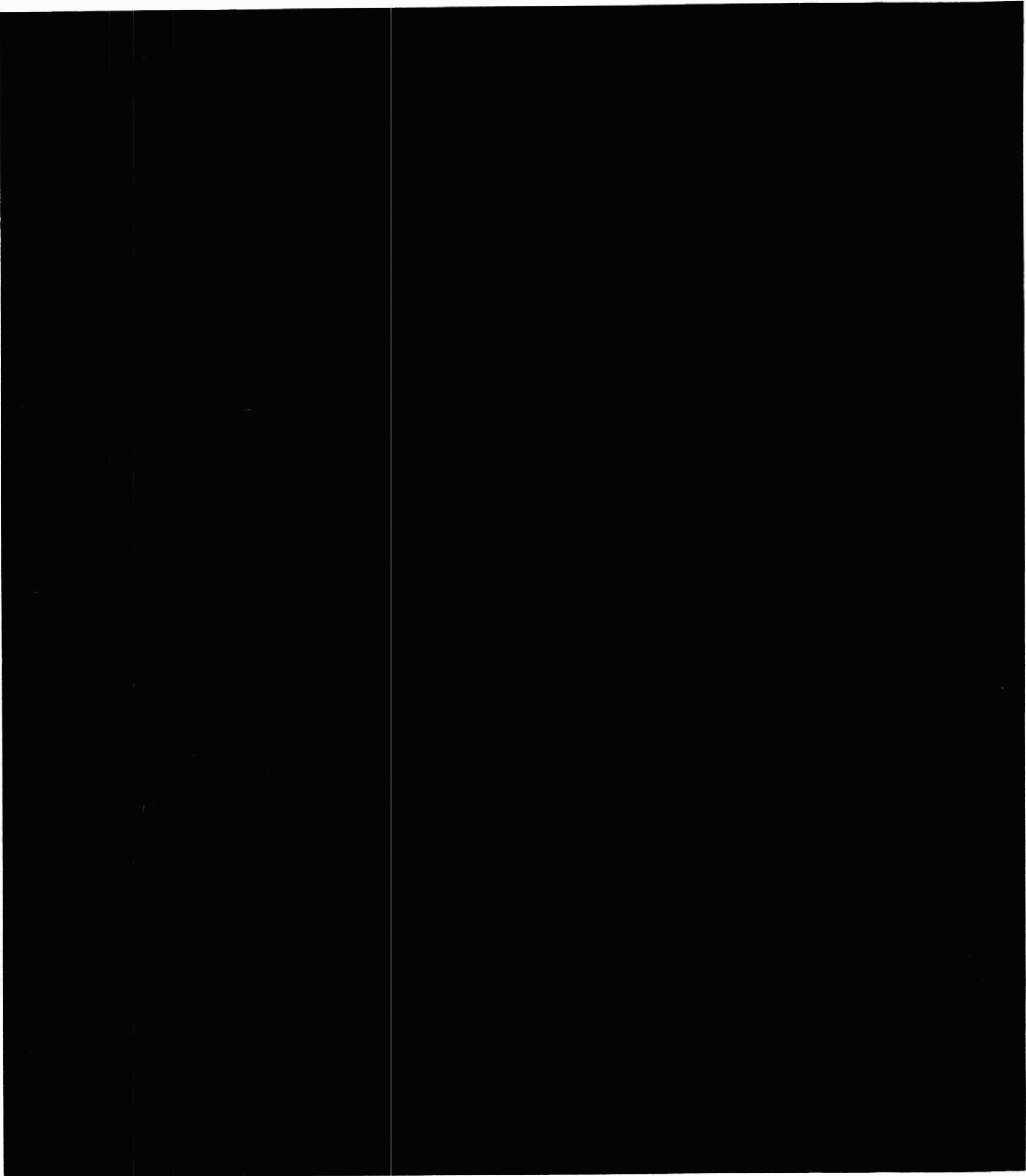
REQUESTOR'S NAME: CYNTHIA RISA VY  
 SIGN NAME: [Signature]  
 PRINT NAME: CYNTHIA RISA VY  
 PHONE: 552-2281

MAIL STATION DEPT LOCN BUILDING CODE CO

RAP SYMBOL CODE

RAP BUILDING CODE CO

REQUESTOR'S ELOCN: 5 5 3  
 DATE: March 18, 2002  
 PHONE: 552-2281



**FPL ACH TRANSFER**

REQUESTOR'S NAME: *Cynthia Gray*  
 SIGN NAME: *Cynthia Gray*  
 PRINT NAME: CYNTHIA GRAY

MAIL STATION: \_\_\_\_\_  
 DEPT LOCN: \_\_\_\_\_  
 BUILDING CODE: \_\_\_\_\_  
 SYMBOL: \_\_\_\_\_  
 WSS: \_\_\_\_\_

REQUESTOR S LOCN: 0 5 3  
 DATE: March 19, 2002  
 PHONE: 552-2281

Taxpayer Identification No. of Vendor's Social Security No. \_\_\_\_\_  
 Mail Check  To Vendor  Endorse   
 Return Check  To Receptor  Invoice  Attach

SAP VENDOR NUMBER: \_\_\_\_\_  
 V 200243  
 Please complete date and initial this area if vendor number not in PMS  
 Date: \_\_\_\_\_  
 Please issue a check in the amount of \$ 1,928,217.57

PAYABLE TO: ST. JOHNS RIVER POWER PARK  
 ADDRESS: 11201 NEW BERLIN ROAD  
 P.O. BOX \_\_\_\_\_  
 CITY: JACKSONVILLE STATE FL ZIP: 32226

**PURPOSE AND NECESSITY:**  
 1 SEMI-ANNUAL PAYMENT FOR TRANSMISSION CAPABILITY & SERVICES  
**REMARKS:**  
 1 PLEASE AUTHORIZE IN S A P BY: FRIDAY, MARCH 22, 2002  
 2 PAYMENT DUE FRIDAY, MARCH 29, 2002  
 3 PLEASE MAKE THE FOLLOWING NOTATIONS ON THE TRANSFER:

VEHICLE/WORK ORDER	BK/ITER	ACCOUNT NO.	COMP	SECT	UC	CHARGE LOCATION	EAC	IND	SALES TAX	DISTRIBUTION AMOUNT	DESCRIPTION
W	E	A	242	5	2	1054	X	790		1,928,217.57	Transmission Capab. & Services (MIP2)
W	E	A					X				
W	E	A					X				
W	E	A					X				
W	E	A					X				
W	E	A					X				

APPROVED BY: \_\_\_\_\_ DATE: \_\_\_\_\_ AUTHORIZED BY: \_\_\_\_\_  
 APPROVAL NO.: \_\_\_\_\_  
 PRINT NAME: DEBRA PERE-ALONSO  
 PRINT POSITION TITLE: MANAGER, WHOLESALE SERVICES  
 SUPERVISOR: PURCHASED POWER CONTRACTS

APPROVED BY: \_\_\_\_\_ DATE: \_\_\_\_\_ AUTHORIZED BY: \_\_\_\_\_  
 APPROVAL NO.: \_\_\_\_\_  
 PRINT NAME: DEBRA PERE-ALONSO  
 PRINT POSITION TITLE: MANAGER, WHOLESALE SERVICES  
 SUPERVISOR: PURCHASED POWER CONTRACTS







ST. JOHNS RIVER POWER PARK  
 FPL'S SEMI-ANNUAL CCRA PAYMENT  
 SALEBACK BILLING NO. 169

Recovery Period #	Recovery Period	Semi-Annual Recovery Periods	Time Range	Capital Recovery Amount
2	10-89 to 03-90	28.05	10-01-90 to 10-01-2004	\$ 25,181.47
3	04-90 to 09-90	21.50	04-01-91 to 10-01-2001	-
4	10-90 to 03-91	20.71	10-01-91 to 10-01-2001	-
5	04-91 to 09-91	35.26	04-01-92 to 10-01-2009	207,291.73
6	10-91 to 03-92	41.72	10-01-92 to 04-01-2013	74,108.54
7	04-92 to 09-92	20.59	04-01-93 to 04-01-2003	296,905.07
8	10-92 to 03-93	37.52	10-01-93 to 04-01-2012	225,839.52
9	04-93 to 09-93	38.30	04-01-94 to 04-01-2013	113,888.56
10	10-93 to 03-94	29.08	10-01-94 to 04-01-2009	95,562.49
11	04-94 to 09-94	14.69	04-01-95 to 04-01-2002	-
12	10-94 to 03-95	42.74	10-01-95 to 10-01-2016	118,280.09
13	04-95 to 09-95	36.98	04-01-96 to 04-01-2014	163,467.62
14	10-95 to 03-96	29.28	10-01-96 to 04-01-2011	33,859.34
15	04-96 to 09-96	37.43	04-01-97 to 10-01-2015	119,007.14
16	10-96 to 03-97	36.58	10-01-97 to 10-01-2015	51,447.84
17	04-97 to 09-97	36.79	04-01-98 to 10-01-2016	129,193.25
18	10-97 to 03-98	24.02	10-01-98 to 10-01-2010	23,521.29
19	04-98 to 09-99	39.87	04-01-99 to 10-01-2018	66,919.01
20	10-98 to 03-99	37.68	10-01-99 to 10-01-2018	63,915.77
21	04-99 to 09-99	16.16	04-01-00 to 04-01-2008	185,956.39
22	10-99 to 03-00	39.65	10-01-00 to 10-01-2020	119,494.19
23	04-00 to 09-00	29.49	04-01-01 to 10-01-2015	133,490.79
24	10-00 to 03-01	32.39	10-01-01 to 10-01-2017	41,681.70
25	04-01 to 09-01	33.96	04-01-02 to 10-01-2018	91,440.72
26	10-01 to 3-02	25.92	10-01-02 to 10-01-2019	55,473.82
Cumulative Capital Recovery Amount				\$ 2,435,926.34
Saleback at 37 1/2%			Amount Due From FPL	\$ 813,472.38

44-1/3-3



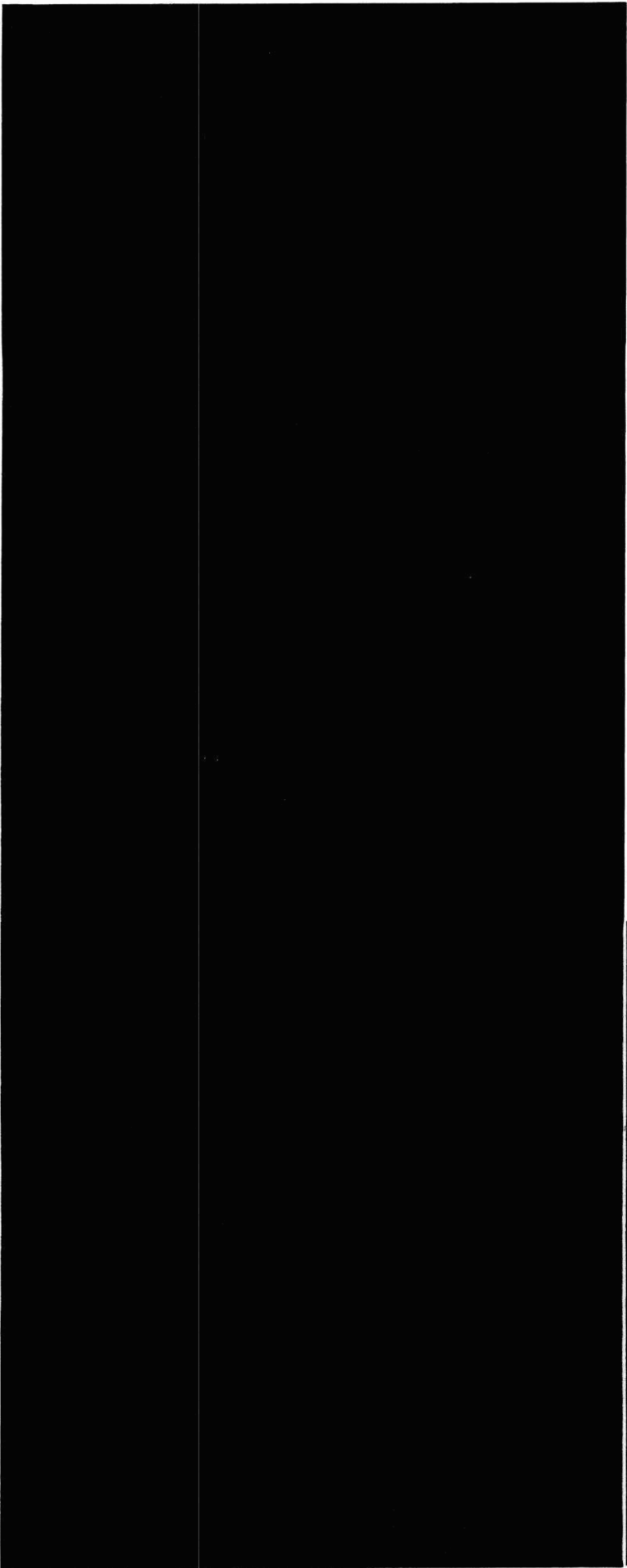
ST. JOHNS RIVER POWER PARK  
FPL'S SEMI-ANNUAL CCRA PAYMENT  
SALEBACK BILLING NO. 183

