



R. Wade Litchfield  
 Senior Attorney  
 Florida Authorized House Counsel  
 Florida Power & Light Company  
 700 Universe Boulevard  
 Juno Beach, FL 33408-0420  
 (561) 691-7135 (Facsimile)

ORIGINAL

COMMISSION  
 CLERK

JUL -7 PM 4:31

RECEIVED-FPSC

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

July 7, 2004

**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.

Sincerely,

R. Wade Litchfield

- CMP \_\_\_\_\_
- COM \_\_\_\_\_
- CTR \_\_\_\_\_
- ECR   1
- GCL   1
- OPC \_\_\_\_\_
- MMS \_\_\_\_\_
- RCA \_\_\_\_\_
- SCR \_\_\_\_\_
- SEC   1
- OTH   1

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

Doc/423 Fuel Filing/April 2004

an FPL Group company

RECEIVED & FILED

FPSC-BUREAU OF RECORDS

Request  
 DOCUMENT NUMBER-DATE

07397 JUL-7 04

FPSC-COMMISSION CLERK

Confidential  
 DOCUMENT NUMBER-DATE

07398 JUL-7 04

FPSC-COMMISSION CLERK

ORIGINAL

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: July 7, 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 related 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 April 2004 Form 423-1(a) and St. Johns River Power Park's (SJRPP) April 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 7<sup>th</sup> day of July, 2004:

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

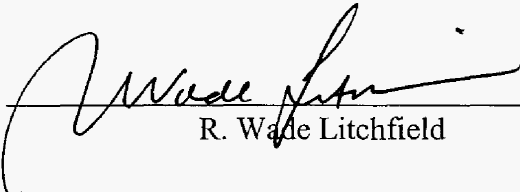
James A. McGee, Esq.  
Florida Power Corporation  
P.O. Box 14042  
St. Petersburg, Florida 33733

Norman H. Horton, Esq.  
Floyd R. Self, Esq.  
Messer, Caparello & Self  
Attorneys for FPUC  
P.O. Box 1876  
Tallahassee, Florida 32302-1876

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  
400 North Tampa Street, Suite 2450  
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



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

FPSC FORM NO. 423-1 (a)

1. REPORTING MONTH: APR 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: 

5. DATE COMPLETED: 06/17/2004

**EDITED COPY**

(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 (BBLs)	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	PMR	BAKA ENERGY	PALM BEACH	04/10/2004	F06	128915								0.0000			29.1509
2	PMR	BAKA ENERGY	PALM BEACH	04/21/2004	F06	130143								0.0000			28.0379
3	PTF	BAKA ENERGY	FISHER ISLAND	04/08/2004	F06	19655								0.0000			29.4409
4	PMT	FAMM	PORT MANATEE	04/19/2004	F06	162979								0.0000			27.9157
5	PPE	FAMM	PORT EVERGLADES	04/24/2004	F06	151223								0.0000			28.5742
6	PTF	GLENCORE	FISHER ISLAND	04/13/2004	F06	147341								0.0000			27.2349
7	PMT	SHELL	PORT MANATEE	04/04/2004	F06	109312								0.0000			26.6917
8	PRV	SHELL	RIVIERA	04/19/2004	F06	107769								0.0000			27.4660
9	PCC	FAMM	PORT CANAVERAL	04/06/2004	F06	165315								0.0000			25.6715
10	PRV	GLENCORE	RIVIERA	04/02/2004	F06	147942								0.0000			25.6220
11	PTF	GLENCORE	FISHER ISLAND	04/26/2004	F06	148315								0.0000			29.3699
12	PPE	AMERIGAS		04/08/2004	PRO	10	48.8100	488	0	488	48.8100	0.0000	48.8100	0.0000	0.0000	0.0000	48.8100
13	PPE	AMERIGAS		04/22/2004	PRO	6	50.1500	301	0	301	50.1500	0.0000	50.1500	0.0000	0.0000	0.0000	50.1500
14	PTF	AMERIGAS		04/13/2004	PRO	7	49.7300	348	0	348	49.7300	0.0000	49.7300	0.0000	0.0000	0.0000	49.7300
15	PRV	FERRELL		04/01/2004	PRO	2	47.7100	95	0	95	47.7100	0.0000	47.7100	0.0000	0.0000	0.0000	47.7100
16	PRV	FERRELL		04/05/2004	PRO	3	47.5000	143	0	143	47.5000	0.0000	47.5000	0.0000	0.0000	0.0000	47.5000
17	PRV	FERRELL		04/08/2004	PRO	3	47.5000	143	0	143	47.5000	0.0000	47.5000	0.0000	0.0000	0.0000	47.5000
18	PRV	FERRELL		04/12/2004	PRO	3	46.7900	140	0	140	46.7900	0.0000	46.7900	0.0000	0.0000	0.0000	46.7900
19	PRV	FERRELL		04/15/2004	PRO	4	47.0600	188	0	188	47.0600	0.0000	47.0600	0.0000	0.0000	0.0000	47.0600
20	PRV	FERRELL		04/19/2004	PRO	2	47.6500	95	0	95	47.6500	0.0000	47.6500	0.0000	0.0000	0.0000	47.6500
21	PRV	FERRELL		04/23/2004	PRO	3	47.6500	143	0	143	47.6500	0.0000	47.6500	0.0000	0.0000	0.0000	47.6500
22	PRV	FERRELL		04/26/2004	PRO	3	47.8500	144	0	144	47.8500	0.0000	47.8500	0.0000	0.0000	0.0000	47.8500
23	PRV	FERRELL		04/30/2004	PRO	2	47.8500	96	0	96	47.8500	0.0000	47.8500	0.0000	0.0000	0.0000	47.8500
24	PMR	INDIANTOWN		04/13/2004	PRO	14	44.1000	617	0	617	44.1000	0.0000	44.1000	0.0000	0.0000	0.0000	44.1000
25	PCC	SUBURBAN		04/15/2004	PRO	6	47.4600	285	0	285	47.4600	0.0000	47.4600	0.0000	0.0000	0.0000	47.4600
26	PMT	SUBURBAN		04/21/2004	PRO	2	44.7800	90	0	90	44.7800	0.0000	44.7800	0.0000	0.0000	0.0000	44.7800



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: APR 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: *[Handwritten Signature]*

5. DATE COMPLETED: 06/17/2004

(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	PMT	SUBURBAN		04/26/2004	PRO	8	47.3900	379	0	379	47.3900	0.0000	47.3900	0.0000	0.0000	0.0000	47.3900

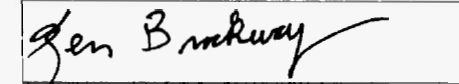
**MONTHLY REPORT OF COST AND QUALITY OF COAL FOR ELECTRIC PLANTS  
ORIGIN, TONNAGE, DELIVERED PRICE AND AS RECEIVED QUALITY**

1. Report For Month/Yr: **April 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:

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	DTE Clover, LLC	08,KY,095	LTC	UR	10,145			49.54	1.19	12,792	8.82	6.05
2	Florida Rock Industries, Inc.	45,FL,999	S	TR	515			38.00	0.92	12,272	10.72	6.28

**EDITED COPY**

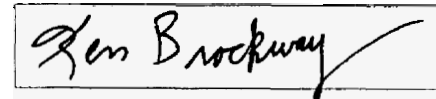
MONTHLY REPORT OF COST AND QUANTITY OF COAL PURCHASES  
**DETAIL OF INVOICE PURCHASE PRICE**

1. Report For Month/Yr: **April 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: **May 14, 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	DTE Clover, LLC	08,KY,095	LTC	10,145		0.00		0.00		0.00	
2	Florida Rock Industries, Inc.	45,FL,999	S	515		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: **April 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: **May 14, 2004**

Short

(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)	(k)	(l)	(m)	(n)	(o)	(p)	(q)
1	DTE Clover, LLC	08,KY,095	CLOVER DTE	UR	10,145		0.00		0.00	0.00	0.00	0.00	0.00	0.00		49.54
2	Florida Rock Industries, Inc.	45,FL,999	NEWBERRY COA	TR	515		0.00		0.00	0.00	0.00	0.00	0.00	0.00		38.00

**EDITED COPY**

**ATTACHMENT C**

**Docket No. 040001-EI  
April 2004**

**Justification for Confidentiality of April 2004 Report:**

<u>FORM</u>	<u>LINE(S)</u>	<u>COLUMN</u>	<u>RATIONALE</u>
423-1(a)	1 - 11	H	(1)
423-1(a)	1 - 11	I	(2)
423-1(a)	1 - 11	J	(2), (3)
423-1(a)	1 - 11	K	(2)
423-1(a)	1 - 11	L	(2)
423-1(a)	1 - 11	M	(2), (4)
423-1(a)	1 - 11	N	(2), (5)
423-1(a)	1 - 11	P	(6), (7), (8)
423-1(a)	1 - 11	Q	(6), (7), (8)

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**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 April 2004 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 April 2004 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 April 2004 Report:**

FORM	LINE(S)	COLUMN	RATIONALE
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><u>LINE(S)</u></b>	<b><u>COLUMN</u></b>
423-1(a)	1 – 3	H-N, P & Q
423-1(a)	4 – 5	H-N, P & Q
423-1(a)	6	H-N, P & Q
423-1(a)	7 – 11	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.