In re: Fuel and purchased power cost recovery clause with generating performance incentive factor. DOCKET NO. 040001-EI ORDER NO. PSC-04-0162-CFO-EI ISSUED: February 17, 2004

ORDER GRANTING FLORIDA POWER & LIGHT COMPANY'S FIRST REQUEST FOR EXTENSION OF CONFIDENTIAL CLASSIFICATION GRANTED BY ORDER NO. PSC-01-2161-CFO-EI OF CERTAIN MATERIAL OBTAINED IN FUEL COST RECOVERY CLAUSE PURSUANT TO AUDIT CONTROL NO. 01-053-4-1 (DOCUMENT NOS. 09079-01, 09080-01, 09081-01, AND 09525-01)

On July 19, 2001, copies of portions of our staff's working papers obtained or prepared during the Florida Power & Light Company's (FPL) fuel audit for the year ended December 31, 2000, were delivered to FPL at the audit exit conference. FPL requested that these materials be temporarily excepted from public access in accordance with the provisions of Rule 25-22.006(3)(a)(2), Florida Administrative Code. These workpapers were filed with the Commission by our staff as Document Nos. 09079-01, 09080-01 and 09081-01.

On August 7, 2001, pursuant to Section 366.093, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, FPL filed its Request for Confidential Classification of certain materials obtained during the above-referenced audit. FPL's request included redacted copies for public inspection (Document No. 09524-01) and copies with the sensitive information highlighted (Document No. 09525-01). By Order No. PSC-01-2161-CFO-EI, issued November 5, 2001, the Commission granted FPL's request for confidential classification of this material for a period of 18 months.

On April 30, 2003, FPL filed its First Request for Extension of Confidential Classification of Material Provided Pursuant to Audit No. 01-053-4-1. On September 4, 2003, after discussions with Commission staff, FPL reduced the amount of material for which it was requesting confidential classification by filing a Revised Justification Table to its request for extension of confidential classification. The documents that are the subject of FPL's request (Document Nos. 09079-01, 09080-01, 09081-01 and 09525-01) are currently being held by the Commission's Division of the Commission Clerk and Administrative Services as confidential pending resolution of FPL's request for extension of confidential classification.

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

FPL requests that the following work papers be granted continued confidential classification:

Staff Work Paper Number	Page(s)	Line(s)	Type of Information Classified Confidential
Document Nos	. 09079-0	1 and 09525-01	
8	1	1-31	Internal audits and internal auditing controls
8	2	1-42	Internal audits and internal auditing controls
8	3	1-38	Internal audits and internal auditing controls
8	4	1-41	Internal audits and internal auditing controls
8	5	1-44	Internal audits and internal auditing controls
8	6	1-36	Internal audits and internal auditing controls
8	7	1-39	Internal audits and internal auditing controls
8	8	1-32	Internal audits and internal auditing controls
8	9	1-13	Internal audits and internal auditing controls
9	1-2	Col. C, 1-51	Internal audits and internal auditing controls
9	3	Col. C, 1-22	Internal audits and internal auditing controls

Staff Work Paper Number	Page(s)	Line(s)	Type of Information Classified Confidential
9-1	1	1-36	Internal audits and internal auditing controls
Document Nos	. 09079-0	1 and 09525-01	
9-1	2	1-30	Internal audits and internal auditing controls
9-2	1	1-29	Internal audits and internal auditing controls
9-2	2	1-13	Internal audits and internal auditing controls
9-3	1	1-24	Internal audits and internal auditing controls
9-3	2	1-21	Internal audits and internal auditing controls
9-3	3	1-8	Internal audits and internal auditing controls
41-2/1	1	2-3; Col. B, 10- 22	Sensitive competitive information release of which could cause harm
41-2/1-1	1-4	Col. E,H,I	Sensitive competitive information release of which could cause harm
41-2/1-2	1-12	Col. C-G,J-K	Sensitive competitive information release of which could cause harm
41-2/1-3	1	Col. C-G,J-K	Sensitive competitive information release of which could cause harm
41-2/1-4	1-22	Col. C-G,J-K	Sensitive competitive information release of which could cause harm

