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CAPITAL CIRCLE OFFICE CENTER
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TALLAHASSEE, FL 32399-0850

Public Service Commission

November 26, 2003

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COMMISSION
CLERK

John T. Butler
Steel Hector & Davis, LLP
200 South Biscayne Blvd.
Suite 400
Miami, Florida 33131-2398

Re: Docket No. 030001-EI - Fuel and Purchased Power Cost Recovery Clause

Dear Mr. Butler:

On August 26, 2003, FPL filed a request that certain materials obtained from the utility during Staff Audit Control No. 03-034-4-1 be granted confidential classification. We have reviewed the request and find the following perceived deficiencies:

1) Rule 25-22.006(4), Florida Administrative Code, in part provides; "A request for confidential classification.... Along with the highlighted copy, the utility or other person shall file two or more edited copies as required by the type of proceeding, which will be made available for public inspection....The utility or other person shall identify the line at which the confidential material is found and shall correlate the page and line identified with the specific justification proffered in support of the classification of such material."

FPL filed redacted and highlighted copies of the information listed below, but did not list the information in the "Justification Table."

Working paper (WP) 45-3/2-1, page 2
WP 45-3/2-1, page 3

Marked area
Marked area

AUS _____ WP 45-3/2-1/1, page 2

Marked area

CAF _____ WP 45-4/1-3/2-1

Column J, Line 20

CMP _____ WP 47-5/6, page 1

Columns E and G, Lines 15 and 16

COM _____ WP 52-2/3-1/1-3

Columns G and I, Lines 17 and 18

CTR _____

ECR _____

GCL _____ If FPL wishes to have this information classified as confidential, it may amend its request to include

OPC _____ this information.

MMS _____

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OTH _____

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2) Section 366.093(3), Florida Statutes, provides by definition that information which has been released to the public is not confidential. Part of the following information appears to be public record.

WP 49-1/1-1, 2 pages (part)	Form 423-1a (See PSC document 13440-02)
WP 49-1/1-3, 2 pages (part)	Form 423-1a (See PSC document 13440-02)
WP 49-1/1-4, 2 pages (part)	Form 423-1a (See PSC document 11703-02)
WP 49-1/1-5, 2 pages (part)	Form 423-1a (See PSC document 13440-02)
WP 49-1/2-1, 2 pages (part)	Form 423-1a (See PSC document 00193-03)
WP 49-1/2-3, 2 pages (part)	Form 423-1a (See PSC document 00193-03)
WP 49-1/2-4, 2 pages (part)	Form 423-1a (See PSC document 13440-02)
WP 49-1/2-5, pages 1 and 2 (part)	Form 423-1a (See PSC document 00193-02)
WP 49-1/2-5, pages 3 and 4 (part)	Form 423-1a (See PSC document 13440-02)

If FPL agrees this information has been publicly disclosed, it may amend its justification table and, as necessary, the redacted information and highlighted information previously submitted.

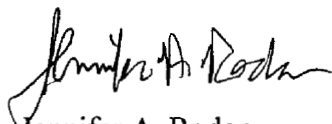
3) The following scrivener's errors were noted in the filing:

WP 49-1/2	No highlighted or redacted information found at Col N, Line 48
WP 43-2/1-1/2-5	No highlighted or redacted information found on line 21
WP 43-2/1-1/2-6, 2 nd page 4	Should be WP 43-2/1-1/2-6, page 6
WP 49-1/1-1, page 1	Should be WP 49-1/1-1, page 1
WP 49-1/1-1, page 2	Should be WP 49-1/1-1, page 2
WP 49-1/1-2, page 1	Should be WP 49-1/1-2, page 1
WP 49-1/1-3, page 1	Should be WP 49-1/1-3, page 1
WP 49-1/1-3, page 2	Should be WP 49-1/1-3, page 2
WP 49-1/2-2, page 1	Should be WP 49-1/2-2, page 1
WP 49-1/2-5, page 1	Should be WP 49-1/2-5, page 1
WP 49-1/2-5, page 2	Should be WP 49-1/2-5, page 2
WP 49-1/2-5, page 3	Should be WP 49-1/2-5, page 3
WP 49-1/2-5, page 4	Should be WP 49-1/2-5, page 4

If FPL agrees with these corrections, please let me know so that the corrections can be reflected in the Order. Please respond to this letter by revising your request, justification table, or highlighted or redacted copies with the Division of the Commission Clerk and Administrative Services by December 15, 2003. If a response is not received, a recommendation will be prepared for the prehearing officer in this case based upon the information available to staff. If you have any questions regarding this matter please call me at (850) 413-6189.

John T. Butler
Page 3
November 26, 2003

Sincerely,

A handwritten signature in black ink, appearing to read "Jennifer A. Rodan". The signature is fluid and cursive, with the first name being the most prominent.

Jennifer A. Rodan
Attorney

cc: Division of Auditing and Safety (Vandiver, Freeman)
Miami District Audit Office (Welch)