PAGE 7

Recovery Period #	Recovery Period	Semi-Annual Recovery Periods	Time Range	Capital Recovery Amount
2	10-89 to 03-90	28.05	10-01-90 to 10-01-2004	\$ 25,181.47
3	04-90 to 09-90	21.50	04-01-91 to 10-01-2001	(20,444.22)
4	10-90 to 03-91	20.71	10-01-91 to 10-01-2001	(9,166.11)
5	04-91 to 09-91	35.26	04-01-92 to 10-01-2009	207,291.73
6	10-91 to 03-92	41.72	10-01-92 to 04-01-2013	74,108.54
7	04-92 to 09-92	20.59	04-01-93 to 04-01-2003	296,905.07
8	10-92 to 03-93	37.52	10-01-93 to 04-01-2012	225,839.52
9	04-93 to 09-93	38.30	04-01-94 to 04-01-2013	113,888.56
10	10-93 to 03-94	29.08	10-01-94 to 04-01-2009	95,562.49
11	04-94 to 09-94	14.69	04-01-95 to 04-01-2002	348,546.80
12	10-94 to 03-95	42.74	10-01-95 to 10-01-2016	118,280.09
13	04-95 to 09-95	36.98	04-01-96 to 04-01-2014	163,467.62
14	10-95 to 03-96	29.28	10-01-96 to 04-01-2011	33,859.34
15	04-96 to 09-96	37.43	04-01-97 to 10-01-2015	119,007.14
16	10-96 to 03-97	36.58	10-01-97 to 10-01-2015	51,447.84
17	04-97 to 09-97	36.79	04-01-98 to 10-01-2016	129,193.25
18	10-97 to 03-98	24.02	10-01-98 to 10-01-2010	23,521.29
19	04-98 to 09-99	39.97	04-01-99 to 10-01-2018	66,919.01
20	10-98 to 03-99	37.68	10-01-99 to 10-01-2018	63,915.77
21	04-99 to 09-99	16.16	04-01-00 to 04-01-2008	185,956.39
22	10-99 to 03-00	39.65	10-01-00 to 10-01-2020	119,494.19
23	04-00 to 09-00	29.49	04-01-01 to 10-01-2015	133,490.79
24	10-00 to 03-01	32.39	10-01-01 to 10-01-2017	41,681.70
25	04/01 to 09/01	33.96	04-01-02 to 10-01-2018	91,440.72
Cumulative Capital Recovery Amount				<u>\$ 2,699,388.99</u>
Saleback at 37 1/2%				Amount Due From FPL <u>\$ 1,012,270.87</u>

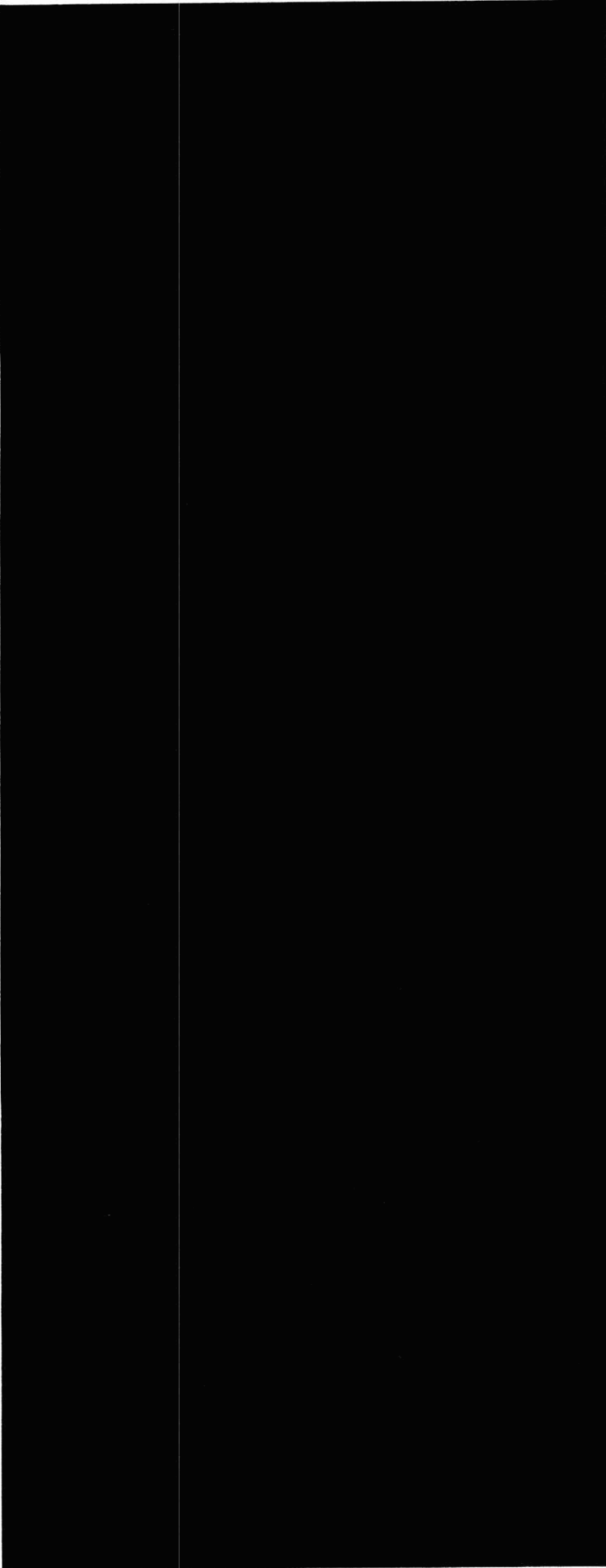
44-1/3-4

*72*



① Agreed to WP 47-1/1-1 To 47-1/1-8.





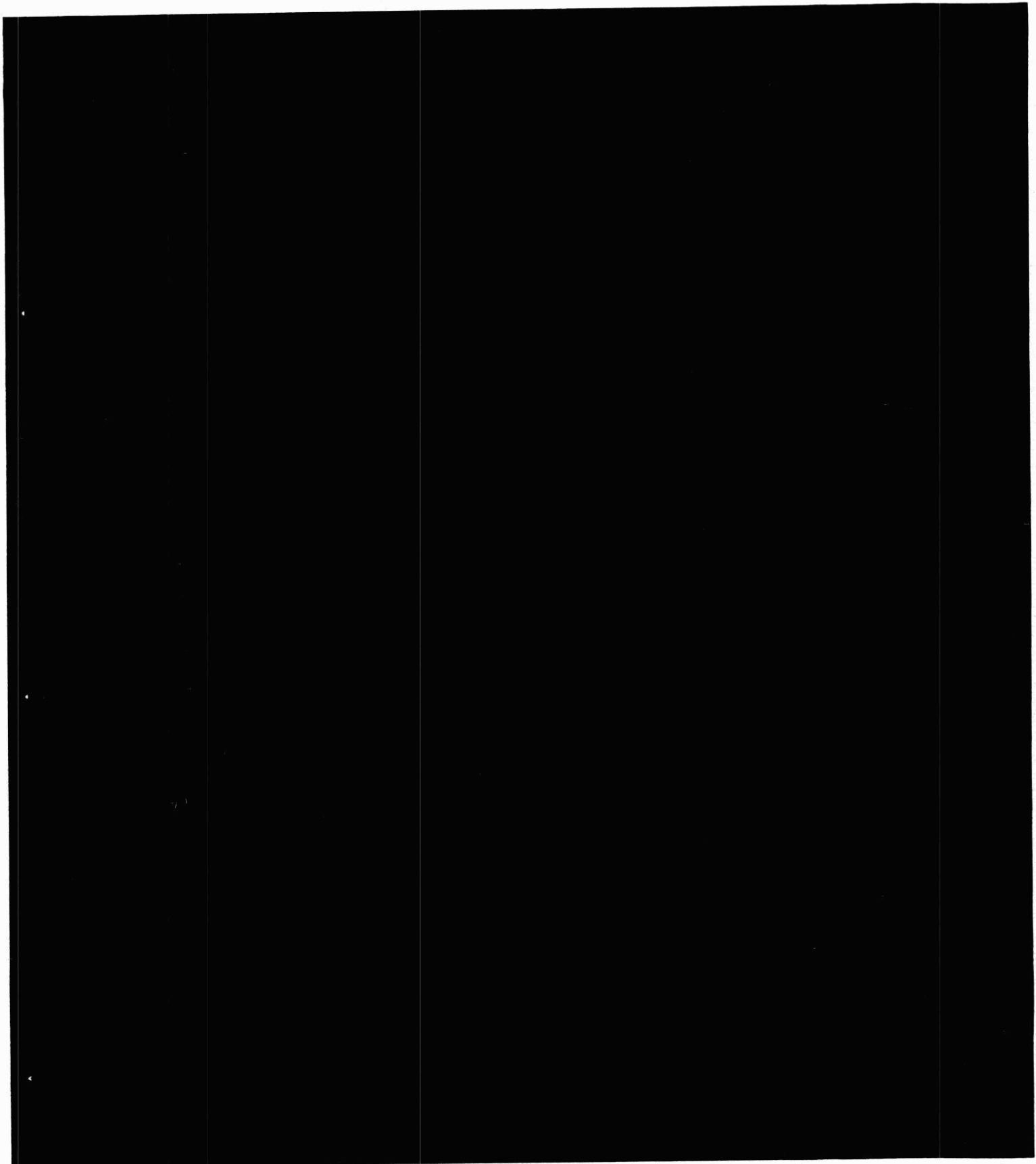
Agreed to WP 47-2/2-1 to 47 2/2-10.

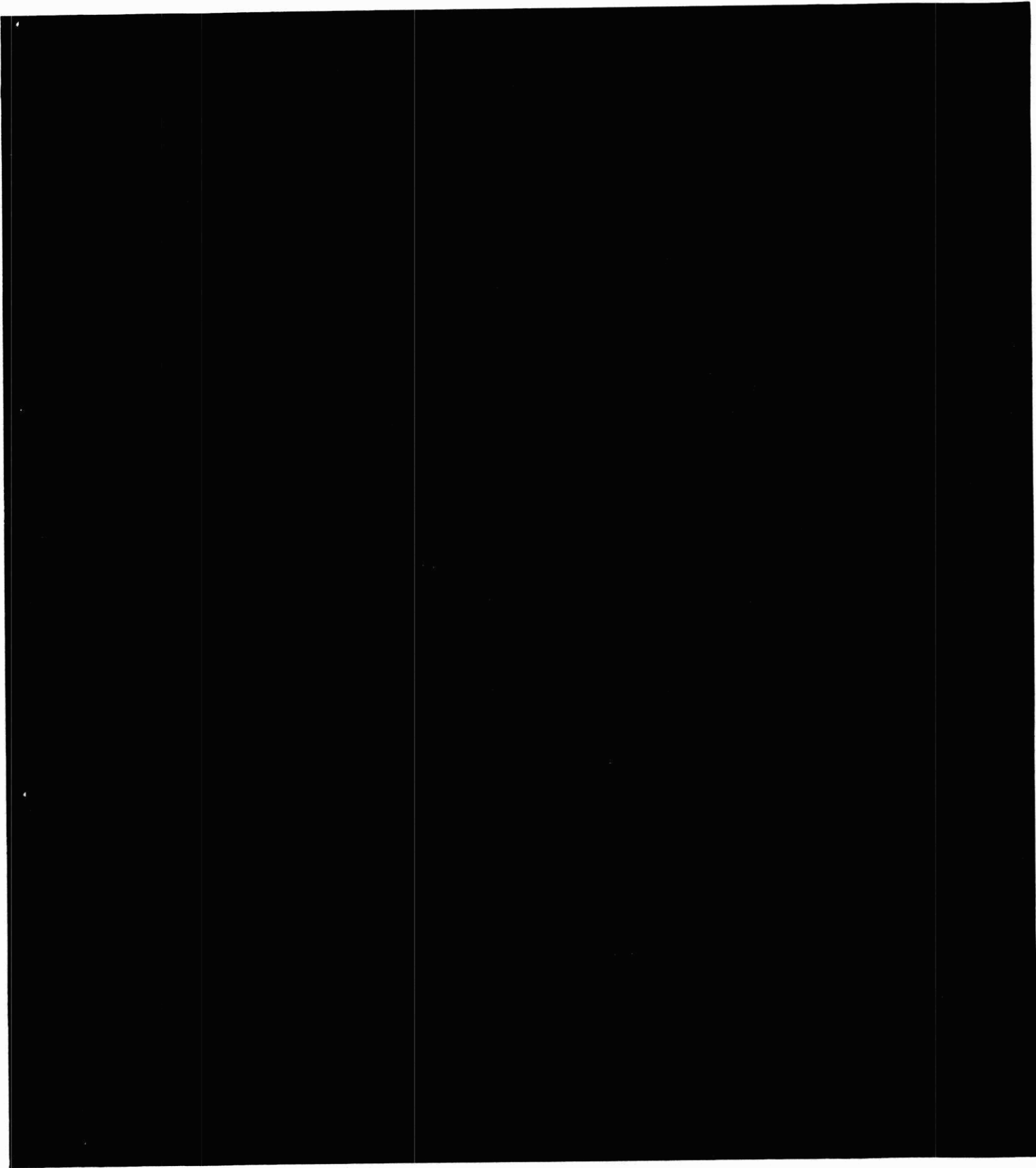
*[Handwritten mark]*

(U.S.)

