

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

Complaints by Southeastern Utility Services,)
Inc. on behalf of various customers, against)
Florida Power & Light Company concerning)
thermal demand meter error)
_____)

Docket No. 030623-EI

Dated: July 12, 2004

**FLORIDA POWER & LIGHT COMPANY'S
NOTICE OF INTENT TO REQUEST
CONFIDENTIAL CLASSIFICATION**

Pursuant to Rule 25-22.006(3)(a), Florida Administrative Code, Florida Power & Light Company ("FPL") files this Notice of Intent to Request Confidential Classification for certain information provided as part of the prefiled direct testimony and supporting documents of FPL witnesses Rosemary Morley and David Bromley, a redacted version of which is being filed contemporaneously with this Notice in the above-referenced docket.

As specific grounds for FPL's Notice, FPL states as follows:

1. FPL has on this date filed and served, in redacted form, the prefiled testimony and supporting documents of Rosemary Morley and David Bromley. Portions of the testimony and supporting documents comprise confidential, proprietary business information entitled to protection under Section 366.093, Florida Statutes, and Rule 25-22.006, Florida Administrative Code. Specifically, FPL will request confidential treatment for portions of the direct testimony of Rosemary Morley and portions of supporting documents RM No. 1, RM No. 2, and RM No. 3. Additionally, FPL will seek confidential classification for portions of document DB No. 4, appended to the testimony of David Bromley.

2. Pursuant to Rule 25-22.006(3)(a), FPL requests confidential handling of the documents contained in the attached envelope marked "CONFIDENTIAL," the

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highlighted portions of which are the information FPL asserts is confidential. In accordance with that rule, FPL intends to file a formal request for confidential classification no later than August 2, 2004.

3. The proprietary, confidential business information for which FPL intends to request confidential classification consists of customer-specific account information for which FPL has a corporate policy against disclosure, as well as information the disclosure of which could allow someone to arrive at confidential information when coupled with other information that is publicly available. FPL's policy against disclosure of customer-specific account information includes, but is not limited to: customer names, addresses, telephone numbers, account numbers, rates, billing determinants (kW and kWh usage), conservation savings in kW, kWh and billing amounts. FPL treats such information as confidential and does not disclose it, except as required by law, to entities or persons other than the customer absent the customer's permission.

4. FPL's policy is premised upon customers' right to privacy and the potential that the disclosure of customer-specific information may harm some customers' competitive interests or disclose their trade secrets. FPL's customers have affirmed to FPL their interest in having this information maintained confidential. For many of these customers, electric usage is an important part of their production or operating costs. Thus, the disclosure of rate or contract information, as well as consumption levels or patterns, could provide competitors with commercially sensitive information that would afford such competitors an unfair advantage. For others, non-disclosure of the information is simply a matter of privacy. While it may be that the disclosure of such information may be more sensitive for some customers than for others, FPL has not

sought to make a case-by-case determination as to the level of sensitivity or potential harm with respect to disclosing a particular customer's information; rather, in deference to its customers, as a matter of policy, and in the interest of customer privacy, FPL has not disclosed to third parties specific rate and contract information for customers unless required by law or unless the customer consents to such disclosure. This policy is important from both a practical and theoretical standpoint. Customers want the assurance that their information is protected to the same extent as any other customer's. Also, practically speaking, it would be a difficult and perhaps impossible task to make a case-by-case determination as to what level of protection each customer's data may merit.

WHEREFORE, FPL respectfully gives its Notice of Intent to Seek Confidential Classification for portions of the prefiled testimony and supporting documents of FPL witness Rosemary Morley and one prefiled supporting document to the testimony of FPL witness David Bromley.

Respectfully submitted,

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By: _____

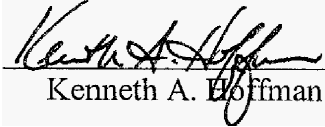

Kenneth A. Hoffman

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of Florida Power & Light Company's Notice of Intent to Request Confidential Classification has been hand-delivered this 12th day of July, 2004, to the following:

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