Staff Work Paper Number	Page(s)	t	Type of Information Classified Confidential
Document Nos	. 09079-0	1 and 09525-01	
41-2/1-5	1	Col. B, 1,28; Col. C, 2- 27; Col. D, 1,3,7-9,12- 13,28; Col. F, 1,5- 6,28;	Sensitive contractual and competitive information release of which could cause harm
		Col. H, 28;	
41-2/1-5	2-12	Col. B, 1,28; Col. C, 2- 27; Col. D, 1,3,7-9,12- 13,28; Col. F, 1,5- 6,17-23,28; Col. G, 17- 23; Col. H, 16- 24,28	Sensitive contractual and competitive information release of which could cause harm

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Staff Work Paper			Type of Information
Number	Page(s)	Line(s)	Classified Confidential
43-1/1	1	Col. A, 1- 33; Col. C, 1- 33; Col. D, 1- 33; Col. E, 18,21,36-39	Sensitive contractual and competitive information release of which could cause harm
Document Nos	. 09079-0	1 and 09525-01	
43-1/1-1	1	Col. A, 4- 7,13-31,44- 50; Col. B, 13- 38; Col. C, 1- 4,13-39	Sensitive contractual and competitive information release of which could cause harm
43-1/1-1/1	1	Col. B-D,F- G,I-K,M	Sensitive contractual and competitive information release of which could cause harm
43-1/1-1/2	1	Col. D-G, 1 Col. H, 5-8	Sensitive contractual and competitive information release of which could cause harm
43-1/1-2/1	1	Col. B-F	Sensitive contractual and competitive information release of which could cause harm

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Staff Work Paper Number	Page(s)	Line(s)	Type of Information Classified Confidential
43-1/1-2/1	2	Col. A, 1- 5,23-25; Col. B, 7-9; Col. C, 11- 25; Col. D, 11- 18	Sensitive contractual and competitive information release of which could cause harm
43-1/1-2/1	3	Col. A, 19- 22; Col. B-F, 1- 16; Col. G, 1- 23; Col. H, 1- 16; Col. I, 1-23	Sensitive contractual and competitive information release of which could cause harm

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Staff Work Paper			Type of Information
_	Page(s)	Line(s)	Classified Confidential
Document Nos	. 09079-0	1 and 09525-01	
43-1/1-2/2	1	Col. A, 23- 27; Col. B, 2- 17;	Sensitive contractual and competitive information release of which could cause harm
		Col. C, 8- 26;	
		Col. D, 2- 17;	
		Col. E-F, 8- 17;	
		Col. G, 2- 25;	
		Col. H, 8- 17;	
		Col. I, 8-25	
43-1/1-2/2	2	Col. B-F, 1- 50	Sensitive contractual and competitive information release of which could cause harm
43-1/1-2/2	3	Col. A, 1- 5,23-25; Col. B, 7-9;	Sensitive contractual and competitive information release of which could cause harm
		Col. C, 11- 25;	
		Col. D, 11- 18	

Staff Work Paper Number	Page(s)	Line(s)	Type of Information Classified Confidential
44-2	1	Col. B-E, 11-25; Col. F-G, 19-23	Sensitive contractual and competitive information release of which could cause harm
44-2/1	1-2	Col. B, 1,15; Col. C,E,G, lines 2,4, 6,8,16,18,20 ,22; Col. D,F,H, lines 1, 4-5,8- 10,15,18-19, 22-24	Sensitive contractual and competitive information release of which could cause harm
Document Nos	. 09079-0	1 and 09525-01	
44-3/2	1	Col. A, 1; Col. B, 6,16,21,31- 33; Col. C-E, 16,31-33; Col. F-G, 1- 2,16,31-33; Col. H, 1- 2,16-17,31- 35	Sensitive contractual and competitive information release of which could cause harm

Staff Work Paper Number	Page(s)	Line(s)	Type of Information Classified Confidential
44-3/2-1	3	Col. A, 2; Col. B, 6,16,21,31- 33; Col. C-E, 16,31-33; Col. F-G, 1- 2,16,31-33; Col. H 16- 17,31-35	Sensitive contractual and competitive information release of which could cause harm
44-3/2-1	4 - 7	Col. B	Sensitive contractual and competitive information release of which could cause harm
44-3/2-1	8	Col. B-D	Sensitive contractual and competitive information release of which could cause harm
44-3/2-1	9	Col. A, 17; Col. B, 1- 2,11-12,17; Col. C, 17; Col. D 1- 2,10-11	Sensitive contractual and competitive information release of which could cause harm
44-3/2-1	10	Col. B, 1- 2,12,17; Col. C, 17; Col. D, 3,11	Sensitive contractual and competitive information release of which could cause harm

Staff Work Paper Number	Page(s)	Line(s)	Type of Information Classified Confidential
Document Nos	. 09079-0	1 and 09525-01	
44-3/2-1	11	1-6,11	Sensitive contractual and competitive information release of which could cause harm
44-3/4	1	Col. A, 2; Col. B, 6,16,21,31- 33; Col. C-E 16,31-33; Col. F-G, 1- 2,16,31-33; Col. H, 16- 17,31-35	Sensitive contractual and competitive information release of which could cause harm
44-4/1	1	Col. B, 16,21-29; Col. C, 16- 17,21-29; Col. D, 1- 12,21-29; Col. F-G, 9- 12	Sensitive contractual and competitive information release of which could cause harm
44-4/2	1	Col. A, 1-5; Col. B, 12- 13,16-17, 29-33; Col. C, 11- 24	Sensitive contractual and competitive information release of which could cause harm

Staff Work Paper Number	Page(s)	Line(s)	Type of Information Classified Confidential
44-4/2	2	Col. A, 1-5; Col. B, 13- 14,17-18, 29-33; Col. C, 12- 24	Sensitive contractual and competitive information release of which could cause harm
44-4/3	1	Col. B, 1-5; Col. C,E, 1- 12; Col. D,F, 1- 9	Sensitive contractual and competitive information release of which could cause harm
Document Nos	. 09079-0	1 and 09525-01	
44-5/3	1	Col. B,E-F	Sensitive contractual and competitive information release of which could cause harm
44-5/3	2	Col. A, 14- 16; Col. B, 4- 18; Col. C-F, 4- 13	Sensitive contractual and competitive information release of which could cause harm
44-5/3-1	1	Col. C, 1- 8,13-15,19- 26 Col. F, 1-27	Sensitive contractual and competitive information release of which could cause harm

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Work Paper Number	Page(s)	Line(s)	Type of Information Classified Confidential		
44-5/3-2	1	Col. B, 2-4;	Sensitive contractual and competitive information		
		Col. C, 1-5;	release of which could cause harm		
		Col. D, 4			
44-5/3-2/1	1	1,2,4	Sensitive contractual and competitive information release of which could cause harm		
44-5/3-2/1	3	Col. A, 1- 6,12,17,30- 32;	Sensitive contractual and competitive information release of which could cause harm		
		Col. B, 9,18,21-27;			
		Col. C 13- 17;			
		Col. D, 17			
44-5/3-3	1	Col. B, 2-4;	Sensitive contractual and competitive information		
		Col. C, 1-5;	release of which could cause harm		
		Col. D, 4			
44-5/3-3/1	1	1,2,4	Sensitive contractual and competitive information release of which could cause harm		
Document Nos	Document Nos. 09079-01 and 09525-01				
44-5/3-3/1	3	1-6,9- 10,12,15-16	Sensitive contractual and competitive information release of which could cause harm		

Staff Work Paper Number	Page(s)	Line(s)	Type of Information Classified Confidential
44-5/3-3/1	4	Col. A, 11,13-14,16, 18-19; Col. B, 5- 9,20	Sensitive contractual and competitive information release of which could cause harm
44-5/3-4	1	Col. B, 2-4; Col. C, 1-5; Col. D, 4	Sensitive contractual and competitive information release of which could cause harm
44-5/3-4/1	1	1-3	Sensitive contractual and competitive information release of which could cause harm
44-5/3-4/1	2	16	Sensitive contractual and competitive information release of which could cause harm
44-5/3-4/1	3	4,6-8,11-23	Sensitive contractual and competitive information release of which could cause harm
44-5/3-5	1	Col. B, 2-4; Col. C-E , 1-5	Sensitive contractual and competitive information release of which could cause harm
44-5/3-5	2	1-3,6-7	Sensitive contractual and competitive information release of which could cause harm

Staff Work Paper Number	Page(s)	Line(s)	Type of Information Classified Confidential
		1 and 09525-01	
44-5/3-5	4	Col. A, 6,20-21,23- 24; Col. B 10,15,25; Col. C 2- 5,10; Col. D, 10; Col. E, 10,13	Sensitive contractual and competitive information release of which could cause harm
44-5/3-5	5	Col. B, 2-4; Col. C, 1-5	Sensitive contractual and competitive information release of which could cause harm
44-5/3-5	6	1-3	Sensitive contractual and competitive information release of which could cause harm
44-5/3-5	8	Col. A, 6,20-21,23- 24; Col. B, 10,15,25; Col. C, 2- 5,10; Col. D, 10; Col. E, 10,13	Sensitive contractual and competitive information release of which could cause harm

Staff Work Paper Number	Page(s)	Line(s)	Type of Information Classified Confidential
44-5/3-6	1	Col. A, 6; Col. B, 2-4; Col. C, 1-5; Col. D, 4	Sensitive contractual and competitive information release of which could cause harm
44-5/3-6	2	1-2,4	Sensitive contractual and competitive information release of which could cause harm
Document Nos	. 09079-0	1 and 09525-01	
44-5/3-6	3	Col. A, 18; Col. B, 5- 7,19-23	Sensitive contractual and competitive information release of which could cause harm
44-5/3-6	4	Col. B, 5,13-18; Col. C, 4- 6,19	Sensitive contractual and competitive information release of which could cause harm
44-5/3-6/1	1	Col. B, 4- 6,9,11	Sensitive contractual and competitive information release of which could cause harm

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44-5/3-7	1	Col. A, 6- 10,15-19,36- 37; Col. C 1,23,26,29,3 2; Col. D, 5,14,23,26,2 9,32,35	Sensitive contractual and competitive information release of which could cause harm
44-5/4	1	Col. B,E-F	Sensitive contractual and competitive information release of which could cause harm
44-5/4	2	Col. A, 12- 14; Col. B, 1- 13; Col. C-F, 1- 10	Sensitive contractual and competitive information release of which could cause harm
44-5/4-1	1	Col. B, 1- 8,14-16,24- 29; Col. C, 1-8; Col. D, 1- 8,10-14,16, 18-19,23-29	Sensitive contractual and competitive information release of which could cause harm
44-5/4-2	1	Col. B, 2-4; Col. C, 1-5	Sensitive contractual and competitive information release of which could cause harm

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Work Paper Number	Page(s)	Line(s)	Type of Information Classified Confidential
44-5/4-2	2	1-28	Sensitive contractual and competitive information release of which could cause harm
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44-5/4-2	3	1-29	Sensitive contractual and competitive information release of which could cause harm
44-5/4-2/1	1	Col. A, 1,2,4-9; Col. B, 2,6	Sensitive contractual and competitive information release of which could cause harm
44-5/4-2/1	2	Col. A, 1- 4,19-24; Col. B, 4- 5,11-17	Sensitive contractual and competitive information release of which could cause harm
44-5/4-2/1	3	Col. A, 1- 4,10-12; Col. B, 10- 13,14,15	Sensitive contractual and competitive information release of which could cause harm
44-5/4-2/1	4	Col. A, 1- 4,15-18,23- 26; Col. B, 18,26-27	Sensitive contractual and competitive information release of which could cause harm
44-5/4-2/1	5	Col. A, 1- 4,14-17; Col. B, 9,17-18	Sensitive contractual and competitive information release of which could cause harm

Staff Work Paper Number	Page(s)	Line(s)	Type of Information Classified Confidential
44-5/4-3	1	Col. B, 2-4; Col. C, 1-5	Sensitive contractual and competitive information release of which could cause harm
44-5/4-3	2	1-2,10-13	Sensitive contractual and competitive information release of which could cause harm
44-5/4-3	3	24	Sensitive contractual and competitive information release of which could cause harm
44-5/4-3	4	Col. A, 19- 27; Col. B, 11- 12,14-15, 29-32; Col. C, 11- 12,14-15; Col. D, 11- 16	Sensitive contractual and competitive information release of which could cause harm
Document Nos	. 09079-0	1 and 09525-01	· · · · · · · · · · · · · · · · · · ·
44-5/4-3	5	Col. A, 13- 22; Col. B, 10- 11,24-27; Col. C, 10- 11; Col. D, 10- 12	Sensitive contractual and competitive information release of which could cause harm

Staff Work Paper Number	Page(s)	Line(s)	Type of Information Classified Confidential
44-5/4-3	6	Col. B, 1-9; Col. C-D, 1- 8 Col. F, 1-8; Col. H, 1-9	Sensitive contractual and competitive information release of which could cause harm
44-5/4-3	7	Col. A, 2- 3,11,14-15; Col. B, 11- 12,15-16; Col. C, 17- 18	Sensitive contractual and competitive information release of which could cause harm
44-5/4-3	8	Col. A, 2- 3,15,17,19,2 2,24-29; Col. B, 15- 16,19-20,26- 27; Col. C, 21- 22	Sensitive contractual and competitive information release of which could cause harm
44-5/4-4	1	Col. B, 2-4; Col. C, 1-5	Sensitive contractual and competitive information release of which could cause harm
44-5/4-4	2	1-2,12-19	Sensitive contractual and competitive information release of which could cause harm

Staff Work Paper Number 44-5/4-4	3	Line(s) Col. A, 4-7; Col. B, 23- 25	Type of Information Classified Confidential Sensitive contractual and competitive information release of which could cause harm
Document Nos	. 09079-0	1 and 09525-01	
44-5/4-4	4	Col. B-C, 1- 19; Col. D, 4,17,19-20; Col. E, 1- 2,4,10,15,17 , 19; Col. G, 1- 27; Col. H, 1- 26; Col. I, 1-28	Sensitive contractual and competitive information release of which could cause harm
44-5/4-5	1	Col. B, 2-4; Col. C, 1-5	Sensitive contractual and competitive information release of which could cause harm
44-5/4-5	2	1-8	Sensitive contractual and competitive information release of which could cause harm

Staff Work Paper Number	Page(s)	Line(s)	Type of Information Classified Confidential		
44-5/4-5	3	Col. A, 6- 8,13,17-20; Col. B, 21; Col. C, 6,13-16	Sensitive contractual and competitive information release of which could cause harm		
44-5/4-6	l	Col. B, 1- 25; Col. C, 1-24	Sensitive contractual and competitive information release of which could cause harm		
44-5/5	1	Col. B,E-F	Sensitive contractual and competitive information release of which could cause harm		
44-5/5	2	Col. A, 11- 13; Col. B, 6- 12; Col. C, 5; Col. D,F, 5- 10	Sensitive contractual and competitive information release of which could cause harm		
Document Nos	Document Nos. 09079-01 and 09525-01				
44-5/5-1	1	Col. B, 1- 14; Col. D, 1-18	Sensitive contractual and competitive information release of which could cause harm		
44-5/5-2	1	1-2,4-9	Sensitive contractual and competitive information release of which could cause harm		

Staff Work Paper Number	Page(s)	Line(s)	Type of Information Classified Confidential
44-5/5-2	2	Col. A, 1-9; Col. B, 15- 16,20-21; Col. C, 21- 22	Sensitive contractual and competitive information release of which could cause harm
44-5/5-2	3	22-23	Sensitive contractual and competitive information release of which could cause harm
44-5/5-2	4	Col. A-C, 4,18; Col. E-J, 4; Col. G, 1,12-15; Col. I, 12	Sensitive contractual and competitive information release of which could cause harm
44-5/5-2/1	1	Col. B, 12,17-23; Col. C-D 17- 23; Col. E, 21- 25; Col. F, 9	Sensitive contractual and competitive information release of which could cause harm

Staff Work Paper Number 44-5/5-3	Page(s) 1	Line(s) 1-3	Type of Information Classified Confidential Sensitive contractual and competitive information release of which could cause harm
Document Nos	. 09079-0	1 and 09525-01	
44-5/5-3	2	Col. A, 13- 17; Col. B, 10- 11,21-24; Col. C, 10- 11; Col. D, 10- 12	Sensitive contractual and competitive information release of which could cause harm
44-5/5-3	3	Col. A, 10; Col. B,F,H, 6-8; Col. C- E,G,I, 6-7	Sensitive contractual and competitive information release of which could cause harm
44-5/5-3	4	Col. A, 21- 23; Col. B, 13- 18	Sensitive contractual and competitive information release of which could cause harm

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Staff Work Paper Number	Page(s)	Line(s)	Type of Information Classified Confidential		
44-5/5-3	5	Col. B, 18- 22; Col. C, 8- 10,13-15, 18-19,21-22; Col. D,F, 8- 9,13-14, 18-19; Col. E, 8- 10,13-15,18- 19, 21-22,26; Col. G-H, 18-19	Sensitive contractual and competitive information release of which could cause harm		
44-5/5-3	6	Col. A, 3,12,14,19,2 1,23-28; Col. B, 12- 13,19-20, 25-26; Col. C, 21- 22	Sensitive contractual and competitive information release of which could cause harm		
44-5/5-4	1	1-2,4-9	Sensitive contractual and competitive information release of which could cause harm		
Document Nos	Document Nos. 09079-01 and 09525-01				
44-5/5-4	2	Col. A, 2-5; Col. B, 7,14,22;	Sensitive contractual and competitive information release of which could cause harm		

Staff Work Paper Number	Page(s)	Line(s)	Type of Information Classified Confidential
44-5/5-4	3	27	Sensitive contractual and competitive information release of which could cause harm
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44-5/5-4	5	1-19	Sensitive contractual and competitive information release of which could cause harm
44-5/5-4	6	Col. A, 5,18; Col. C, 13- 15; Col. D, 1,5,13-15; Col. E, 9- 11,13-16; Col. F, 2,9- 11,13-16; Col. G, 5; Col. H, 13	Sensitive contractual and competitive information release of which could cause harm
44-5/5-4	8	22-23	Sensitive contractual and competitive information release of which could cause harm

Staff Work Paper Number	Page(s)	Line(s)	Type of Information Classified Confidential
44-5/6	1	Col. B,E-F	Sensitive contractual and competitive information release of which could cause harm
44-5/6	2	Col. A, 19- 21; Col. B-D,F, 1-20	Sensitive contractual and competitive information release of which could cause harm
44-5/6-1	1	Col. C-F	Sensitive contractual and competitive information release of which could cause harm
Document Nos	. 09079-0	1 and 09525-01	
44-5/6-2	1	1,3	Sensitive contractual and competitive information release of which could cause harm
44-5/6-2	2	Col. A, 1- 7,13,18; Col. B, 9,20,24-28; Col. C, 14- 18; Col. D, 18	Sensitive contractual and competitive information release of which could cause harm

Staff Work Paper Number	Page(s)	Line(s)	Type of Information Classified Confidential
44-5/6-2/1	1	Col. A, 7,9,25; Col. B, 4,16,19-22; Col. C, 16,20-21,25; Col. D, 12- 16,25	Sensitive contractual and competitive information release of which could cause harm
44-5/6-3	1	1,3	Sensitive contractual and competitive information release of which could cause harm
44-5/6-3	2	Col. A, 2,10-15; Col. B, 1- 2,16	Sensitive contractual and competitive information release of which could cause harm
44-5/6-3	3	16-24	Sensitive contractual and competitive information release of which could cause harm
44-5/6-3/1	1	11,13,15-20	Sensitive contractual and competitive information release of which could cause harm
44-5/7	1	Col. E, 6- 8,12-15; Col. F, 5,9,10,14; Col. G, 2,4	Sensitive contractual and competitive information release of which could cause harm