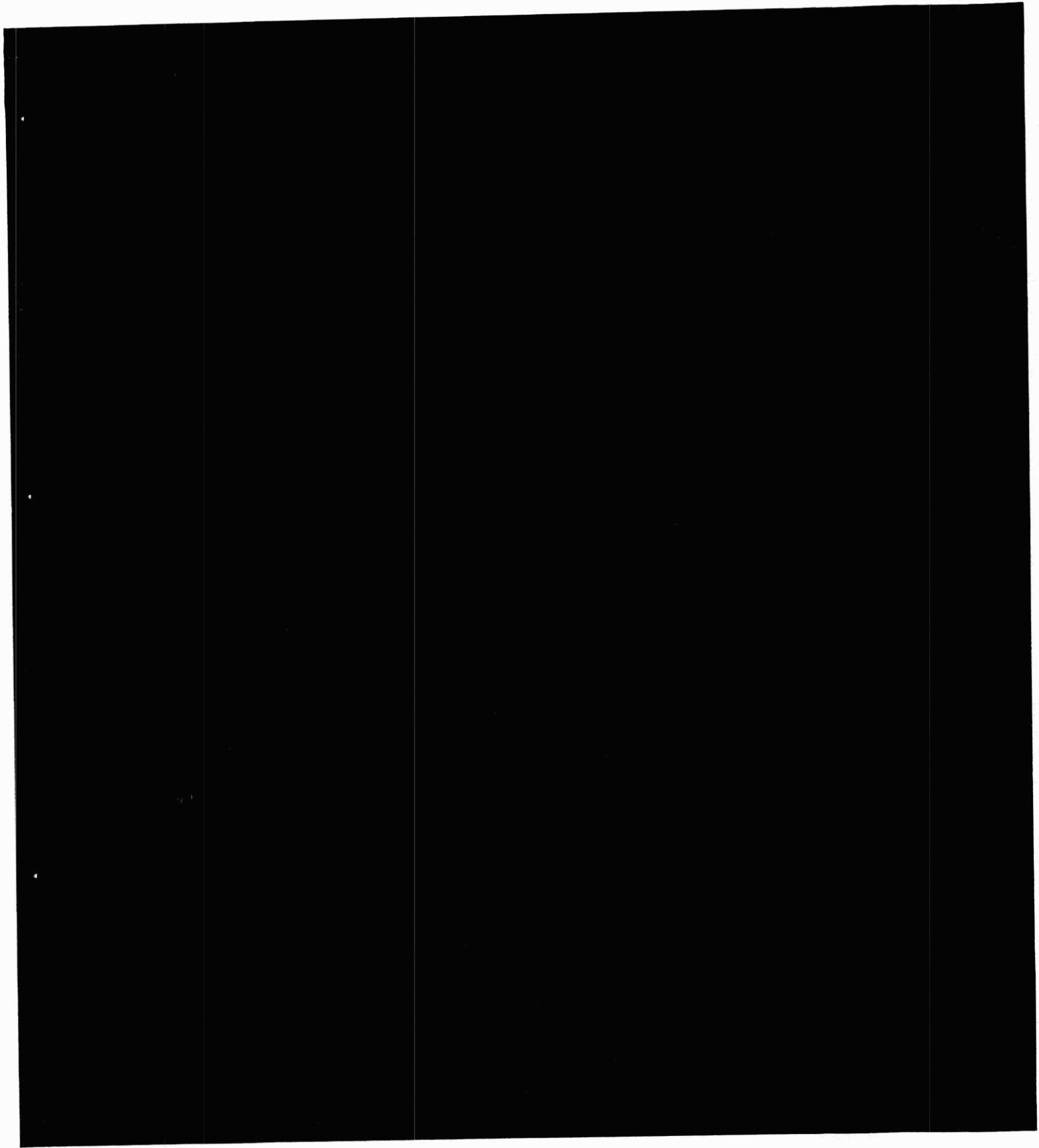
intake





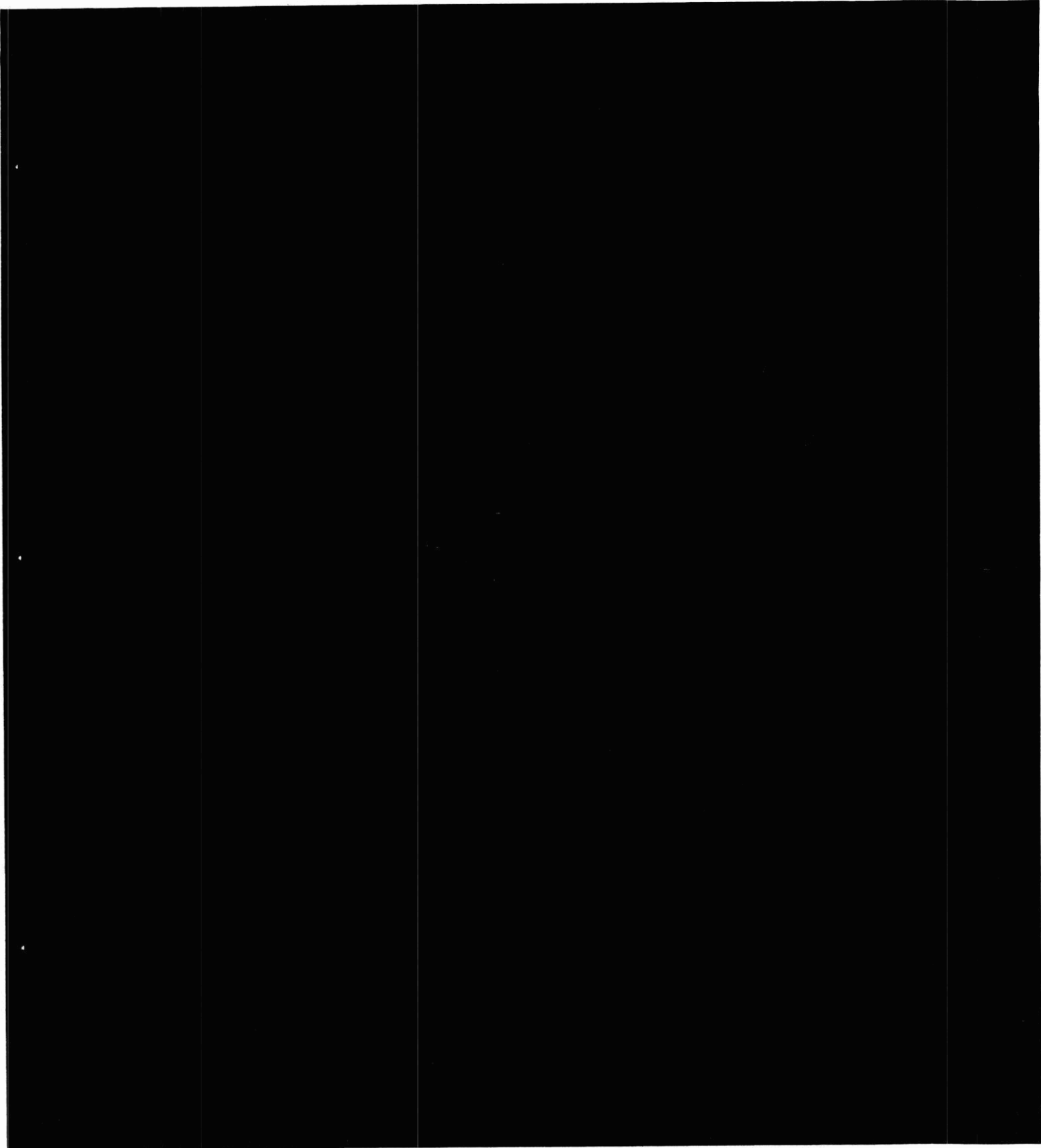




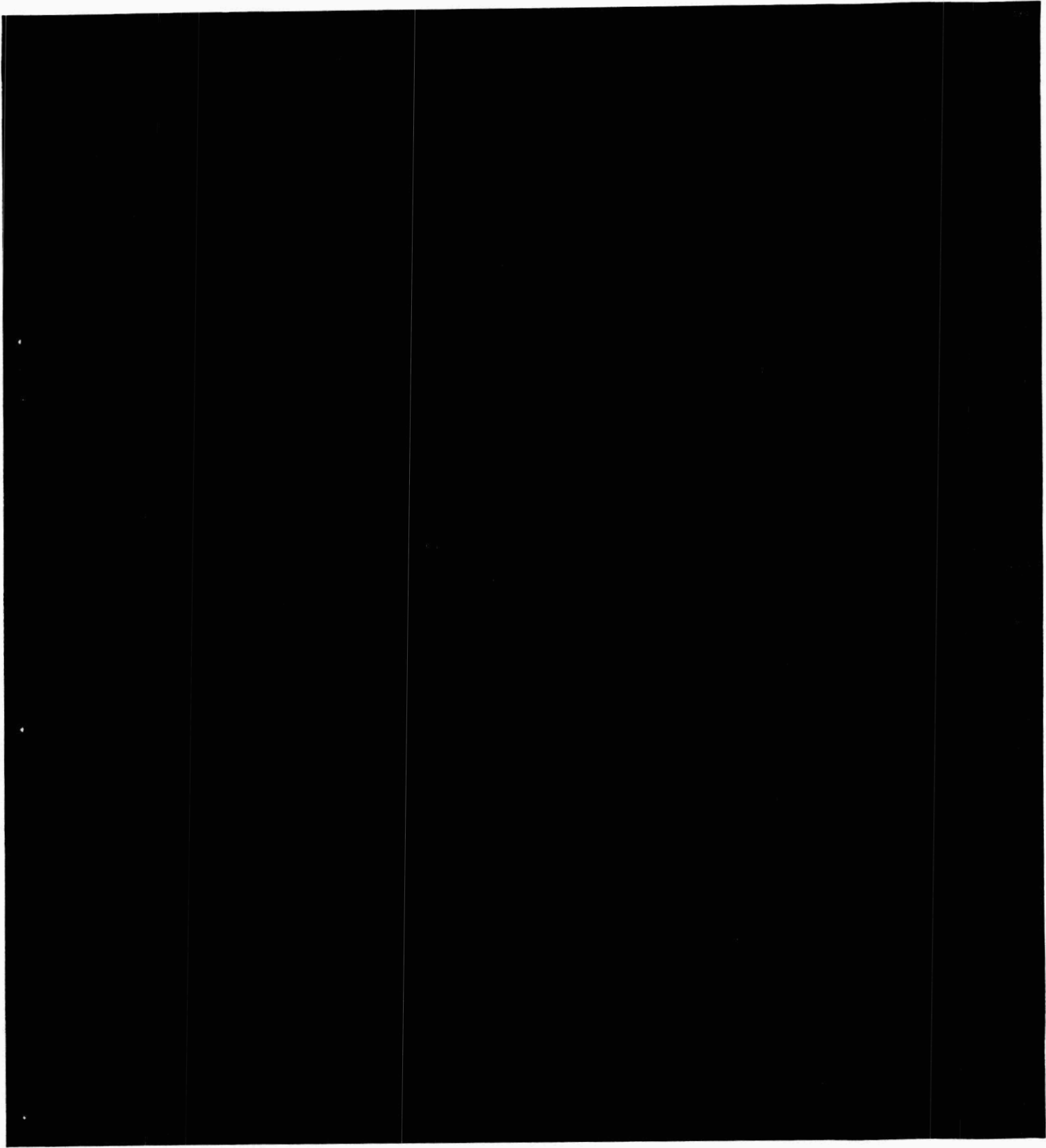


48-1/1

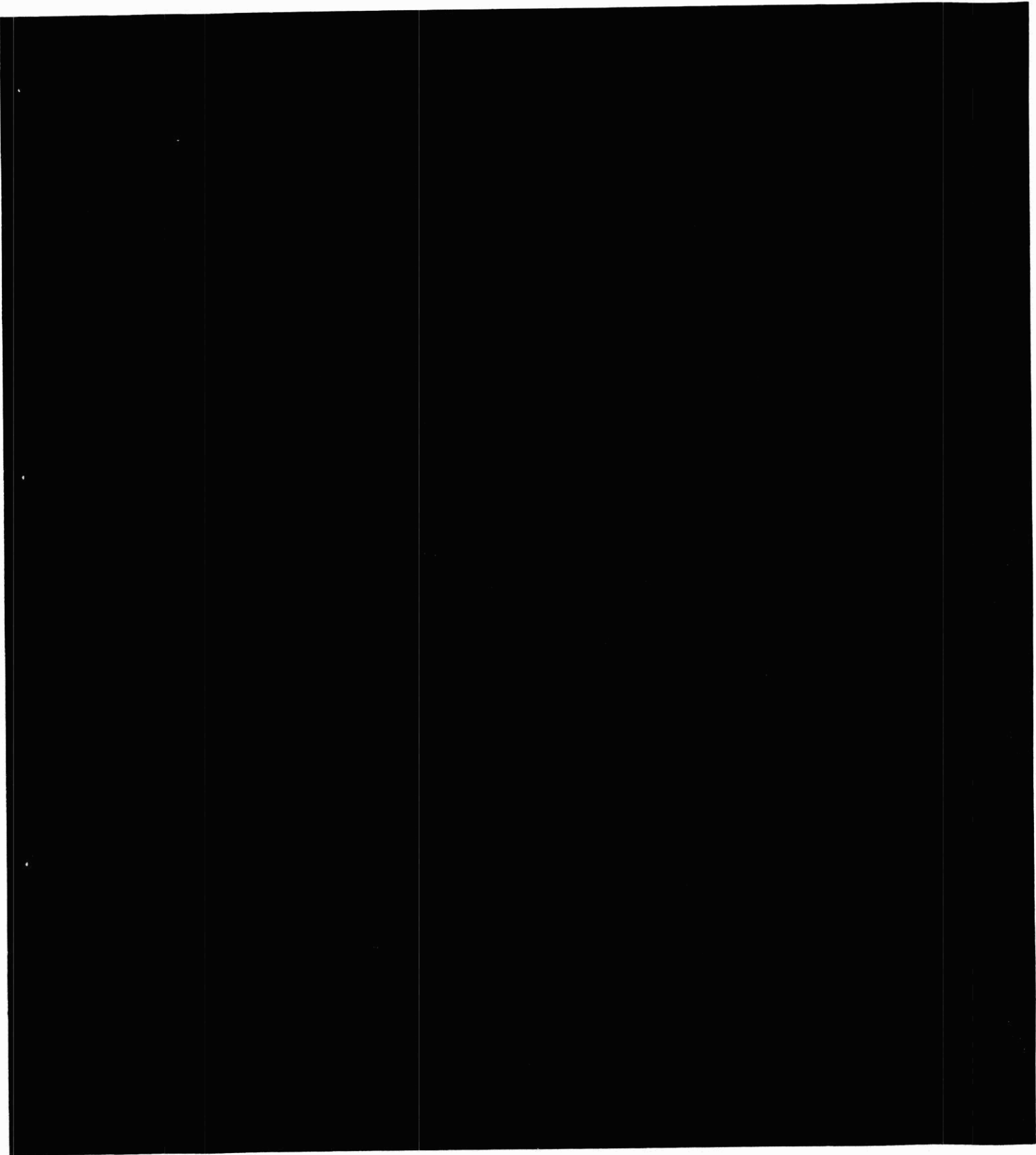
94

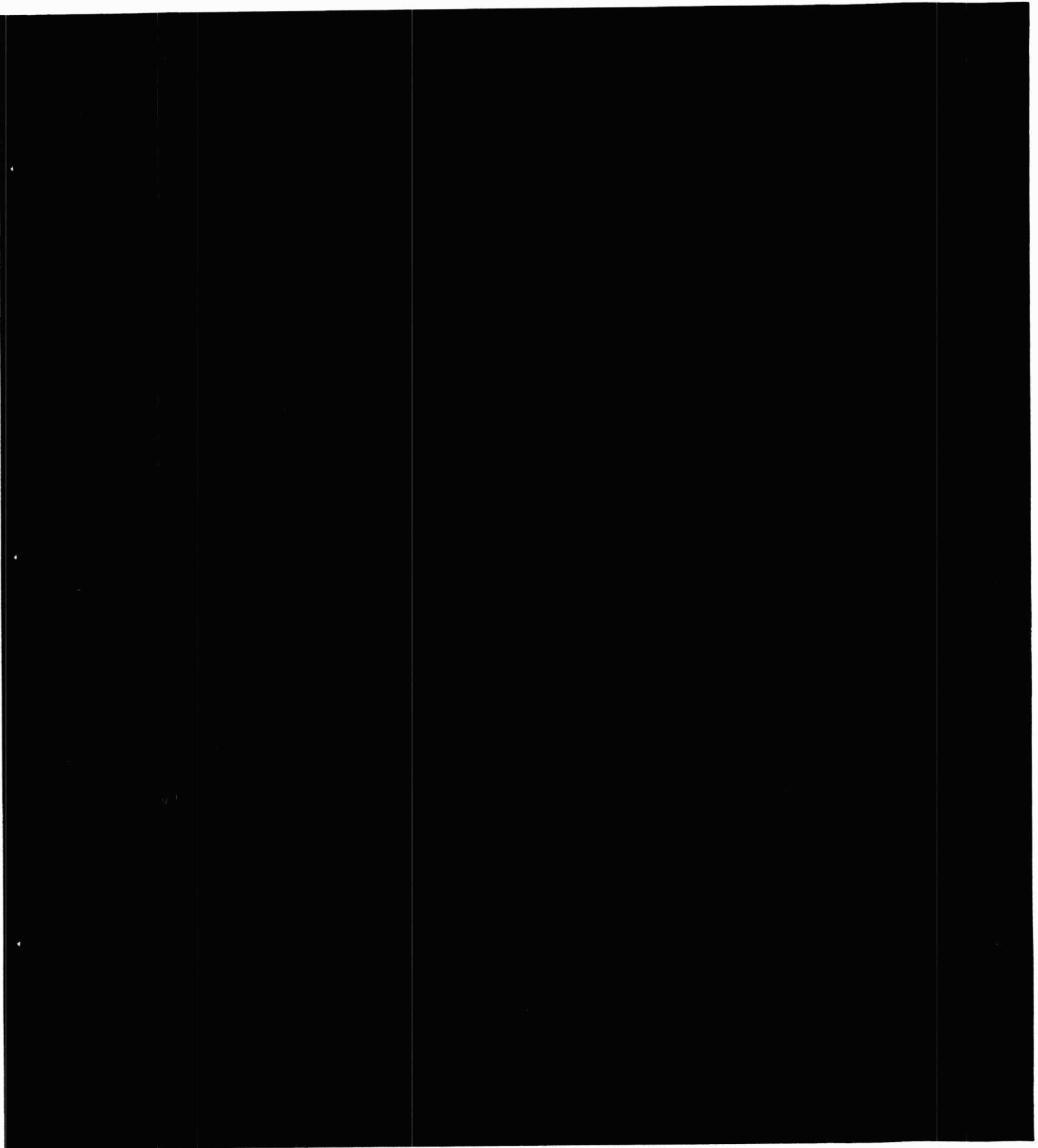




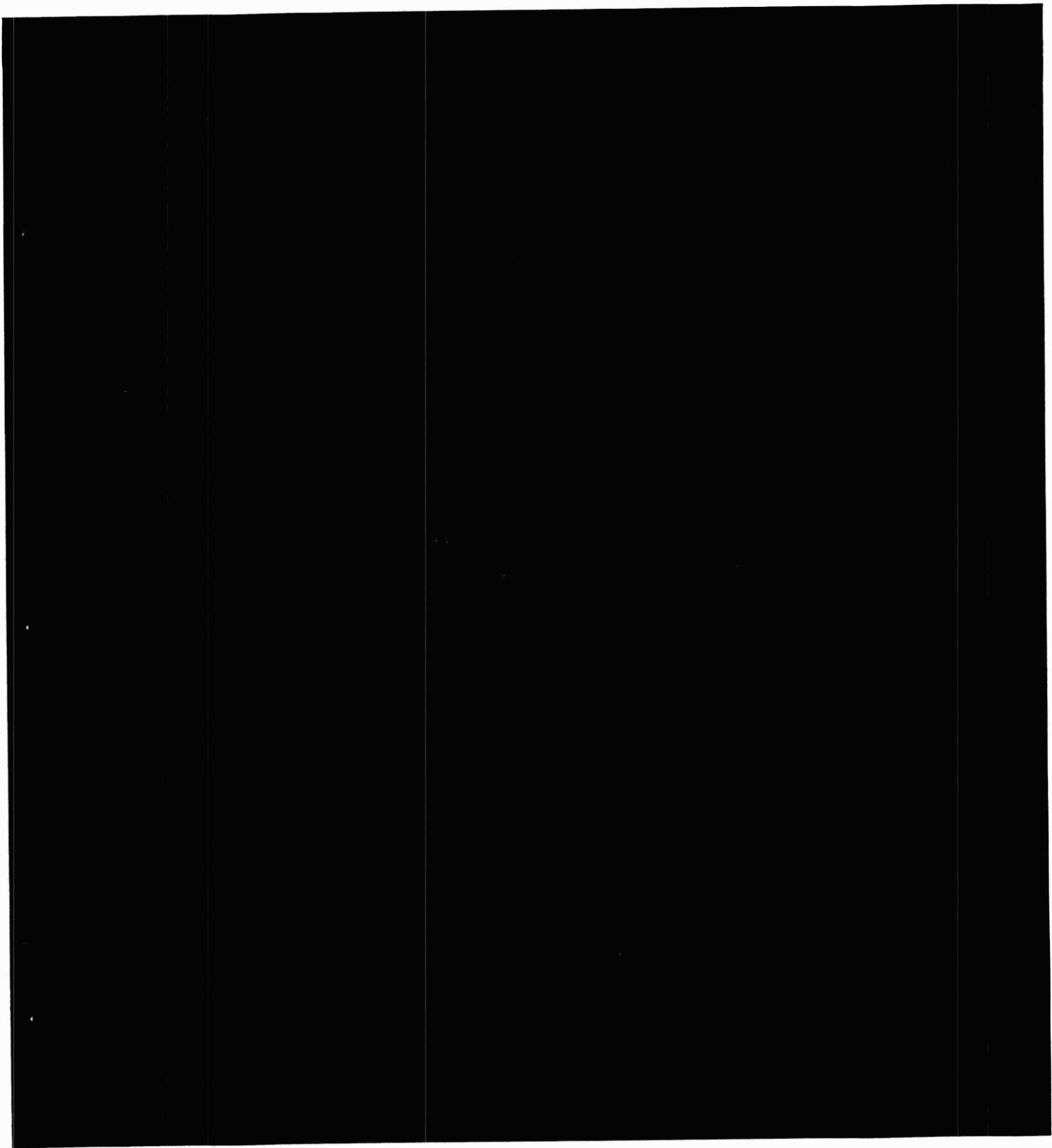




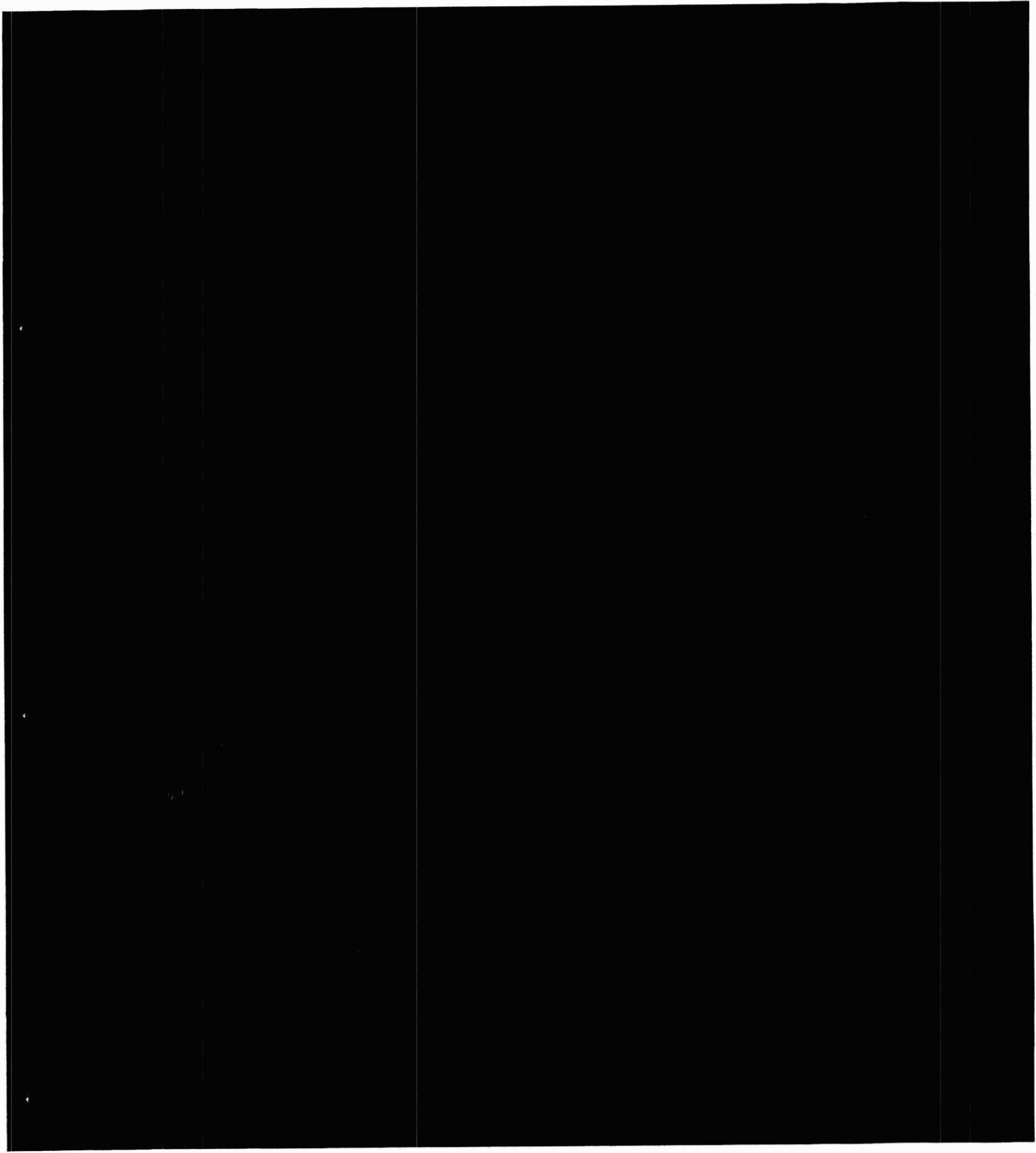




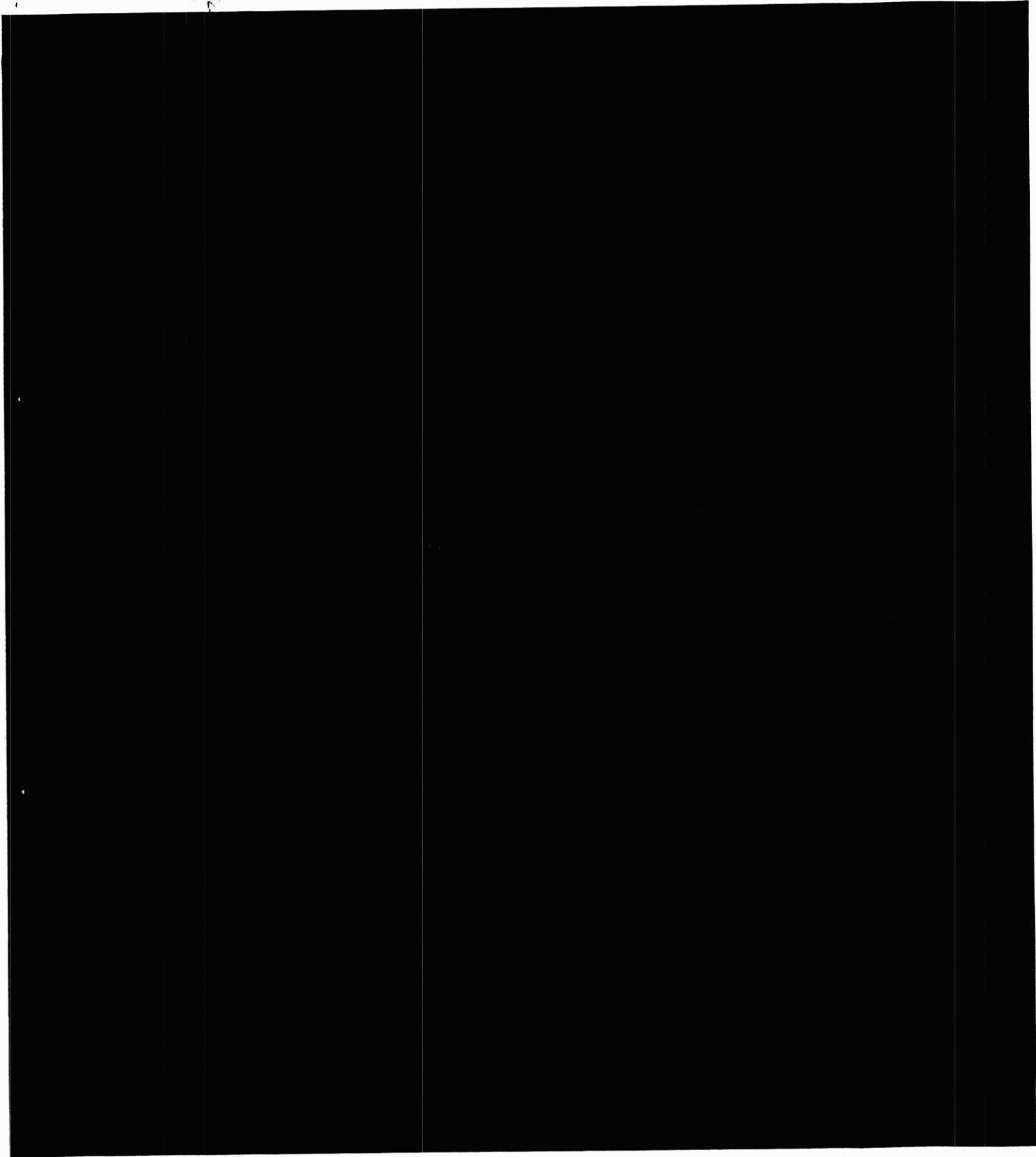
RD

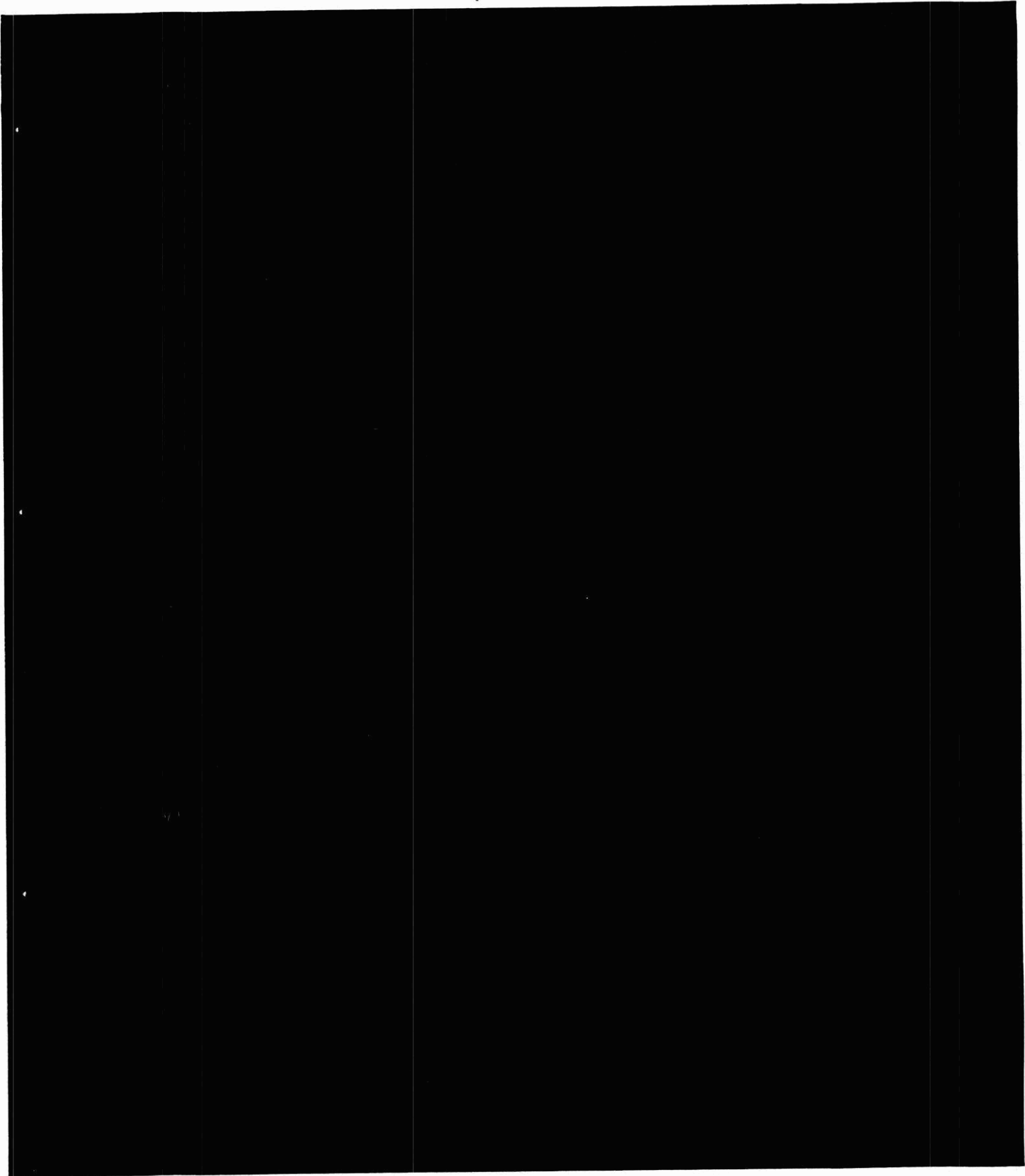






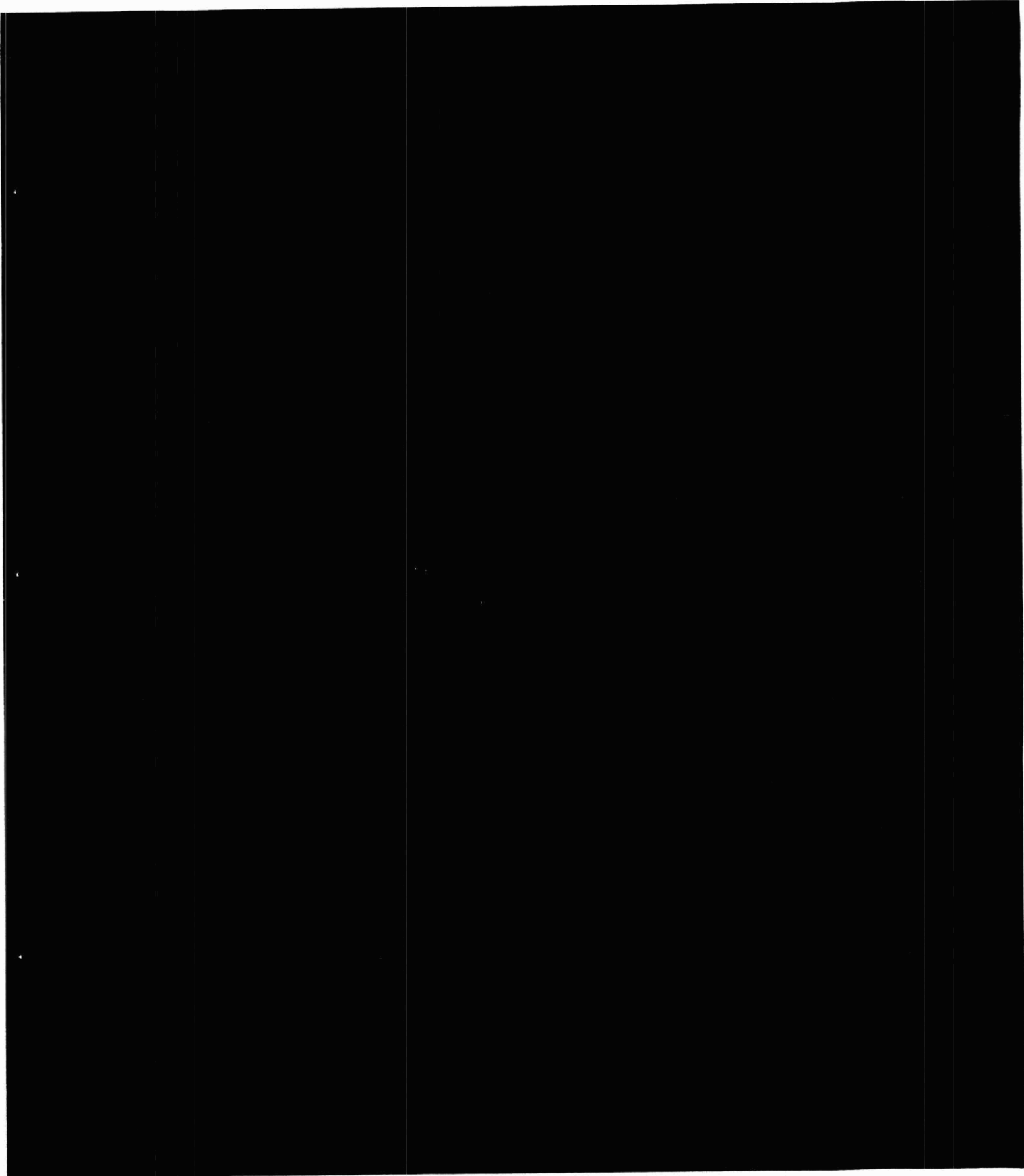
11/11/2001

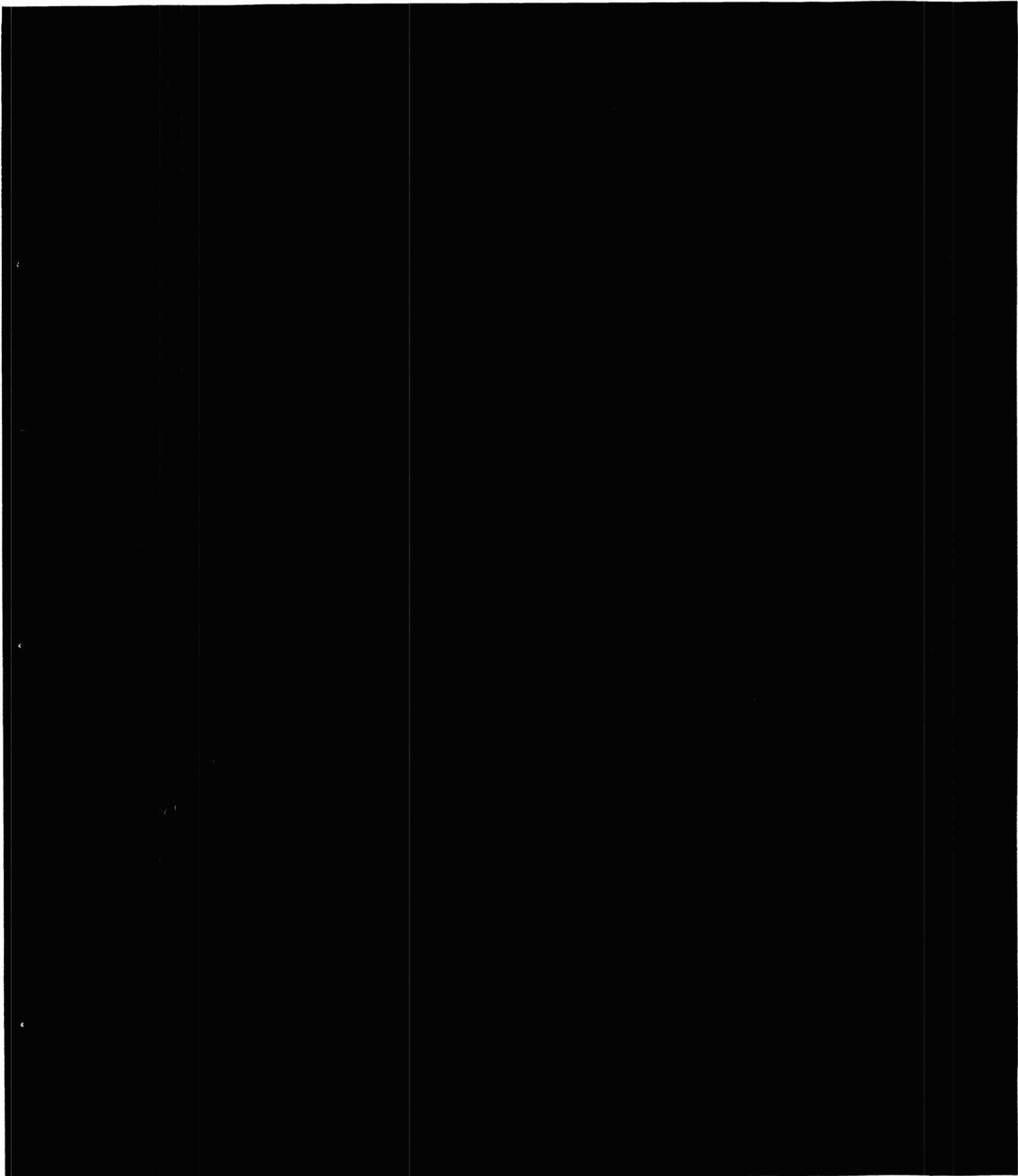


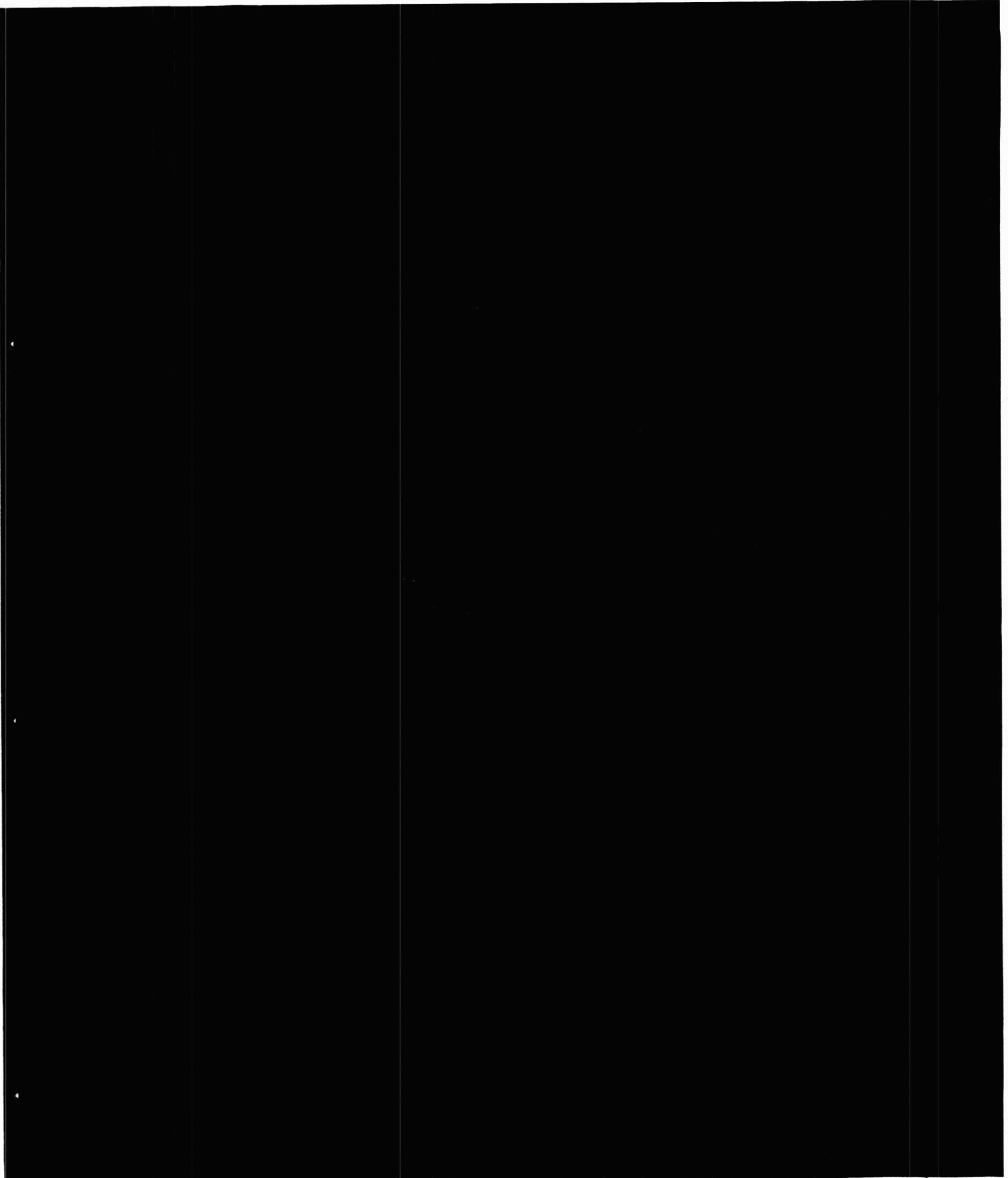


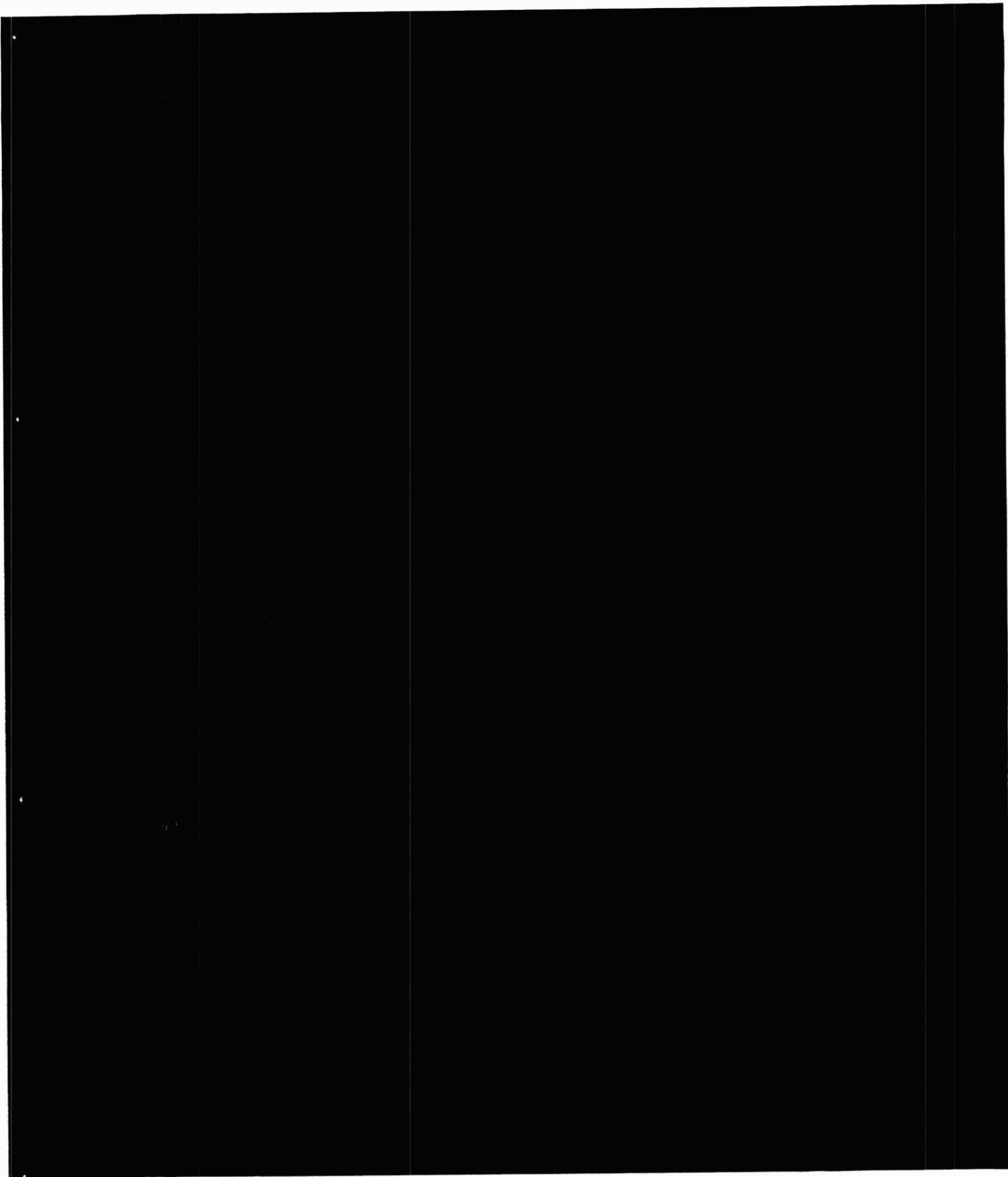
48-1/2

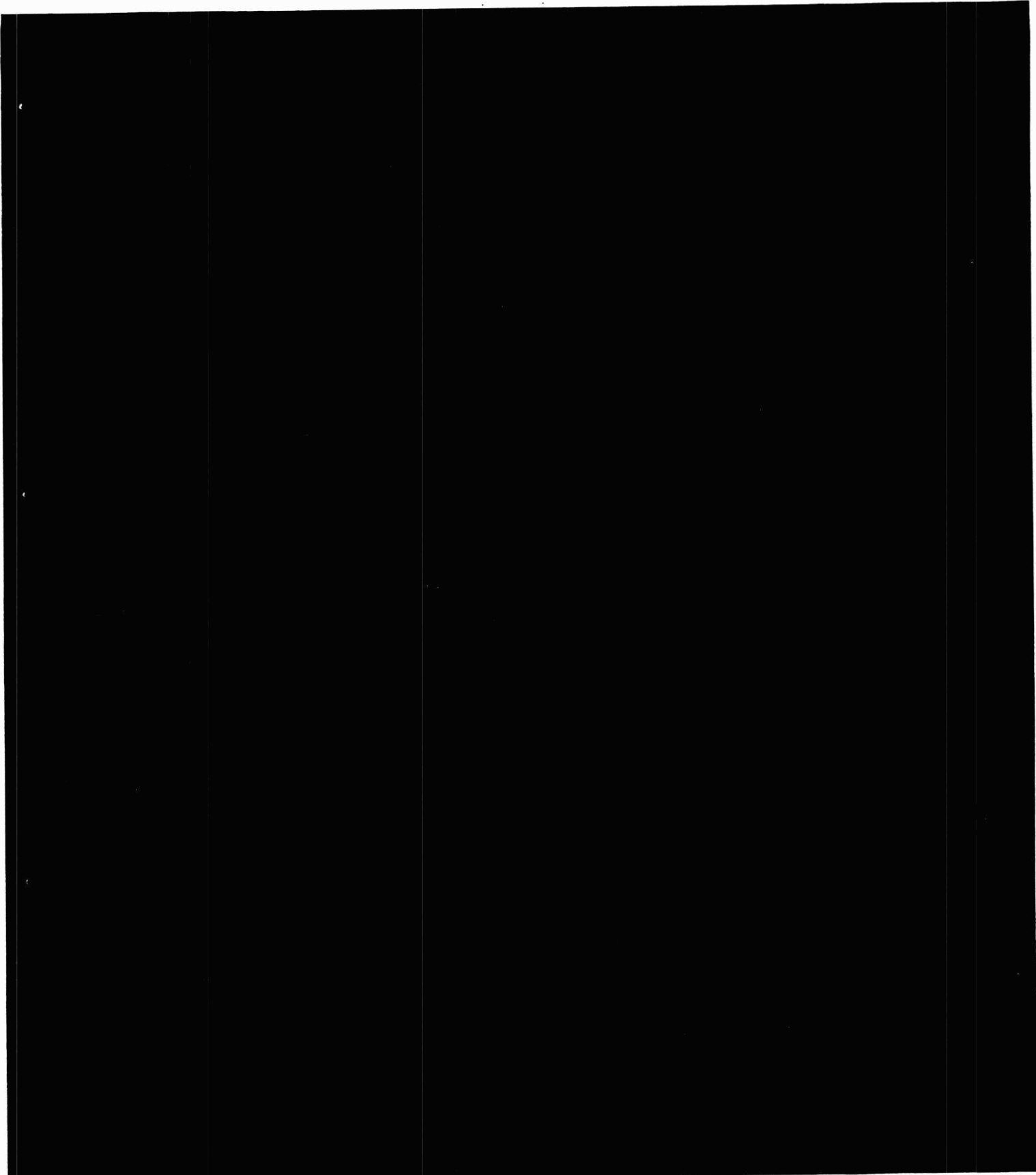
Q2







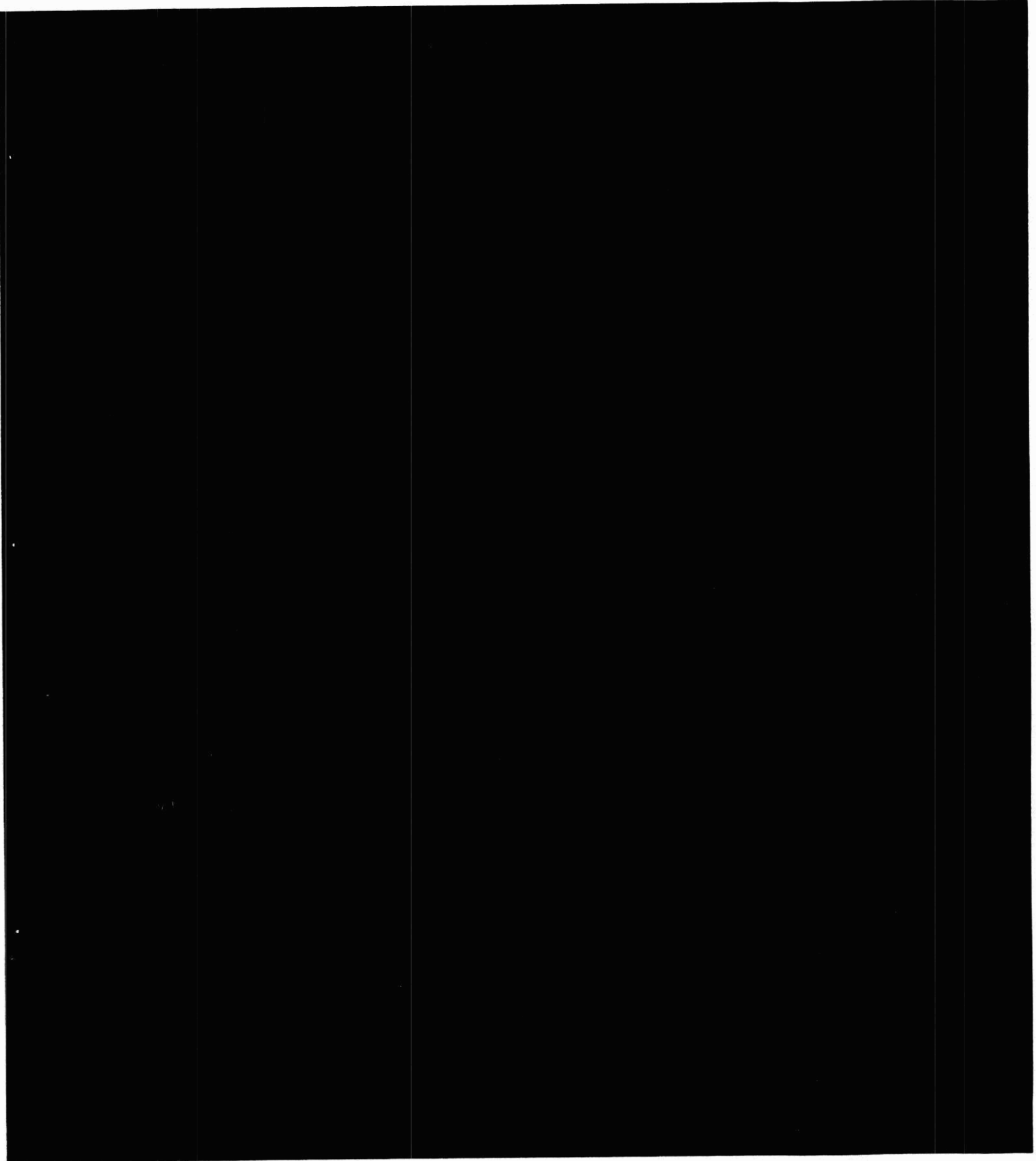


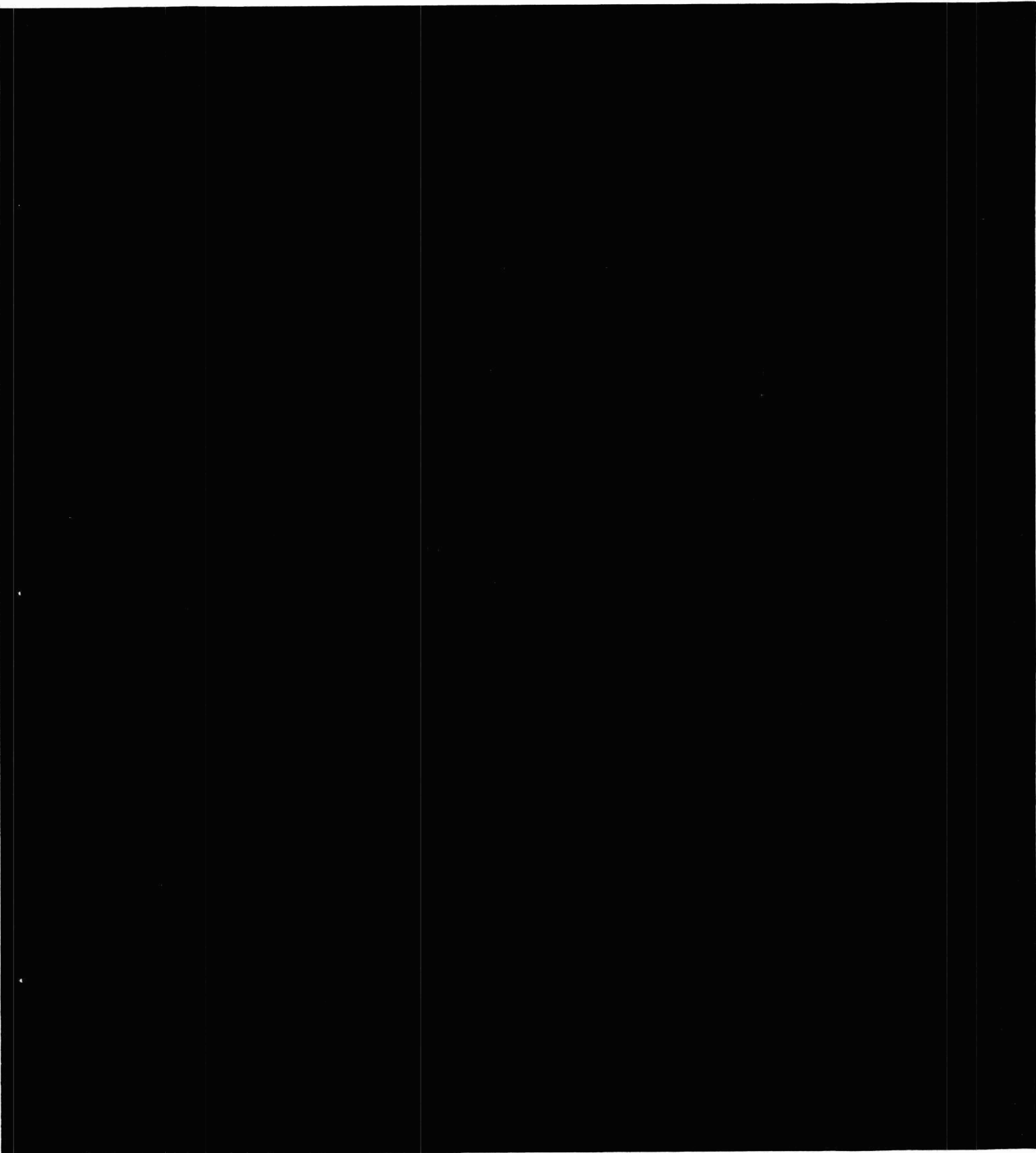


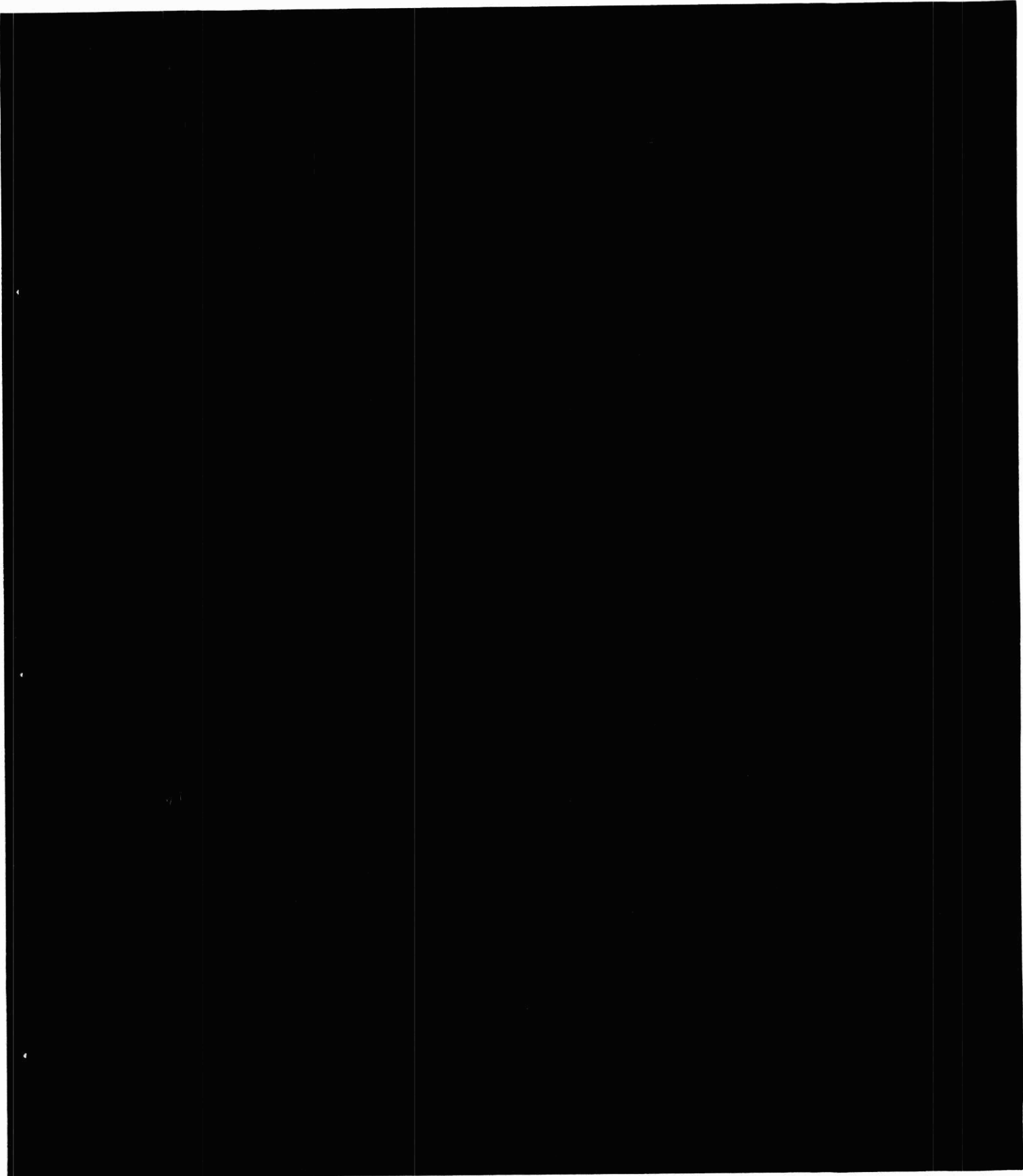
48-1/2

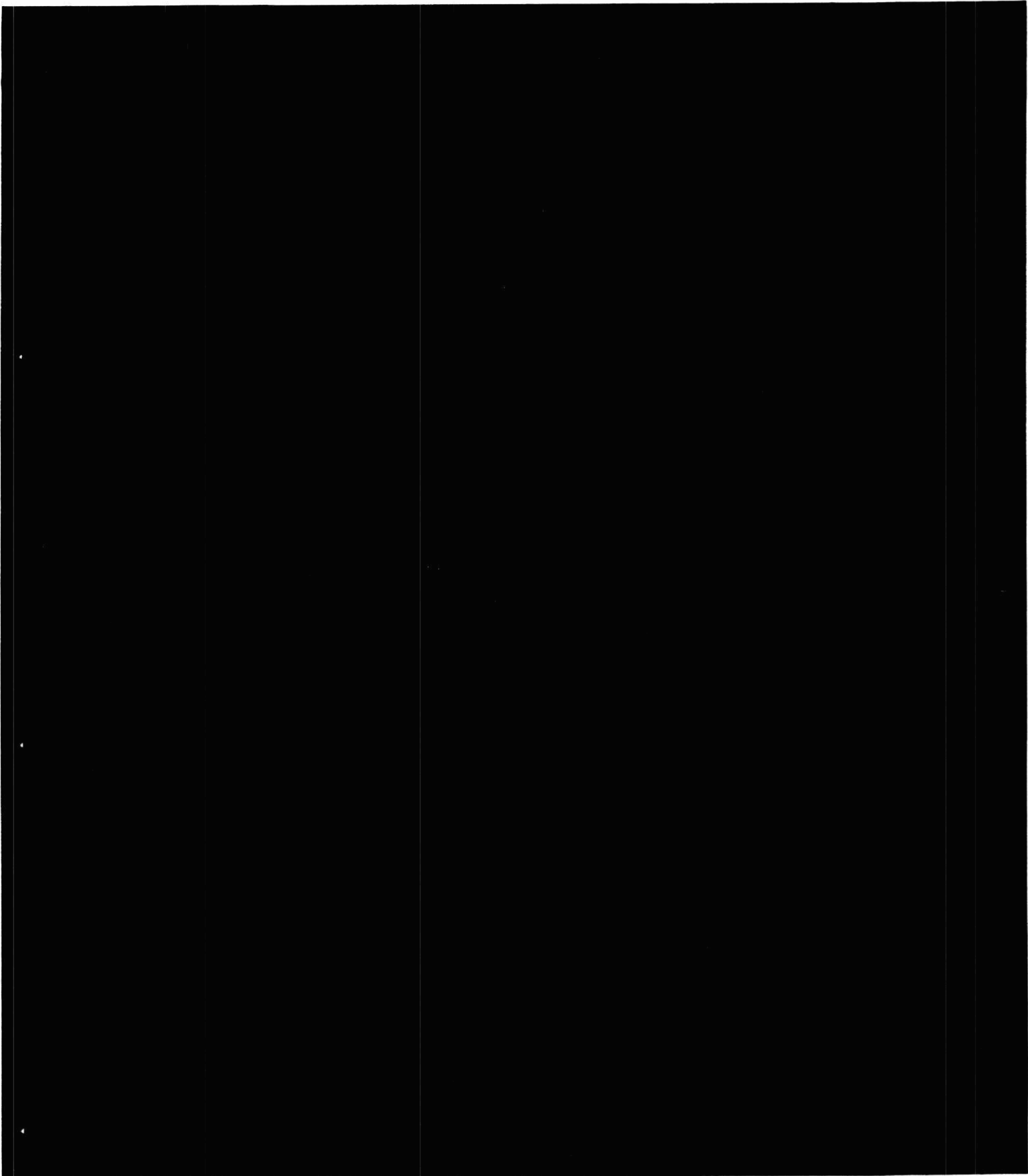
