



Natalie F. Smith  
Principal Attorney  
Florida Power & Light Company  
700 Universe Boulevard  
Juno Beach, FL 33408-0420  
(561) 691-7207  
(561) 691-7135 (Facsimile)

February 27, 2006

**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 Second Request for Extension of Confidential Classification Granted by Order No. PSC-04-0841-CFO-EG**

Dear Ms. Bayó:

Enclosed for filing in Docket No. 060002-EG are the original and five (5) copies of Florida Power & Light Company's ("FPL") Second Request for Extension of Confidential Classification Granted by PSC Order No. 04-0841-CFO-EG. Exhibits A, B, and C from the previous filing subject to PSC Order No. 04-0841-CFO-EG are incorporated herein by reference.

Exhibit D contains the Affidavits in support of FPL's Second Request for Extension of Confidential Classification. Also enclosed is a computer diskette containing FPL's Second Request for Extension in Word format. Please 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', written over a horizontal line.

Natalie F. Smith

NFS:ec  
Enclosures

DOCUMENT NUMBER-DATE

01678 FEB 27 06

FPSC-COMMISSION CLERK

**BEFORE THE  
FLORIDA PUBLIC SERVICE COMMISSION**

In the Matter of Florida Power & Light Company's )	
Second Request for Extension of Confidential )	DOCKET NO. 060002-EG
Classification Granted by )	
Order No. PSC-04-0841-CFO-EG )	FILED: February 27, 2006
In Docket No. 040002-EG )	
_____ )	

**SECOND REQUEST FOR EXTENSION  
OF CONFIDENTIAL CLASSIFICATION  
GRANTED BY ORDER NO. PSC-04-0481-CFO-EG**

NOW, BEFORE THE COMMISSION, through undersigned counsel, comes Florida Power & Light Company ("FPL") and, pursuant to rule 25-22.006 of the Florida Administrative Code and section 366.093 of the Florida Statutes, hereby submits its Second Request for Extension of Confidential Classification Granted by Order No PSC-04-0481-CFO-EG of the Florida Public Service Commission ("FPSC" or "Commission"), issued in Docket No. 040002-EG in connection with the Energy Conservation Cost Recovery Audit (Audit Control No. 02-064-4-1) (the "Audit"). In support of its Request, FPL states as follows:

1. Petitioner's name and address are:

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  
Florida Power & Light Company  
Vice President  
215 South Monroe Street, Suite 810  
Tallahassee, Florida 32301-1859  
(850) 521-3910 Telephone  
(850) 521-3939 Facsimile

R. Wade Litchfield, Associate General Counsel  
Natalie F. Smith, Principal Attorney  
Florida Power & Light Company  
700 Universe Boulevard  
Juno Beach, Florida 33408-0420  
(561) 691-7100 Telephone  
(561) 691-7135 Facsimile

DOCUMENT NUMBER-DATE

01678 FEB 27 08

FPSC-COMMISSION CLERK

2. On April 16, 2004, FPL filed with the Commission its First Request for Extension of Confidential Classification of certain materials obtained during the Audit. FPL's initial filing consists of the Request for Confidential Classification and Exhibits A through D.

3. By Order No. PSC-04-0481-CFO-EG, issued August 27, 2004, the Commission granted FPL's First Request for Extension.

4. The period of confidential treatment granted by the Commission will soon expire.

5. The information that was the subject of FPL's October 10, 2002 Amended Request and FPL's First Request for Extension warrants continued treatment as proprietary and confidential business information with the meaning of Section 366.093. Accordingly, FPL hereby submits its Second Request for Extension of Confidential Classification.

6. FPL incorporates herein by reference Exhibits A, B, and C from its October 10, 2002 Amended filing.

7. Included herewith and made a part hereof is Exhibit D. Exhibit D consists of the Affidavits of Ken Getchell and Robert Onsgard which Affidavits shall replace Exhibit D previously filed.

8. 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.

9. The statutory bases for FPL's assertion of confidentiality with regard to each document or portion thereof are set forth in the Justification Table under the column titled "FLORIDA STATUTE 366.093(3)." The letters (a) through (e) refer to subsections of section 366.093(3), as applicable. Support for FPL's Second Request for Extension of Confidential Classification of the referenced material is provided through the affidavits of Ken Getchell and Robert Onsgard. The Justification Table identifies the affiant attesting to the basis for FPL's assertion of confidentiality with regard to each document or portion thereof. The information for which FPL seeks continued confidential classification consists of customer-specific account information. FPL considers such information to be confidential proprietary business information of the customer within the meaning of section 366.093(3) and does not disclose such information to third parties unless required by law or unless the customer consents to the disclosure. The Commission in the past has found customer-specific information to be proprietary confidential business information. Additionally, the highlighted information in Revised Exhibit A also contains business plans and strategies which FPL considers to be confidential proprietary business information, the disclosure of which would impair the competitive business of FPL. Finally, the highlighted information also contains internal audit controls or reports or information relating to same. Such information is entitled to protection under section 366.093(3)(b).

10. As reflected by the renewed affidavits submitted as Exhibit D, nothing has changed since the issuance of Order No. PSC 04-0481-CFO-EG to render the information stale or public such that continued confidential treatment would not be appropriate. Accordingly, FPL requests that the information be accorded confidential classification for an additional eighteen month period. FPL further requests that the information be returned to FPL as soon as it 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 affidavits included herewith or incorporated herein by reference, Florida Power & Light Company respectfully requests that its Second Request for Extension of Confidential Classification be granted.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Natalie F. Smith", written over a horizontal line.

Natalie F. Smith

Attorney for Florida Power & Light Company

700 Universe Boulevard

Juno Beach, Florida 33408-0420

Tel. (561) 691-7207

Fax: (561) 691-7135

**CERTIFICATE OF SERVICE**

I, **THE UNDERSIGNED COUNSEL**, **HEREBY CERTIFY** that a copy of Florida Power & Light Company's Second Request for Confidential Classification without exhibits, has been served via first class mail, postage prepaid to the parties listed below, this 27<sup>th</sup> day of February, 2006:

Katherine E. Fleming, Senior Attorney  
Office of General Counsel  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

Ausley Law Firm  
Lee L. Willis/James D. Beasley  
P.O. Box 391  
Tallahassee, FL 32302

Beggs & Lane Law Firm  
J. Stone/R. Badders/S. Griffin  
P.O. Box 12950  
Pensacola, FL 32591-2950

Florida Industrial Power Users Group  
John W. McWhirter, Jr.  
c/o McWhirter Law Firm  
400 North Tampa Street, Suite 2450  
Tampa, FL 33602

Florida Public Utilities Company  
Cheryl Martin  
P. O. Box 3395  
West Palm Beach, FL 33402-3395

Gulf Power Company  
Ms. Susan D. Ritenour  
One Energy Place  
Pensacola, FL 32520-0780

McWhirter Law Firm  
Timothy J. Perry  
117 South Gadsden Street  
Tallahassee, FL 32301

Messer Law Firm  
Norman H. Horton, Jr.  
P.O. Box 1876  
Tallahassee, FL 32302-1876

Office of Public Counsel  
P. Christensen/C. Beck/J. McGlothlin  
c/o The Florida Legislature  
111 West Madison Street, Room 812  
Tallahassee, FL 32399-1400

Progress Energy Florida, Inc.  
Mr. Paul Lewis, Jr.  
106 East College Avenue, Suite 800  
Tallahassee, FL 32301-7740

Progress Energy Service Company, LLC  
John T. Burnett  
P.O. Box 14042  
St. Petersburg, FL 33733-4042

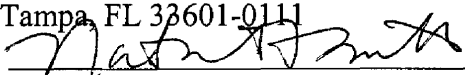
Tampa Electric Company  
Ms. Angela Llewellyn  
Regulatory Affairs  
P. O. Box 111  
Tampa, FL 33601-0111  
  
Natalie F. Smith  
Attorney for Florida Power & Light Company  
700 Universe Boulevard  
Juno Beach, Florida 33408-0420  
Tel. (561) 691-7207  
Fax: (561) 691-7135

EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In the Matter of Florida Power & Light Company's )
Second Request for Extension of Confidential ) DOCKET NO. 060002-EG
Classification Granted by )
Order No. PSC-04-0841-CFO-EG ) FILED: February 27, 2006
In Docket No. 040002-EG )

STATE OF FLORIDA )
) AFFIDAVIT OF ROBERT ONSGARD
MIAMI-DADE COUNTY )

BEFORE ME, the undersigned authority, personally appeared Robert Onsgard who, being first duly sworn, deposes and says:

1. My name is Robert Onsgard. I am currently employed by Florida Power & Light Company ("FPL") as Manager, Internal Auditing. I have personal knowledge of the matters stated in this affidavit.

2. I have reviewed Exhibit C and the documents which are included in Exhibit A to FPL's Request for Confidential Classification of Materials Provided Pursuant to Audit No. 02-064-4-1. The document and materials that I have reviewed and that FPL asserts in Exhibit C to be proprietary confidential business information contain or constitute internal auditing controls and reports of internal auditors or information relating to the same. To the best of my knowledge, FPL has maintained the confidentiality of these documents and materials.

3. Consistent with the provisions of the Florida Administrative Code, such materials should continue to remain confidential for an additional period of not less than 18 months. In addition, they should be returned to FPL as soon as the information is no longer necessary for the Commission to conduct its business so that FPL can maintain the confidentiality of these documents.

4. Affiant says nothing further.

Robert Onsgard (handwritten signature)

SWORN TO AND SUBSCRIBED before me this 22nd day of February 2006, by Robert Onsgard, who is personally known to me or who has produced (type of identification) as identification and who did take an oath.

Marilyn E. Thomas (handwritten signature)
Notary Public, State of Florida

My Commission Expires:
10/12/2008

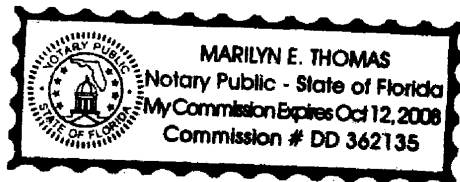


EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In the Matter of Florida Power & Light Company's )
Second Request for Extension of Confidential ) DOCKET NO. 060002-EG
Classification Granted by )
Order No. PSC-04-0841-CFO-EG ) FILED: February 27, 2006
In Docket No. 040002-EG )

STATE OF FLORIDA )
MIAMI-DADE COUNTY )

AFFIDAVIT OF KEN GETCHELL

BEFORE ME, the undersigned authority, personally appeared Ken Getchell who, being first duly sworn, deposes and says:

1. My name is Ken Getchell. I am currently employed by Florida Power & Light Company ("FPL") as a Budget and Regulatory Support Manager. I have personal knowledge of the matters stated in this affidavit.

2. I have reviewed Exhibit C and the documents which are included in Exhibit A to FPL's Request for Confidential Classification of Materials Provided Pursuant to Audit No. 02-064-4-1. The document and materials that I have reviewed and that FPL asserts in Exhibit C to be proprietary confidential business information contain or constitute customer-specific account information. Indeed, FPL has a corporate policy not to disclose customer-specific information. This policy 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 bills. FPL treats such information as confidential and does not disclose it, except as required by law, to entities or persons other than the customer without the permission of the customer. Disclosure of this information may impair FPL's competitive business interests and ability to contract favorably.

3. Consistent with the provisions of the Florida Administrative Code, such materials should continue to remain confidential for an additional period of not less than 18 months. In addition, they should be returned to FPL as soon as the information is no longer necessary for the Commission to conduct its business so that FPL can maintain the confidentiality of these documents.

4. Affiant says nothing further.

[Handwritten signature of Ken Getchell]
Ken Getchell

SWORN TO AND SUBSCRIBED before me this 22nd day of February 2006, by Ken Getchell, who is personally known to me or who has produced (type of identification) as identification and who did take an oath.

[Handwritten signature of Katherine A. Moeckel]
Notary Public, State of Florida
Katherine A Moeckel
My Commission DD154711
Expires December 20, 2006

My Commission Expires:
December 20, 2006