



ORIGINAL

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April 23, 2004

RECEIVED-PPSC
APR 23 PM 1:28
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 Word. 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 _____

RECEIVED & FILED

FPSC-BUREAU OF RECORDS

Sincerely,

R. Wade Litchfield

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

DOCUMENT NUMBER-DATE
04816 APR 23 04
FPSC-COMMISSION CLERK

BEFORE THE

FLORIDA PUBLIC SERVICE COMMISSION

In re: Fuel and Purchased Power)
Cost Recovery Clause and Generating)
Performance Incentive Factor)

DOCKET NO. 040001-EI

FILED: April 23, 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 January 2004 Form 423-1(a) and St. Johns River Power Park's (SJRPP) January 2004 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.

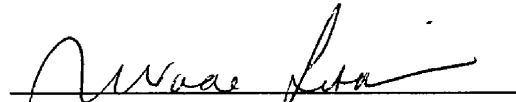
4. The statutory bases and support for FPL's assertion of confidentiality with regard to specific items or types of information are set forth in Attachment C. The information for which confidential classification is sought is intended to be and is treated by FPL as confidential and, to the best of FPL's 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 23rd day of April, 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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Ausley & McMullen
Attorneys for TECO
P.O. Box 391
Tallahassee, Florida 32302

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

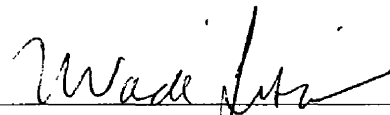
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Florida Power Corporation
P.O. Box 14042
St. Petersburg, Florida 33733

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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

FPSC FORM NO. 423-1 (a)

1. REPORTING MONTH: JAN YEAR: 2004

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: *[Signature]*

5. DATE COMPLETED: 03/23/2004

(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	01/02/2004	F06	119994								0.0000			26 7887
2	PCC	GLENCORE	PORT CANAVERAL	01/23/2004	F06	149125								0.0000			29 3425
3	PRV	GLENCORE	RIVIERA	01/13/2004	F06	83151								0.0000			29.2370
4	PRV	GLENCORE	RIVIERA	01/27/2004	F06	142447								0.0000			29 0780
5	PTF	GLENCORE	FISHER ISLAND	01/02/2004	F06	149430								0.0000			27 8029
6	PTF	GLENCORE	FISHER ISLAND	01/12/2004	F06	66106								0.0000			29.8279
7	PMR	BAKA ENERGY	PALM BEACH	01/14/2004	F06	117834								0.0000			27 1909
8	PMR	BAKA ENERGY	PALM BEACH	01/29/2004	F06	116513								0.0000			27.2609
9	PMR	FAMM	PALM BEACH	01/09/2004	F06	76961								0.0000			27.3359
10	PMR	FAMM	PORT MANATEE	01/31/2004	F06	161320								0.0000			26 3087
11	PRV	FAMM	RIVIERA	01/09/2004	F06	66374								0.0000			27.0900
12	PTF	FAMM	FISHER ISLAND	01/21/2004	F06	159937								0.0000			27.6329
13	PPE	SEMPRA	PORT EVERGLADES	01/30/2004	F06	331676								0.0000			29.1422
14	PFM	ROYAL		01/23/2004	F03	48200								0.0000			35.5042
15	PFM	ROYAL		01/30/2004	F03	8024								0.0000			43.0100
16	PPE	AMERIGAS		01/15/2004	PRO	10	55.5900	556	0	556	55.5900	0.0000	55.5900	0.0000	0.0000	0.0000	55.5900
17	PPE	AMERIGAS		01/29/2004	PRO	5	56.9300	285	0	285	56.9300	0.0000	56.9300	0.0000	0.0000	0.0000	56.9300
18	PTF	AMERIGAS		01/02/2004	PRO	6	52.9400	318	0	318	52.9400	0.0000	52.9400	0.0000	0.0000	0.0000	52.9400
19	PTF	AMERIGAS		01/15/2004	PRO	7	56.1300	393	0	393	56.1300	0.0000	56.1300	0.0000	0.0000	0.0000	56.1300
20	PRV	FERRELL		01/02/2004	PRO	4	50.7900	203	0	203	50.7900	0.0000	50.7900	0.0000	0.0000	0.0000	50.7900
21	PRV	FERRELL		01/09/2004	PRO	6	53.6400	322	0	322	53.6400	0.0000	53.6400	0.0000	0.0000	0.0000	53.6400
22	PRV	FERRELL		01/16/2004	PRO	9	53.9100	485	0	485	53.9100	0.0000	53.9100	0.0000	0.0000	0.0000	53.9100
23	PRV	FERRELL		01/20/2004	PRO	2	53.2000	106	0	106	53.2000	0.0000	53.2000	0.0000	0.0000	0.0000	53.2000
24	PRV	FERRELL		01/23/2004	PRO	2	43.3400	87	0	87	43.3400	0.0000	43.3400	0.0000	0.0000	0.0000	43.3400
25	PRV	FERRELL		01/27/2004	PRO	4	53.8600	215	0	215	53.8600	0.0000	53.8600	0.0000	0.0000	0.0000	53.8600
26	PRV	FERRELL		01/30/2004	PRO	3	52.3100	157	0	157	52.3100	0.0000	52.3100	0.0000	0.0000	0.0000	52.3100

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

FPSC FORM NO. 423-1 (a)

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

1. REPORTING MONTH: JAN YEAR: 2004

4. SIGNATURE OF OFFICIAL SUBMITTING REPORT: 

2. REPORTING COMPANY: FLORIDA POWER LIGHT COMPANY

5. DATE COMPLETED: 03/23/2004

(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)	(I)	(J)	(K)	(L)	(M)	(N)	(O)	(P)	(Q)	(R)
INE 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	PMR	INDIANTOWN		01/20/2004	PRO	13	44.1000	573	0	573	44.1000	0.0000	44.1000	0.0000	0.0000	0.0000	44.1000
28	PCC	SUBURBAN		01/21/2004	PRO	7	50.0700	350	0	350	50.0700	0.0000	50.0700	0.0000	0.0000	0.0000	50.0700
29	PMT	SUBURBAN		01/09/2004	PRO	5	44.5700	223	0	223	44.5700	0.0000	44.5700	0.0000	0.0000	0.0000	44.5700

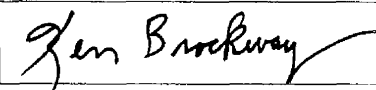
**MONTHLY REPORT OF COST AND QUALITY OF COAL FOR ELECTRIC PLANTS
ORIGIN, TONNAGE, DELIVERED PRICE AND AS RECEIVED QUALITY**

1. Report For Month/Yr: **January 2004**

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

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

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

5. Signature of Official Submitting Report: 

6. Date Completed: **February 11, 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	39,037			36.89	0.49	11,726	7.59	11.38
2	DTE Clover, LLC	08,KY,095	LTC	UR	16,458			46.07	1.17	12,623	9.26	6.51
3	RAG Energy	45,IM,999	S	OC	11,867			35.83	0.79	12,914	6.35	6.87

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

**MONTHLY REPORT OF COST AND QUALITY OF COAL FOR ELECTRIC PLANTS
DETAIL OF INVOICE PURCHASE PRICE**

1. Report For Month/Yr: **January 2004**

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: **February 11, 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	39,037		0.00		0.00		0.00	
2	DTE Clover, LLC	08,KY,095	LTC	16,458		0.00		0.00		0.00	
3	RAG Energy	45,IM,999	S	11,867		0.00		0.00		0.00	

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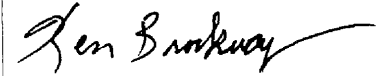
**MONTHLY REPORT OF COST AND QUALITY OF COAL FOR ELECTRIC PLANTS
DETAIL OF TRANSPORTATION CHARGES**

1. Report For Month/Yr: **January 2004**

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: **February 11, 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	39,037		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		36.89
2	DTE Clover, LLC	08,KY,095	CLOVER DTE	UR	16,458		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		46.07
3	RAG Energy	45,IM,999	GUASARE	OC	11,867		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		35.83

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ATTACHMENT C

Docket No. 040001-EI
January 2004

Justification for Confidentiality of January 2004 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.

Justification for Confidentiality of January 2004 Report:

<u>FORM</u>	<u>LINES</u>	<u>COLUMNS</u>	<u>RATIONALE</u>
423-2	1-3	G, H	(1)
423-2	1-3	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 January 2004 Report:

<u>FORM</u>	<u>LINE(S)</u>	<u>COLUMN</u>	<u>RATIONALE</u>
423-2(a)	1-3	F	(1)
423-2(a)	1-3	H	(1)
423-2(a)	1-3	J	(1)
423-2(a)	1-3	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 January 2004 Report:

FORM	LINE(S)	COLUMN	RATIONALE
423-2(b)	1-3	G	(1)
423-2(b)	1-3	I	(2)
423-2(b)	1-3	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:

<u>FORM</u>	<u>LINE(S)</u>	<u>COLUMN</u>
423-1(a)	1	H-N, P & Q
423-1(a)	2-6	H-N, P & Q
423-1(a)	7-8	H-N, P & Q
423-1(a)	9-12	H-N, P & Q
423-1(a)	13	H-N, P & Q
423-1(a)	14-15	H-N, P & Q
423-2	1-3	G, H
423-2(a)	1-3	F, H, & J, L
423-2(b)	1-3	G, I, P

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