71

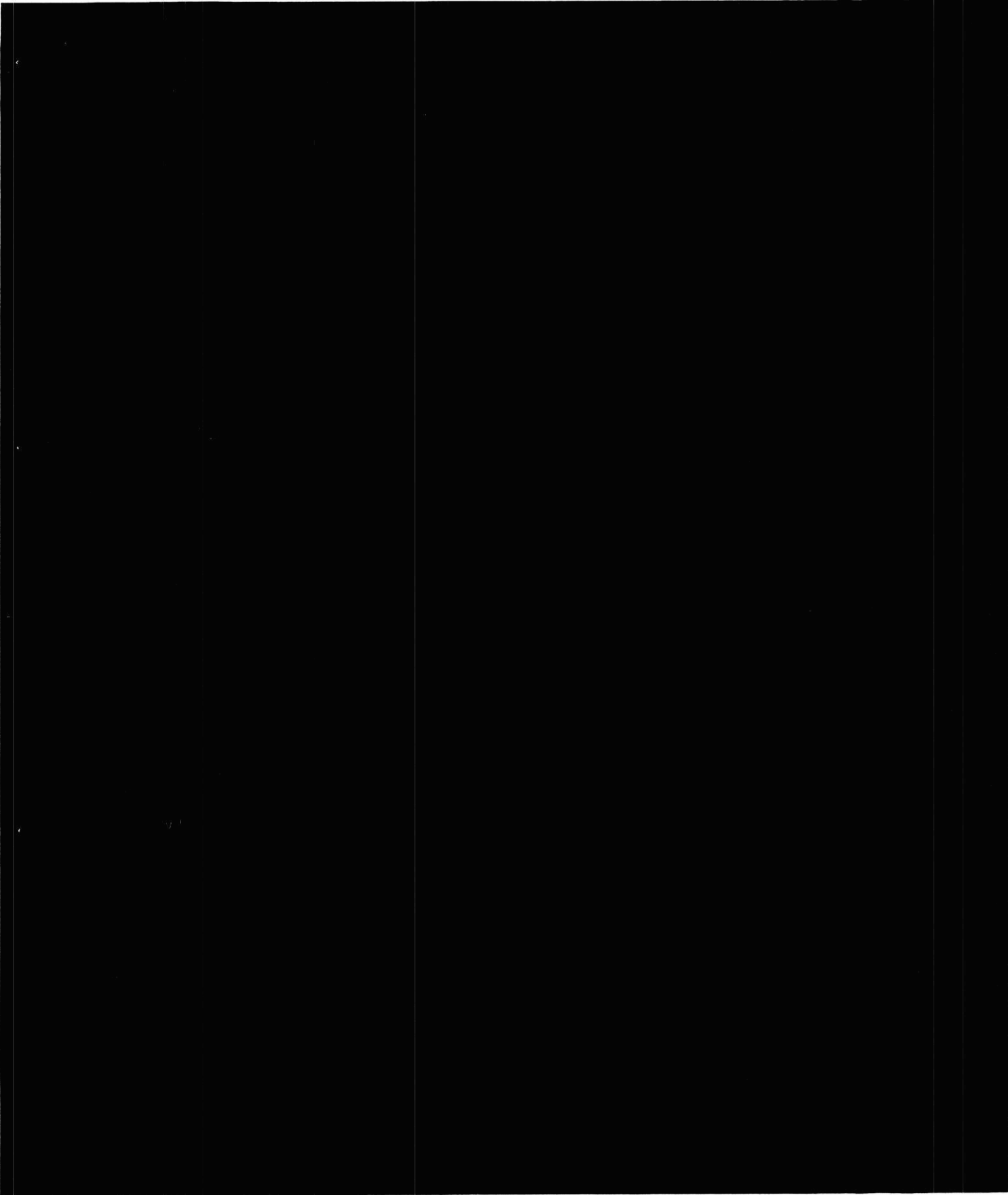












# **EXHIBIT C**

## **JUSTIFICATION TABLE**

**EXHIBIT C**

**COMPANY:** Florida Power & Light Company  
**TITLE:** List of Confidential Workpapers (Reinstated)  
**AUDIT:** FPL, Capacity Cost Audit from Jan. 1 – Dec. 31, 2002  
**AUDIT CONTROL NO:** 03-036-4-1

FLORIDA  
 STATUTE  
 366.093(3)  
 Subsection:

WKPAPER NO.	DESCRIPTION	NO. OF PAGES	CONF. Y/N	LINE NO./COL. NO.	FLORIDA STATUTE 366.093(3) Subsection:	AFFIANT
-------------	-------------	--------------	-----------	-------------------	--	---------

42-1/1-4 p. 1	Constellation Power Source	1	N			
44-1/1	Estimate Purchase Power & Billing Summary	2	Y	All	(e)	O. Lom
44-1/1-2/1-1 p. 2	Check Request	1	Y	Col A, lines 8 - 11	(e)	O. Lom
44-1/2	Estimate Purchase Power & Billing Summary	2	Y	All	(e)	O. Lom
