



Florida Power & Light Company, 215 S. Monroe St., Suite 810, Tallahassee, FL 32301

ORIGINAL

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

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COMMISSION CLERK

April 28, 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

060001-EI

Re: Florida Power & Light Company's Second Request for Extension of Confidential Classification Granted by Order No. PSC-04-1057-CFO-EI

Dear Ms. Bayó:

Enclosed for filing in Docket No. 060001-EI are the original and two (2) copies of Florida Power & Light Company's ("FPL") Second Request for Extension of Confidential Classification Granted by PSC Order No. 04-1057-CFO-EI. Exhibits A, B, and C from the previous filing subject to PSC Order No. 04-1057-CFO-EI 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,

Natalie F. Smith
for Natalie F. Smith

- CMP _____
- COM _____
- CTR _____
- ECR _____ NFS:ec Enclosures
- GCL
- OPC _____
- RCA
- SCR _____
- SGA _____
- SEC
- OTH *1 comp records*

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(FOR CONF. DNS
06362-02 & 06955-02)

DOCUMENT NUMBER-DATE
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FPSC-COMMISSION CLERK

ORIGINAL

**BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION**

In re: Fuel and Purchased Power)
Cost Recovery Clause and Generating)
Performance Incentive Factor)
_____)

DOCKET NO. 060001-EI

FILED: April 28, 2006

**SECOND REQUEST
FOR EXTENSION OF CONFIDENTIAL CLASSIFICATION
GRANTED BY ORDER NO. PSC-04-1057-CFO-EI ISSUED IN DOCKET NO. 040001-EI**

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-04-1057-CFO-EI of the Florida Public Service Commission ("FPSC" or "Commission"), issued in Docket No. 040001-EI in connection with FPL's Capacity Cost Recovery Clause Audit Control No. 02-044-4-1) (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

03761 APR 28 06

FPSC-COMMISSION CLERK

2. On April 19, 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-04-1057-CFO-EI, issued October 28, 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 August 29, 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 its July 8, 2002 Request, including Exhibit A, B, C and D as well as the Revised Exhibit C filed on August 29, 2002.

7. Included herewith and made a part hereof is Exhibit D. Exhibit D consists of the Affidavits of Osvaldo J. Lom and Gerard J. Yupp 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 Osvaldo J. Lom and Gerard J. Yupp. 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 primarily of contracts and contractual data such as pricing and other terms, customer names and related information, payment records and contractor rates. Disclosure of this information would impair the efforts of FPL to contract for services on favorable terms and/or would impair the competitive interests of the providers of the information. This information also relates to competitive interests, the disclosure of which would impair the competitive business of the provider of the information. Finally, the information also contains sensitive, proprietary bank account information, the disclosure of which may cause harm to FPL's business operations. The statutory bases for FPL's assertion of confidentiality with regard to each document or portion thereof are set forth in the Revised Justification Table.

10. As reflected by the renewed affidavits submitted as Exhibit D, nothing has changed since the issuance of Order No. PSC 04-1057-CFO-EI 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,



ts 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 28th day of April, 2006:

Wm. Cochran Keating VI, Esq. Division of
Legal Services
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850

AARP(Twomey)
c/o Mike B. Twomey
P. O. Box 5256
Tallahassee, FL 32314-5256

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

Federal Executive Agencies
Lt. Col. K. White/Capt. D. Williams
c/o AFLSA/JACL-ULT
139 Barnes Drive, Suite 1
Tyndall AFB, FL 32403-5319

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

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

Young Law Firm
R. Scheffel Wright/John LaVia
225 South Adams Street, Suite 200
Tallahassee, FL 32301

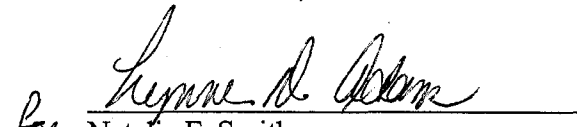

for Natalie F. Smith
Attorney for Florida Power & Light Company
700 Universe Boulevard
Juno Beach, Florida 33408-0420
Tel. (561) 691-7207
Fax: (561) 691-7135

EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Florida Power & Light Company's)	
First Request for Extension of Confidential)	DOCKET NO. 060001-EI
Classification Granted by)	
Order No. PSC-04-1060-CFO-EI)	FILED: April 28, 2006
In Docket No. 040001-EI)	
Of Certain Materials Obtained Pursuant to)	
Audit No. 04-022-4-1)	

STATE OF FLORIDA)
)
 PALM BEACH COUNTY) **AFFIDAVIT OF GERARD J. YUPP**

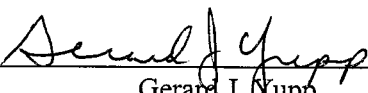
BEFORE ME, the undersigned authority, personally appeared Gerard J. Yupp who, being first duly sworn, deposes and says:

1. My name is Gerard J. Yupp. I am currently employed by Florida Power & Light Company ("FPL") as Director of Wholesale Operations in the Energy Marketing and Trading Division. 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 Information Obtained in Connection with Audit No. 04-022-4-1. The documents or materials that I have reviewed and which are asserted by FPL to be proprietary confidential business information contain or constitute contractual data such as pricing and other terms, payment records, and vendor and supplier rates, the disclosure of which would impair the efforts of FPL to contract for goods and services on favorable terms for the benefit of its customers and would impair the competitive interests of FPL and its vendors. Certain of the information would also place FPL at a disadvantage when coupled with other information that is publicly available.

3. No significant changes have occurred since the issuance of Order No. PSC-04-1060-CFO-EI to render the information stale or public such that continued confidential treatment would not be appropriate. Accordingly, the information referred to in this affidavit should continue to be maintained as confidential for an additional period of not less than eighteen months. In addition, these materials 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 continue to maintain the confidentiality of these documents.

4. Affiant says nothing further.



 Gerard J. Yupp

SWORN TO AND SUBSCRIBED before me this 26th day of April 2006, by Gerard J. Yupp, who is personally known to me or who has produced personally known (type of identification) as identification and who did take an oath.



 Notary Public, State of Florida

My Commission Expires: 7/17/08

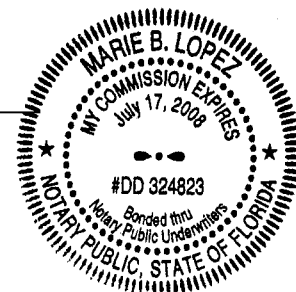


EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Florida Power & Light Company's)	
Second Request for Extension of Confidential)	DOCKET NO. 060001-EI
Classification Granted by)	
Order No. PSC-04-1057-CFO-EI)	FILED: April 28, 2006
In Docket No. 040001-EI)	
Of Certain Materials Obtained Pursuant to)	
Audit No. 02-044-4-1)	

STATE OF FLORIDA)	
)	AFFIDAVIT OF OSVALDO J. LOM
MIAMI-DADE COUNTY)	

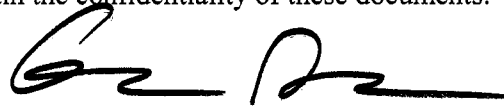
BEFORE ME, the undersigned authority, personally appeared Osvaldo J. Lom who, being first duly sworn, deposes and says:

1. My name is Osvaldo J. Lom. I am currently employed by Florida Power & Light Company ("FPL") as Supervisor of Purchased Power Contracts. 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 Information Obtained in Connection with Audit No. 02-044-4-1. The document and materials that I have reviewed and that FPL asserts in Exhibit C to be proprietary confidential business information contain or constitute sensitive, proprietary bank account information and/or contract related information. Disclosure of this information may cause harm to FPL's business operations and/or may impair FPL's competitive business interests and ability to contract on favorable terms. To the best of my knowledge, FPL has maintained the confidentiality of these documents and materials.

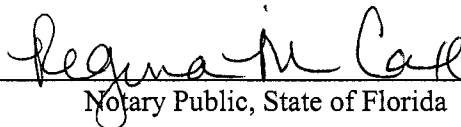
3. No significant changes have occurred since the issuance of Order No. PSC-04-1057-CFO-EI to render the information stale or public such that continued confidential treatment would not be appropriate. Accordingly, the information referred to in this affidavit should continue to be maintained as confidential for an additional period of not less than eighteen months. In addition, these materials 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 continue to maintain the confidentiality of these documents.

4. Affiant says nothing further.



Osvaldo J. Lom

SWORN TO AND SUBSCRIBED before me this 25 day of April 2006, by Osvaldo J. Lom, who is personally known to me or who has produced _____ (type of identification) as identification and who did take an oath.



 Notary Public, State of Florida

My Commission Expires:

