



Natalie F. Smith
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March 22, 2005

VIA HAND DELIVERY

Ms. Blanca S. Bayó, Director
Division of the Commission Clerk and
Administrative Services
Florida Public Service Commission
Betty Easley Conference Center
2540 Shumard Oak Boulevard, Room 110
Tallahassee, FL 32399-0850

**Re: Florida Power & Light Company's Request for Confidential Classification
In re: Petition for rate increase by Florida Power & Light Company – Docket No.
050045-EI**

Dear Ms. Bayó:

Enclosed for filing are the original and seven (7) copies of Florida Power & Light Company's (FPL's) Request for Confidential Classification. FPL seeks confidential treatment for certain information included in minimum filing requirement schedule D-2 being filed in connection with FPL's Petition for rate increase. The original includes Exhibits A, B, C and D. The 7 copies only include Exhibit C.

Exhibit A consists of copies of all documents for which FPL seeks confidential treatment, whether in whole or in part. All information in Exhibit A that FPL asserts is entitled to confidential treatment has been highlighted. Exhibit A is submitted for filing in a separate, sealed folder marked "EXHIBIT A – CONFIDENTIAL." Exhibit B is an edited version of Exhibit A, in which the information FPL asserts is confidential has been redacted. Exhibit C consists of FPL's justification for its Request for Confidential Classification. Exhibit D contains an affidavit in support of FPL's Request for Confidential Classification. Also included in this filing is a computer diskette containing FPL's Request for Confidential Classification and Exhibit C in Word format.

In accord with Rule 25-22.006(3)(d), FPL requests confidential treatment of the information in Exhibit A pending disposition of FPL's Request for Confidential Classification. Please do not hesitate to contact me should you or your Staff have any questions regarding this filing.

Sincerely,

A handwritten signature in black ink, appearing to read 'Natalie F. Smith', is written over a light gray rectangular background.

Natalie F. Smith

NFS:cc
Enclosures
cc: Service List (with enclosures)

DOCUMENT NUMBER-DATE

02783 MAR 22 05

FPSC-COMMISSION CLERK

**BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION**

In re: Petition for rate increase by)
Florida Power & Light Company)
_____)

Docket No: 050045-EI

Filed: March 22, 2005

**FLORIDA POWER & LIGHT COMPANY'S
REQUEST FOR CONFIDENTIAL CLASSIFICATION**

NOW, BEFORE THIS COMMISSION, through undersigned counsel, comes Florida Power & Light Company ("FPL") and, pursuant to Rule 25-22.006, Florida Administrative Code, and Section 366.093 of the Florida Statutes, hereby requests confidential classification of certain portions of Minimum Filing Requirement ("MFR") Schedule D-2 filed in connection with FPL's Petition for Rate Increase. In support of its request, FPL states as follows:

1. The confidential information is contained in portions of MFR Schedule D-2.
2. The following exhibits are included herewith and made a part hereof:
 - a. Exhibit A consists of all documents for which FPL seeks confidential treatment, whether in whole or in part. All information in Exhibit A that FPL asserts is entitled to confidential treatment has been highlighted. Exhibit A is submitted separately in a sealed folder marked "CONFIDENTIAL."
 - b. Exhibit B consists of edited versions of all documents for which FPL seeks confidential treatment. All information for which FPL requests confidential treatment has been redacted in Exhibit B.
 - c. Exhibit C is a table containing a line-by-line and page-by-page identification of the information for which confidential treatment is sought and, with regard to each document or portions thereof, references to the specific statutory basis or bases for the claim of confidentiality

and to the affidavits in support of the requested classification. Exhibit C is sometimes referred to hereinafter as the "Justification Table."

d. Exhibit D includes the affidavit of Kathy A. Beilhart in support of this request.

3. FPL submits that the highlighted information in Exhibit A is proprietary confidential business information within the meaning of section 366.093(3), Florida Statutes. To the best of FPL's knowledge, the highlighted information has not been publicly disclosed. Pursuant to section 366.093, Florida Statutes, such information is entitled to confidential treatment and is 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. As the affidavit of Kathy A. Beilhart indicates, the confidential information consists of projected information about the capital structure of affiliated and consolidated companies. If publicly disclosed, this information would harm the competitive interests of the provider of the information and would trigger Securities and Exchange Commission reporting obligations. This information is protected by Section 366.093(3)(e), Florida Statutes.

5. Upon a finding by the Commission that the material in Exhibit 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 for a period of at least eighteen (18) months and 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, as more fully set forth in the supporting materials and affidavit included herewith, Florida Power & Light Company respectfully requests that its request for confidential classification be granted.

Respectfully submitted,




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Natalie F. Smith
Attorneys for Florida Power & Light
Company
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CERTIFICATE OF SERVICE

I **HEREBY CERTIFY** that a true and correct copy of the foregoing has been furnished by Hand Delivery and UPS Mail this 22nd day of March 2005, to the following:

Florida Public Service Commission Cochran Keating, Esquire 2540 Shumard Oak Blvd. Tallahassee, FL 32399-0850 Hand Delivery	Office of Public Counsel (05) Harold McLean c/o The Florida Legislature 111 W. Madison Street, Room 812 Tallahassee, FL 32399-1400 Hand Delivery
John W. McWhirter, Esq. McWhirter Reeves, Davidson, Kaufman, & Arnold, P.A. 400 North Tampa Street, Suite 2450 Tampa, Florida 33602 Attorneys for the Florida Industrial Power Users Group UPS Mail	Timothy J. Perry, Esq. McWhirter Reeves, Davidson, Kaufman, & Arnold, P.A. 117 South Gadsden Street Tallahassee, Florida 32301 Attorneys for the Florida Industrial Power Users Group UPS Mail
Miami-Dade County Public Schools (*) c/o Jaime Torrens Dist. Inspections, Operations and Emergency Mgt. 1450 N.E. 2nd Avenue Miami, Florida 33132 UPS Mail	D. Bruce May, Jr. (*) Holland & Knight LLP Post Office Drawer 810 Tallahassee, Florida 32302-0810 Attorneys for Miami-Dade County Public Schools UPS Mail

By: 
R. Wade Litchfield
Natalie F. Smith
Attorneys for Florida Power & Light
Company
700 Universe Boulevard
Juno Beach, Florida 33408-0420

"" Indicates interested party

EXHIBIT C

COMPANY: Florida Power & Light Company
TITLE: MFR D-2 List of Confidential Information
DOCKET NO: 050045-EI
IN RE: Petition for Rate Increase by Florida Power & Light Company

Workpaper No.	Description	No. of Pages	Conf Y/N	Line No/Col No.	Florida Statute 366.093(3) Subsection	Affiant
				36.	(e)	