44-1/3-1 p. 2	Check Request	1	Y	Col A, lines 7 - 11	(e)	O. Lom
44-1/3-2 p. 2	Check Request	1	Y	Col A, lines 7 - 11	(e)	O. Lom
44-1/3-3	Check Request	2	Y N	P. 1, Col A, lines 7 – 10 P. 2	(e)	O. Lom
44-1/3-4	Check Request	2	Y N	P. 1, Col A, lines 7 – 10 P. 2	(e)	O. Lom
47-1/1	Actual Transmission Service Billing Summary	1	Y	All	(e)	O. Lom
47-2/2	Actual Transmission Service Billing Summary	1	Y	All	(e)	O. Lom
48-1/1	Estimate Purchase Power & Billing Summary	12	Y	All	(e)	O. Lom

48-1/2	Estimate Purchase Power & Billing Summary	12	Y	All	(e)	O. Lom
--------	--	----	---	-----	-----	--------



# **EXHIBIT D**

# **AFFIDAVIT**

BEFORE THE

FLORIDA PUBLIC SERVICE COMMISSION

In re: Fuel and Purchased Power ) DOCKET NO. 030001-EI
Cost Recovery Clause with Generating )
Performance Incentive Factor ) FILED: July 15, 2003

STATE OF FLORIDA )
