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 700 Universe Boulevard  
 Juno Beach, FL 33408-0420  
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ORIGINAL

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

March 11, 2004

RECEIVED-FPSO  
 MARCH 11 PM 2:35  
 COMMISSION  
 CLERK

**VIA HAND DELIVERY**

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

**Re: Florida Power & Light Company's Request for Confidential Classification of  
 Certain Material Provided in Connection with the Monthly Fuel Filings  
Docket No. 040001-EI**

Dear Ms. Bayó:

I enclose and hand you herewith for filing in the above-referenced matter, the original and five (5) copies of Florida Power & Light Company's ("FPL") Request for Confidential Classification. The original includes Attachments A, B, and C. The five copies include only Attachments B and C.

Attachment A contains the confidential information that is the subject of FPL's Request for Confidential Classification. Attachment A is submitted for filing in a separate, sealed folder or carton marked "**ATTACHMENT A – CONFIDENTIAL**". Attachment B is an edited version of Attachment A, in which the information FPL asserts is confidential has been blocked out. Attachment C contains FPL's justification for its request for confidential classification.

In accordance with Rule 25-22.006(3)(d), FPL requests confidential treatment of the information in Attachment A pending disposition of FPL's request for Confidential Classification.

Also included herewith is a computer diskette containing FPL's Request for Confidential Classification and Attachment C, in WordPerfect. Please contact me should you or your Staff have any questions regarding this filing.

- AUS \_\_\_\_\_
  - CAF \_\_\_\_\_
  - CMP \_\_\_\_\_
  - COM \_\_\_\_\_
  - CTR \_\_\_\_\_
  - ECR \_\_\_\_\_
  - GCL \_\_\_\_\_
  - OPC \_\_\_\_\_
  - MMS \_\_\_\_\_
  - SEC \_\_\_\_\_
  - OTH \_\_\_\_\_
- comp records*

RECEIVED & FILED  
*dh*  
 FPSC-BUREAU OF RECORDS

Sincerely,

*R. Wade Litchfield*  
 R. Wade Litchfield

RWL/ec  
 Enclosures  
 cc: Service List (w/out Attachment A)

DOCUMENT NUMBER-DATE

03409 MAR 11 2004

FPSC-COMMISSION CLERK

**BEFORE THE  
FLORIDA PUBLIC SERVICE COMMISSION**

In re: Fuel and Purchased Power	)	DOCKET NO. 040001-EI
Cost Recovery Clause and Generating	)	
Performance Incentive Factor	)	FILED: March 11, 2004

**REQUEST FOR CONFIDENTIAL CLASSIFICATION**

NOW, BEFORE THIS COMMISSION, through undersigned counsel, comes Florida Power & Light Company (“FPL”) and, pursuant to section 25-22.006 of the Florida Administrative Code and section 366.093 of the Florida Statutes, hereby requests confidential classification of certain information on Florida Public Service Commission (“FPSC” or “Commission”) Forms 423-1(a), 423-2, 423-2(a) and 423-2(b) submitted in Docket No. 040001-EI. In support of its Request, FPL states as follows:

1. Petitioner's principal business address is as follows:

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

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

William G. Walker, III  
Vice President  
Florida Power & Light Company  
215 South Monroe Street, Suite 810  
Tallahassee, FL 32301-1859  
Tel.: (850) 521-3910  
Fax: (850) 521-3939

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

2. The following attachments are included herewith and made a part hereof:
  - a. Attachment A includes the complete and unedited version of FPL's December 2003 Form 423-1(a) and St. Johns River Power Park's ("SJRPP") December 2003 Forms 423-2, 423-2(a) and 423-2(b) which contain certain information that FPL asserts should be accorded confidential treatment. The information in Attachment A for which FPL seeks confidential classification has been highlighted. Attachment A is submitted separately in a sealed envelope marked "**CONFIDENTIAL.**"
  - b. Attachment B is the edited version of Attachment A. All information that FPL asserts is entitled to confidential treatment has been blocked out in Attachment B.
  - c. Attachment C identifies information for which confidential treatment is sought and, with regard to each item or type of information, contains a brief statement that explains the need for confidentiality and refers to the specific statutory basis or bases for the request.

3. Pursuant to section 366.093, FPL seeks confidential protection for the information highlighted in Attachment A. 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.

4. The statutory bases and support for FPL's assertion of confidentiality with regard to specific items or types of information are set forth in Attachment C. The information for which confidential classification is sought is intended to be and is treated by FPL as confidential and, to the best of FPL's knowledge and belief, has not been publicly disclosed.

5. Upon a finding by the Commission that the material in Attachment A for which FPL seeks confidential treatment is proprietary confidential business information within the meaning of section 366.093(3), pursuant to section 366.093(4) such materials should not be declassified until the end of the minimum protective period allowed for by law, or as otherwise extended by the Commission. Further, the materials should 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, including those set forth in the supporting materials included herewith, Florida Power & Light Company respectfully requests that its Request for Confidential Classification be granted.

Respectfully submitted,



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

## CERTIFICATE OF SERVICE

I, THE UNDERSIGNED COUNSEL, HEREBY CERTIFY that a copy of Florida Power & Light Company's Request for Confidential Classification, without Attachment A, has been served via first class mail, postage prepaid to the parties listed below, this 11<sup>th</sup> day of March, 2004:

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

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

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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

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Floyd R. Self, Esq.  
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Davidson, et al.  
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Beggs & Lane  
Attorneys for Gulf Power  
P.O. Box 12950  
Pensacola, Florida 32591-2950

  
R. Wade Litchfield

**ATTACHMENT “A”**

**FPL’S FPSC FORM 423-1(a)**

**SJRPP’S FPSC FORMS**

**423-2**

**423-2 (a)**

**423-2 (b)**

**CONFIDENTIAL**  
**FILED UNDER SEPARATE COVER**

# **ATTACHMENT “B”**

**EDITED VERSION**  
**FPL’S FPSC FORM 423-1(a)**  
**SJRPP’S FPSC FORMS**  
**423-2**  
**423-2 (a)**  
**423-2 (b)**

MONTHLY REPORT OF COST AND QUALITY OF FUEL OIL FOR ELECTRIC PLANTS  
 DETAIL OF INVOICE AND TRANSPORTATION CHARGES

**EDITED COPY**

1. REPORTING MONTH: DEC YEAR: 2003

2. REPORTING COMPANY: FLORIDA POWER LIGHT COMPANY

3. NAME, TITLE TELEPHONE NUMBER OF CONTACT PERSON CONCERNING DATA  
 SUBMITTED ON THIS FORM: KORY DUBIN, REGULATORY AFFAIRS, (305) 552-4910.