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44-5/7-1	1	Col. B, 2-4; Col. C, 1-5	Sensitive contractual and competitive information release of which could cause harm
Document Nos	. 09079-0	1 and 09525-01	
44-5/7-1	2	1-8	Sensitive contractual and competitive information release of which could cause harm
44-5/7-1	3	Col. A, 4- 7,17-20; Col. B, 22- 24	Sensitive contractual and competitive information release of which could cause harm
44-5/7-2	1	Col. A, 5- 9,13-17,30- 31; Col. B, 20,23,26; Col. C, 4,20,23,26,2 9	Sensitive contractual and competitive information release of which could cause harm
44-5/7-2	2	Col. B, 14- 16; Col. C, 6-12	Sensitive contractual and competitive information release of which could cause harm
44-5/7-2	3	Col. D-E, 8,11-12; Col. F, 1-10	Sensitive contractual and competitive information release of which could cause harm
44-5/7-2	4-6	Col. F, 9	Sensitive contractual and competitive information release of which could cause harm

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Work Paper Number	Page(s)	Line(s)	Type of Information Classified Confidential
44-5/7-2	7	Col. A, 17; Col. F, 9	Sensitive contractual and competitive information release of which could cause harm
44-5/7-2	8	Col. F, 9	Sensitive contractual and competitive information release of which could cause harm
44-5/7-2	9-10	Col. A, 17; Col. F, 9	Sensitive contractual and competitive information release of which could cause harm
44-5/7-2	11	Col. F, 9	Sensitive contractual and competitive information release of which could cause harm
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54-1/3-1	1	Col. A, 1- 13,16,26-30; Col. B, 18- 20; Col. C-D, 9- 13,20; Col. E, 9- 13,20-21,31	Sensitive contractual and competitive information release of which could cause harm
54-1/3-1	2	Col. A, 1- 12,15,25-26; Col. B, 17- 19; Col. C-D, 8- 12,19; Col. E, 8- 12,19-20,27	Sensitive contractual and competitive information release of which could cause harm
54-1/3-1	3-5	Col. A, 1- 11,14,25-26; Col. B, 16- 18; Col. C-D, 8- 11,18; Col. E, 8- 11,18-19,27	Sensitive contractual and competitive information release of which could cause harm
54-1/3-1/1	1	1-3,7-28	Sensitive contractual and competitive information release of which could cause harm

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Staff Work Paper Number	Page(s)	Line(s)	Type of Information Classified Confidential
54-1/3-1/1	2	Col. A, 29- 31; Col. B, 1- 19,29-31	Sensitive contractual and competitive information release of which could cause harm
54-1/3-1/1	4	1-25	Sensitive contractual and competitive information release of which could cause harm
54-1/3-1/1	5	1-3,7-21	Sensitive contractual and competitive information release of which could cause harm
54-1/3-1/1	6	Col. A, 1- 9,25-27; Col. B, 25- 28	Sensitive contractual and competitive information release of which could cause harm
Document Nos	. 09081-0	1 and 09525-01	
54-1/3-1/1	8	1-27	Sensitive contractual and competitive information release of which could cause harm
54-1/3-2	1	Col. A, 1-7; Col. B, 29- 30; Col. C, 1- 29; Col. D-E, 9- 24; Col. F, 9-30	Sensitive contractual and competitive information release of which could cause harm

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Staff Work Paper Number	Page(s)	Line(s)	Type of Information Classified Confidential
54-1/3-2	2	Col. A, 1-7; Col. C, 1- 28; Col. D-F, 9- 28	Sensitive contractual and competitive information release of which could cause harm
54-1/3-3	1	Col. A, 1-8; Col. B, 20- 22; Col. C, 1- 13; Col. D-E, 9- 13; Col. F, 9-15	Sensitive contractual and competitive information release of which could cause harm
54-1/3-3/1	1	1-3,7-26	Sensitive contractual and competitive information release of which could cause harm
54-1/3-3/1	2	1-25	Sensitive contractual and competitive information release of which could cause harm
54-1/3-3/1	3	Col. A, 1- 15,25-28; Col. B, 25- 28	Sensitive contractual and competitive information release of which could cause harm

Staff Work Paper Number	Page(s)	Line(s)	Type of Information Classified Confidential	
Document Nos. 09081-01 and 09525-01				
54-1/3-4	1	Col. A, 1-3, 17-20; Col. B, 9- 11,17-20; Col. C, 4,17-20; Col. D, 5- 6,17-20; Col. E, 5,17-20; Col. F, 5- 8,17-18	Sensitive contractual and competitive information release of which could cause harm	
54-1/3-4	2	Col. A, 1- 3,25-28; Col. B, 25- 28; Col. C, 10,23-28; Col. D, 11- 14,17-19, 25-28; Col. E, 11- 13,25-28; Col. F, 11- 16	Sensitive contractual and competitive information release of which could cause harm	

Staff Work Paper Number	Page(s)	Line(s)	Type of Information Classified Confidential
54-1/3-4/1	1	1-4,16-38	Sensitive contractual and competitive information release of which could cause harm
54-1/3-4/1	2	1-24	Sensitive contractual and competitive information release of which could cause harm
54-1/3-4/1	3	Col. A, 29- 31; Col. B, 1- 19,29-31	Sensitive contractual and competitive information release of which could cause harm
54-2	1	1-4,14-20	Sensitive contractual and competitive information release of which could cause harm

In its request, FPL states that the period of confidential classification granted by Order No. PSC-01-2161-CFO-EI will soon expire, and that some, but not all, of the information covered by that Order warrants continued treatment as proprietary and confidential business information within the meaning of Section 366.093, Florida Statutes.

FPL maintains that the information for which an extension of requested is proprietary classification is confidential confidential business information relating to internal auditing controls and audit reports, as well as customer-specific and including sensitive account information, vendor-specific information, pricing and other contractual terms. In addition, FPL states that the material 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-01-2161-CFO-EI to render the information stale or public, such that continued confidential treatment would not be appropriate, according to FPL.

As a result, FPL requests that the information identified in the Revised Justification Table and Order No. PSC-01-2161-CFO-EI be accorded confidential classification for an additional 18 month period. In addition, FPL requests that the information be returned to FPL as soon as it is no longer necessary for the Commission to conduct its business.

Upon review, it appears that the information discussed above is proprietary confidential business information within the meaning of Section 366.093, Florida Statutes. Therefore, FPL's request for extension of confidential treatment of Document Nos. 09079-01, 09080-01, 09081-01, and 09525-01 is granted as set forth in the body of this Order.

Section 366.093(4), Florida Statutes, provides that any finding by the Commission that records contain proprietary confidential business information shall be effective for a period not to exceed 18 months, absent good cause shown. Accordingly, the information identified in Document Nos. 09079-01, 09080-01, 09081-01, and 09525-01, and described in the table above, shall be granted confidential classification for an additional period of 18 months from the date of the issuance of this Order.

FPL also requests that the material be returned to the utility once the information is no longer needed by the Commission; however, audit reports and the related working papers are retained by the Commission for a period of 25 years. If FPL wishes to keep this information confidential after the additional 18 month period granted herein, FPL will need to seek another extension of time pursuant to Section 366.093, Florida Statutes.

Based on the foregoing, it is

ORDERED by Commissioner Rudolph "Rudy" Bradley, as Prehearing Officer, that the information described in the body of this Order and contained in Document Nos. 09079-01, 09080-01, 09081-01, and 09525-01 shall be granted confidential classification for an additional period of 18 months from the date of the issuance of this Order. It is further

ORDERED that this Order shall be the only notification by the Commission to the parties concerning the expiration of the confidentiality time period.

By ORDER of Commissioner Rudolph "Rudy" Bradley, as Prehearing Officer, this <u>17th</u> day of <u>February</u>, <u>2004</u>.

RUDOLPH "RUDY BRADLEY Commissioner and Prehearing Officer

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NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

Any party adversely affected by this order, which is preliminary, procedural or intermediate in nature, may request: (1) reconsideration within 10 days pursuant to Rule 25-22.0376, Florida Administrative Code; or (2) judicial review by the Florida Supreme Court, in the case of an electric, gas or telephone utility, or the First District Court of Appeal, in the case of a water or wastewater utility. A motion for reconsideration shall be filed the Director, Division of the Commission Clerk with and Administrative Services, in the form prescribed by Rule 25-22.060, Florida Administrative Code. Judicial review of a preliminary, procedural or intermediate ruling or order is available if review of the final action will not provide an adequate remedy. Such review may be requested from the appropriate court, as described above, pursuant to Rule 9.100, Florida Rules of Appellate Procedure.