) AFFIDAVIT OF OSVALDO J. LOM
COUNTY OF MIAMI-DADE )

BEFORE ME, the undersigned authority, personally appeared Osvaldo J. Lom who, being first duly sworn, deposes and says:

1. My name is Osvaldo J. Lom. I am currently employed by Florida Power & Light Company ("FPL") as Supervisor, Purchase Power Contracts, Wholesale Services. My business address is 9250 West Flagler Street, Miami, Florida. I have personal knowledge of the matters stated in this affidavit.

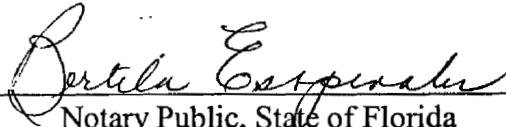
2. I have reviewed the confidential information listed on Exhibit C and which is included in Exhibit A to FPL's Request for Confidential Classification of Additional Materials Provided Pursuant to Audit No. 03-036-4-1. This confidential information includes information relating to FPL's competitive interests, the disclosure of which would impair the competitive business of FPL. Disclosure of such information would reveal, among other things, sensitive contract and pricing terms, which would be valuable to competitors of FPL in identifying key elements of FPL's business plans in this area. Viewing those terms together with other cost data for which confidential treatment is being sought would also provide a competitor with an unfair advantage in assessing or projecting FPL's production cost structure. Disclosure of contractual data such as pricing and other terms, payment records, and contractor/supplier rates also would impair the efforts of FPL to contract for goods and services on favorable terms and/or would impair the competitive interests of the contractors. Finally, the confidential information includes bank account information. FPL and its counter-parties routinely protect each other's bank account information. This is an important matter of commercial security, because publication of bank account information could facilitate unauthorized access to those accounts and other abuses. To the best of my knowledge, FPL has maintained the confidentiality of all the confidential information listed on Exhibit C.

3. Affiant says nothing further.

[Handwritten signature of Osvaldo J. Lom]
Osvaldo J. Lom

SWORN TO AND SUBSCRIBED before me this 14 day of July 2003, by Osvaldo J. Lom, who is personally known to me or who has produced (type of identification) as identification and who did take an oath.

Affidavit of Osvaldo J. Lom  
Request for Confidential Classification  
of Information in Audit No. 03-036-4-1  
Page 2 of 2

  
Notary Public, State of Florida

My Commission Expires:

