



Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

-M-E-M-O-R-A-N-D-U-M-

DATE: August 12, 2004

TO: Bureau of Records and Hearing Services (Flynn)

FROM: Division of Regulatory Compliance and Consumer Assistance (Freeman, Vandiver) *F Vandiver*

RE: Docket 040001-EI, Recommendation to return portions of document 04646-04 to FPL

On March 30, 2004, when copies of certain portions of staff's audit report and working papers obtained or prepared during the "FPL Fuel Cost Recovery Clause Audit for the Year Ended December 31, 2003", were delivered to FPL at the audit exit conference, the utility requested that these materials be temporarily exempted from public access in accordance with the provisions of Rule 25-22.006(3)(a)2., Florida Administrative Code (FAC).

On April 19, 2004, FPL filed a request pursuant to Section 366.093, Florida Statutes (F.S), and Rule 25-22.006, FAC, that selected portions of the working papers prepared and filed by the staff as a result of this audit receive confidential classification.

On August 9, 2004, after discussions with the staff, FPL reduced the amount of material requested for confidential treatment. This recommendation reflects that modification.

As part of their modified request, FPL asks that certain sensitive information which no longer supports their request for confidential treatment be removed from that filing.

Document 04645-04, the redacted copy of FPL's filing, has already been released as a public file and therefore it is impractical to modify this document. Document 04646-04 is the copy of the audit report and working papers with all sensitive information highlighted which was submitted by FPL in support of its request for confidential treatment.

- CMP** _____
- COM** _____ The portions of document 04646-04 which no longer support FPL's request for confidentiality
- CTR** _____ are no longer needed and may be returned to FPL.
- ECR** _____
- GCL** _____
- OPC** _____ WP 1, page 7 (audit report); WP 52-5, pages 1 through 9; WP 52-8, pages 1 through 5;
- MMS** _____ WP 52, pages 1 and 6; WP 52-6, pages 1 through 3; WP 52-8/1, page 1
- RCA** _____ WP 52-4, pages 1 through 3; WP 52-7, page 1; *RF*
- SCR** _____ CC: Division of Regulatory Compliance and Consumer Assistance (Welch)
- SEC** _____ Office of General Counsel (Rodan, Vining)
- OTH** *Marg*