

ORIGINAL

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Fuel and purchased power)
cost recovery clause with generating)
performance incentive factor.)
_____)

Docket No. 040001-EI
Dated: October 18, 2004

**FLORIDA POWER & LIGHT COMPANY'S NOTICE
OF INTENT TO SEEK CONFIDENTIAL CLASSIFICATION
(STAFF'S THIRD SET OF INTERROGATORIES
AND FIRST REQUEST FOR PRODUCTION OF DOCUMENTS)**

Pursuant to Section 366.093, Florida Statutes and Rule 25-22.006, Florida Administrative Code, Florida Power & Light Company ("FPL") hereby files this Notice of Intent to Seek Confidential Classification of certain information responsive to Staff's Third Set of Interrogatories and First Request for Production of Documents, and states:

Interrogatories No. 22 and 24 and Request to Produce No. 4 seek discovery of confidential, proprietary business information of FPL. (Copies of Staff's Third Set of Interrogatories and First Request for Production of Documents are attached, to the original only.) Accordingly, FPL hereby gives notice of its intent to seek confidential classification with respect to its responses pursuant to Rule 25-22.006(3)(a), Florida Administrative Code.

Contemporaneously herewith, FPL is serving its responses to Staff's Third Set of Interrogatories and First Request for Production of Documents.

- CMP _____
- COM _____
- CTR _____
- ECR 1
- GCL _____
- OPC _____
- MMS _____
- RCA _____
- SCR _____
- SEC 1
- OTH 1 conf records

This docketed notice of intent was filed with Confidential Document No. 11233-04 The document has been placed in confidential storage pending timely receipt of a request for confidentiality.

DOCUMENT NUMBER-DATE
11232 OCT 19 04
FPSC-COMMISSION CLERK

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Respectfully submitted,

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CERTIFICATE OF SERVICE
Docket Nos. 040001-EI

I HEREBY CERTIFY that a true and correct copy of Florida Power & Light Company's Notice of Intent to Seek Confidential Classification (Staff's Third Set of Interrogatories and First Request for Production of Documents) has been furnished by overnight delivery (*) or United States Mail on this 18th day of October, 2004, to the following:

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