4. SIGNATURE OF OFFICIAL SUBMITTING REPORT: 

5. DATE COMPLETED: 02/09/2004

(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)	(I)	(J)	(K)	(L)	(M)	(N)	(O)	(P)	(Q)	(R)
LINE NO.	PLANT	SUPPLIER	DELIVERY LOCATION	DELIVERY DATE	TYPE OIL	VOLUME (BBL)	INVOICE PRICE (\$/BBL)	INVOICE AMOUNT (\$)	DISCOUNT (\$)	NET AMOUNT (\$)	NET PRICE (\$/BBL)	QUALITY ADJUST. (\$/BBL)	EFFECTIVE PUR PRICE (\$/BBL)	TRANSP TO TERM (\$/BBL)	ADDITIONAL TRANS CHGS (\$/BBL)	OTHER CHGS (\$/BBL)	DELIVERED PRICE (\$/BBL)
1	PMT	BAKA ENERGY	PORT MANATEE	12/06/2003	F06	120263								0.0000			26.5307
2	PMT	BAKA ENERGY	PORT MANATEE	12/24/2003	F06	120962								0.0000			26.5307
3	PTF	BAKA ENERGY	FISHER ISLAND	12/15/2003	F06	119787								0.0000			27.5279
4	PCC	FAMM	PORT CANAVERAL	12/28/2003	F06	108140								0.0000			27.2845
5	PPE	FAMM	PORT EVERGLADES	12/10/2003	F06	107682								0.0000			26.1282
6	PRV	FAMM	RIVIERA	12/24/2003	F06	103223								0.0000			27.2910
7	PTF	FAMM	FISHER ISLAND	12/02/2003	F06	107641								0.0000			26.3169
8	PMR	GLENCORE	PALM BEACH	12/06/2003	F06	148178								0.0000			29.1029
9	PSN	GLENCORE	JACKSONVILLE	12/20/2003	F06	47940								0.0000			27.5641
10	PCC	GLENCORE, LTD	PORT CANAVERAL	12/18/2003	F06	99746								0.0000			27.8535
11	PMR	VPEM	PALM BEACH	12/27/2003	F06	143387								0.0000			27.7489
12	PMT	VPEM	PORT MANATEE	12/09/2003	F06	148100								0.0000			26.5787
13	PMT	VPEM	PORT MANATEE	12/21/2003	F06	147209								0.0000			27.7757
14	PPE	SHELL	PORT EVERGLADES	12/02/2003	F06	111103								0.0000			25.9242
15	PPE	COASTAL		12/04/2003	F03	14995								0.0000			39.0800
16	PPE	AMERIGAS		12/17/2003	PRO	5	51.5800	258	0	258	51.5800	0.0000	51.5800	0.0000	0.0000	0.0000	51.5800
17	PPE	AMERIGAS		12/31/2003	PRO	16	51.2400	820	0	820	51.2400	0.0000	51.2400	0.0000	0.0000	0.0000	51.2400
18	PPE	AMERIGAS		12/03/2003	PRO	2	48.5200	97	0	97	48.5200	0.0000	48.5200	0.0000	0.0000	0.0000	48.5200
19	PRV	FERRELL		12/01/2003	PRO	2	45.5500	91	0	91	45.5500	0.0000	45.5500	0.0000	0.0000	0.0000	45.5500
20	PRV	FERRELL		12/05/2003	PRO	4	47.2200	189	0	189	47.2200	0.0000	47.2200	0.0000	0.0000	0.0000	47.2200
21	PRV	FERRELL		12/08/2003	PRO	4	45.4900	182	0	182	45.4900	0.0000	45.4900	0.0000	0.0000	0.0000	45.4900
22	PRV	FERRELL		12/12/2003	PRO	3	49.2600	148	0	148	49.2600	0.0000	49.2600	0.0000	0.0000	0.0000	49.2600
23	PRV	FERRELL		12/19/2003	PRO	7	50.3400	352	0	352	50.3400	0.0000	50.3400	0.0000	0.0000	0.0000	50.3400
24	PRV	FERRELL		12/26/2003	PRO	7	49.8000	349	0	349	49.8000	0.0000	49.8000	0.0000	0.0000	0.0000	49.8000
25	PMR	INDIANTOWN		12/12/2003	-PRO	15	35.3600	530	0	530	35.3600	0.0000	35.3600	0.0000	0.0000	0.0000	35.3600
26	PMT	SUBURBAN		12/12/2003	PRO	3	45.7600	137	0	137	45.7600	0.0000	45.7600	0.0000	0.0000	0.0000	45.7600



MONTHLY REPORT OF COST AND QUALITY OF FUEL OIL FOR ELECTRIC PLANTS  
 DETAIL OF INVOICE AND TRANSPORTATION CHARGES

FPSC FORM NO. 423-1 (a)

1. REPORTING MONTH: DEC YEAR: 2003

2. REPORTING COMPANY: FLORIDA POWER LIGHT COMPANY

3. NAME, TITLE TELEPHONE NUMBER OF CONTACT PERSON CONCERNING DATA  
 SUBMITTED ON THIS FORM: KORY DUBIN, REGULATORY AFFAIRS, (305) 552-4910.

4. SIGNATURE OF OFFICIAL SUBMITTING REPORT: *Kory Dubin*

5. DATE COMPLETED: 02/09/2004

(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)	(I)	(J)	(K)	(L)	(M)	(N)	(O)	(P)	(Q)	(R)
LINE NO.	PLANT	SUPPLIER	DELIVERY LOCATION	DELIVERY DATE	TYPE OIL	VOLUME (BBL)	INVOICE PRICE (\$/BBL)	INVOICE AMOUNT (\$)	DISCOUNT (\$)	NET AMOUNT (\$)	NET PRICE (\$/BBL)	QUALITY ADJUST. (\$/BBL)	EFFECTIVE PUR PRICE (\$/BBL)	TRANSP TO TERM (\$/BBL)	ADDITIONAL TRANS CHGS (\$/BBL)	OTHER CHGS (\$/BBL)	DELIVERED PRICE (\$/BBL)
27	PSN	SUBURBAN		12/18/2003	PRO	5	46.3000	232	0	232	46.3000	0.0000	46.3000	0.0000	0.0000	0.0000	46.3000

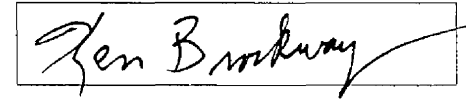
**MONTHLY REPORT OF COST AND QUALITY OF COAL FOR ELECTRIC PLANTS  
ORIGIN, TONNAGE, DELIVERED PRICE AND AS RECEIVED QUALITY**

1. Report For Month/Yr: **December 2003**

4. Name, Title & Telephone Number of Contact  
Person Concerning Data Submitted on this Form: **Korel M. Dubin (305-552-4910)**

2. Reporting Company: **Florida Power & Light**

5. Signature of Official Submitting Report:



3. Plant Name: **St. Johns River Power Park (SJRPP)**

6. Date Completed: **January 12, 2004**

Line No.	Supplier Name	Mine Location	Purchase Type	Transportation Mode	Tons	Effective Purchase Price (\$/Ton)	Total Trans Cost (\$/Ton)	FOB Plant Price (\$/Ton)	As Received Coal Quality			
									Sulfur Content (%)	Btu Content (%)	Ash Content (%)	Moisture Content (%)
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)	(k)	(l)	(m)
1	Coal Marketing Company	45,IM,999	LTC	OC	28,843			35.38	0.64	11,717	7.80	11.39
2	DTE Clover, LLC	08,KY,095	LTC	UR	14,427			39.54	1.10	12,643	8.94	6.83

**EDITED COPY**

**NOTES: 1) SJRPP reported coal volumes represents FPL's 20% share of total receipts.**


**DETAIL OF INVOICE PURCHASE PRICE**

1. Report For Month/Yr: **December 2003**

4. Name, Title & Telephone Number of Contact  
 Person Concerning Data Submitted on this Form: **Korel M. Dubin (305-552-4910)**

2. Reporting Company: **Florida Power & Light**

5. Signature of Official Submitting Report:



3. Plant Name: **St. Johns River Power Park (SJRPP)**

6. Date Completed:

**January 12, 2004**

Line No.	Supplier Name	Mine Location	Purchase Type	Tons	FOB Mine Price (\$/Ton)	Short Haul & Loading Charge	Original Invoice Price (\$/Ton)	Retro-active Price Increases (\$/Ton)	Base Price (\$/Ton)	Quality Adjustments (\$/Ton)	Effective Purchase Price (\$/Ton)
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)	(k)	(l)
1	Coal Marketing Company	45,IM,999	LTC	28,843		0.00		0.00		0.00	
2	DTE Clover, LLC	08,KY,095	LTC	14,427		0.00		0.00		0.00	

**EDITED COPY**

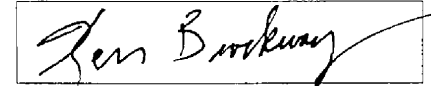
MONTHLY REPORT OF COST AND QUALITY OF COAL FOR ELECTRIC PLANTS  
 DETAIL OF TRANSPORTATION CHARGES

1. Report For Month/Yr: **December 2003**

4. Name, Title & Telephone Number of Contact  
 Person Concerning Data Submitted on this Form: **Korel M. Dubin (305-552-4910)**

2. Reporting Company: **Florida Power & Light**

5. Signature of Official Submitting Report:



3. Plant Name: **St. Johns River Power Park (SJRPP)**

6. Date Completed: **January 12, 2004**

Line No.	Supplier Name	Mine Location	Shipping Point	Transportation Mode	Tons	Effective Purchase Price (\$/Ton)	Short Haul & Loading Charge (\$/Ton)	Rail Charges		Waterborne Charges					Total Transport Charges (\$/Ton)	FOB Plant Price (\$/Ton)
								Rail Rate (\$/Ton)	Other Rail Charges (\$/Ton)	River Barge Rate (\$/Ton)	Trans-loading Rate (\$/Ton)	Ocean Barge Rate (\$/Ton)	Other Water Charges (\$/Ton)	Related Charges (\$/Ton)		
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)	(k)	(l)	(m)	(n)	(o)	(p)	(q)
1	Coal Marketing Company	45,IM,999	EL CERREJON	OC	28,843		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		35.38
2	DTE Clover, LLC	08,KY,095	CLOVER DTE	UR	14,427		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		39.54

**EDITED COPY**

ATTACHMENT C

Docket No. 040001-EI  
December 2003

**Justification for Confidentiality of December 2003 Report:**

<u>FORM</u>	<u>LINE(S)</u>	<u>COLUMN</u>	<u>RATIONALE</u>
423-1(a)	1 - 15	H	(1)
423-1(a)	1 - 15	I	(2)
423-1(a)	1 - 15	J	(2), (3)
423-1(a)	1 - 15	K	(2)
423-1(a)	1 - 15	L	(2)
423-1(a)	1 - 15	M	(2), (4)
423-1(a)	1 - 15	N	(2), (5)
423-1(a)	1 - 15	P	(6), (7), (8)
423-1(a)	1 - 15	Q	(6), (7), (8)

-----  
**Rationale for confidentiality:**

- (1) This information is contractual information which, if made public, "would impair the efforts of [FPL] to contract for goods or services on favorable terms." Section 366.093(3)(d), Fla. Stat. The information delineates the price per barrel FPL has paid for fuel oil for specific shipments from specific suppliers. This information would allow suppliers to compare an individual supplier's price with the market quote for that date of delivery and thereby determine the contract pricing formula between FPL and that supplier.

Contract pricing formulas generally contain two components, which are: (1) a markup in the market quoted price for that day; and (2) a transportation charge for delivery at an FPL chosen port of delivery. Discounts and quality adjustment components of fuel price contract formulas are discussed in paragraphs 3 and 4. Disclosure of the invoice price would allow suppliers to determine the contract price formula of their competitors. The knowledge of others' prices (*i.e.*, contract formulas) among fuel oil suppliers is reasonably likely to cause the suppliers to converge on a target price, or to follow a price leader, effectively eliminating any opportunity for a major buyer like FPL to obtain price concessions from any one supplier. The end result is reasonably likely to be increased fuel oil prices and therefore increased electric rates.

- (2) The contract data found in Columns I through N are an algebraic function of Column H. That is, the publication of these Columns together, or independently, could allow a supplier to derive the invoice price of oil.
- (3) If FPL fuel contracts provide for an early payment incentive in the form of a discount from the invoice price, the existence and amount of such discount is confidential for the reasons stated in paragraph (1) relative to price concessions.
- (4) For fuel that does not meet contract requirements, FPL may reject the shipment, or accept the shipment and apply a quality adjustment. This is, in effect, a pricing term which is as important as the price itself and is therefore confidential for the reasons stated in paragraph (1) relative to price concessions.
- (5) Column N is as important as H from a confidentiality standpoint because of the relatively few times that there are quality or discount adjustments. That is, Column N will equal Column H most of the time. Consequently, Column N needs to be protected for the same reasons as set forth in paragraph (1).
- (6) Column R is used to mask the delivered price of fuel such that the invoice or effective price of fuel cannot be determined. Columns P and Q are algebraic variables of Column R. Consequently, disclosure of Columns P and Q would allow a supplier to calculate the invoice or effective purchase price of oil (Columns H and N) by subtracting these columnar variables from Column R.
- (7) Terminaling and transportation services in Florida tend to have the same, if not more severe, oligopolistic attributes of fuel oil suppliers. Due to the small demand in Florida for both of these services, market entry is difficult. In instances in which FPL has attempted to determine the level of interest in bidding either or both of these services, FPL has found only a very few qualified parties with such an interest. Consequently,

disclosure of these contract data is reasonably likely to result in increased prices for terminaling and transportation services.

Petroleum inspection services also have the market characteristics of an oligopoly. Due to the limited number of fuel terminal operations, there are correspondingly few requirements for fuel inspection services. In FPL's last bidding process for petroleum inspection services, only six qualified bidders were found for FPL's bid solicitations. Consequently, disclosure of these contract data is reasonably likely to result in increased prices for petroleum inspection services.

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**Justification for Confidentiality of December 2003 Report:**

<u>FORM</u>	<u>LINES</u>	<u>COLUMNS</u>	<u>RATIONALE</u>
423-2	1-2	G, H	(1)
423-2	1-2	H	(2)

**Rationale for Confidentiality:**

- (1) Disclosure of the effective purchase price "would impair the efforts of [JEA, acting on its own behalf and as agent for FPL] to contract for goods or services [at the St. Johns River Power Park (SJRPP)] on favorable terms." Section 366.093(3)(d), Fla. Stat. The data informs other potential coal suppliers as to the price SJRPP is paying for coal. Disclosure of this information, which is particularly sensitive given SJRPP's reliance on long term contracts with fixed price provisions or short term spot transactions, could adversely affect FPL's interests in subsequent solicitations for coal and/or in negotiating coal supply agreements. JEA maintains this information as confidential pursuant to section 163.01(15)(m), Fla. Stat. Additionally, providing the purchase price would enable one to ascertain the total transportation charges in Column H by subtracting the effective purchase price from the delivered price at the transfer facility, shown in Column I.
- (2) Disclosure of the total transportation cost "would impair the efforts of [JEA acting on its own behalf and as agent for FPL] to contract for goods or services [at SJRPP] on favorable terms." Section 366.093(3)(d), Fla Stat. Moreover, the service provider itself

typically designates the transportation costs in the contract as confidential. JEA maintains this information as confidential pursuant to section 163.01(15)(m), Fla. Stat. Further, disclosure of this information would enable potential coal suppliers to calculate Column G which FPL seeks to protect by subtracting Column H from Column I.

**Justification for Confidentiality of December 2003 Report:**

<u>FORM</u>	<u>LINE(S)</u>	<u>COLUMN</u>	<u>RATIONALE</u>
423-2(a)	1-2	F	(1)
423-2(a)	1-2	H	(1)
423-2(a)	1-2	J	(1)
423-2(a)	1-2	L	(2)

**Rationale for Confidentiality:**

- (1) The information presented in these columns are algebraic derivations of the information in column L that FPL seeks to protect.
- (2) Disclosure of the effective purchase price "would impair the efforts of [JEA, acting on its own behalf and as agent for FPL] to contract for goods or services [at the St. Johns River Power Park (SJRPP)] on favorable terms." Section 366.093(3)(d), Fla. Stat. The data informs other potential coal suppliers as to the price SJRPP is paying for coal. Disclosure of this information could adversely affect FPL's interests in subsequent solicitations for coal and/or in negotiating coal supply agreements. JEA maintains this information as confidential pursuant to section 163.01(15)(m), Fla. Stat. Additionally, providing the purchase price would enable one to ascertain the total transportation charges in Column H on Form 423-2, which FPL seeks to protect, by subtracting the effective purchase price from the delivered price at the transfer facility shown in Column I on Form 423-2.



**Justification for Confidentiality of December 2003 Report:**

<b>FORM</b>	<b>LINE(S)</b>	<b>COLUMN</b>	<b>RATIONALE</b>
423-2(b)	1-2	G	(1)
423-2(b)	1-2	I	(2)
423-2(b)	1-2	P	(2)

**Rationale for Confidentiality:**

- (1) Disclosure of the effective purchase price "would impair the efforts of [JEA, acting on its own behalf and as agent for FPL] to contract for goods or services [at the St. Johns River Power Park (SJRPP)] on favorable terms." Section 366.093(3)(d), Fla. Stat. The data informs other potential coal suppliers as to the price SJRPP is paying for coal. Disclosure of this information, which is particularly sensitive given SJRPP's reliance on long term contracts with fixed price provisions or short term spot transactions, could adversely affect FPL's interests in subsequent solicitations for coal and/or in negotiating coal supply agreements. JEA maintains this information as confidential pursuant to section 163.01(15)(m), Fla. Stat. Additionally, providing the purchase price would enable one to ascertain the total transportation charges in Column P, which FPL seeks to protect, by subtracting the effective purchase price from the delivered price at the transfer facility shown in Column Q.
- (2) Disclosure of the total transportation cost "would impair the efforts of [JEA acting on its own behalf and as agent for FPL] to contract for goods or services [at SJRPP] on favorable terms." Section 366.093(3)(d), Fla Stat. Moreover, the service provider itself typically designates the transportation costs in the contract as confidential. JEA maintains this information as confidential pursuant to section 163.01(15)(m), Fla. Stat. Further, disclosure of this information would enable potential coal suppliers to calculate Column G which FPL seeks to protect, by subtracting Column P from Column Q.

**Date of Declassification:**

<b>FORM</b>	<b>LINE(S)</b>	<b>COLUMN</b>
423-1(a)	1-3	H – N, P & Q

**Attachment C**  
**Docket No. 040001-EI**  
**December 2003**

423-1(a)	4-7	H - N, P & Q
423-1(a)	8-10	H - N, P & Q
423-1(a)	11-13	H - N, P & Q
423-1(a)	14	H-N, P & Q
423-1(a)	15	H-N, P & Q
423-2	1-2	G, H
423-2(a)	1-2	F, H, & J, L
423-2(b)	1-2	G, I, P

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FPL requests that the confidential information identified above not be disclosed for a period of eighteen (18) months.