

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition of Florida Power & Light Company to recover costs of natural gas storage project.)
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Docket No. 060362-EI
Filed: April 28, 2006

FLORIDA POWER AND LIGHT COMPANY'S REQUEST FOR
CONFIDENTIAL CLASSIFICATION OF GAS STORAGE CONTRACT
INFORMATION

Florida Power & Light Company ("FPL"), pursuant to Rule 25-22.006, F.A.C., and Section 366.093, Florida Statutes, requests confidential classification of certain information on gas storage contract information that is contained in the Affidavit of Gerard Yupp, including Attachments 2 and 3 to the Affidavit (the "Gas Storage Contract Information"). In support of its Request, FPL states as follows:

1. Contemporaneously with this request, FPL is filing the Affidavit of Gerard Yupp, including Attachments 2 and 3 to the Affidavit containing Gas Storage Contract Information. This Request is intended to request confidential classification of the Gas Storage Contract Information consistent with Rule 25-22.006.

2. The following exhibits are included with this Request:

a. Exhibit A consists of a copy of the Affidavit of Gerard Yupp, including Attachments 2 and 3 to the Affidavit, in which all of the Gas Storage Contract Information has been highlighted. Exhibit A is submitted separately in a sealed folder marked "CONFIDENTIAL."

b. Composite Exhibit B consists of two copies of the Affidavit of Gerard Yupp, including Attachments 2 and 3 to the Affidavit in which all of the Gas Storage Contract Information has been redacted.

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c. Exhibit C is a table containing a line-by-line and page-by-page identification of Gas Storage Contract Information, together with references to the specific statutory basis for the claim of confidentiality and to the affidavit in support of the requested classification.

d. Exhibit D consists of an affidavit of Mr. Yupp attesting to the asserted bases for confidential classification. Mr. Yupp is the Director of Wholesale Operations in FPL's Energy Marketing and Trading Division.

3. FPL seeks confidential protection for the Gas Storage Contract Information because it comprises trade secrets of FPL, which allow FPL to contract for gas storage on favorable terms for FPL and its customers. Disclosure of this information would impair the competitive interests of FPL and Falcon Gas Storage Incorporated, as well as FPL's ability to contract on favorable terms, to the detriment of FPL and its customers. *See* § 366.093(3)(d) and (e), Fla. Stat (2005).

4. FPL submits that the highlighted Gas Storage Contract Information is proprietary confidential business information within the meaning of Section 366.093(3). Pursuant to Section 366.093, such information is entitled to confidential treatment and is exempt from the disclosure provisions of the public records law.

5. The Gas Storage Contract Information in Exhibit A is intended to be and is treated by FPL as private, and its confidentiality has been maintained.

6. Upon a finding by the Commission that the Gas Storage Contract Information in Exhibit A 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 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, FPL respectfully requests confidential classification of the Gas Storage Contract Information.

Respectfully submitted,

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