



ORIGINAL

R. Wade Litchfield
Associate General Counsel
Regulatory
Florida Power & Light Company
700 Universe Boulevard
Juno Beach, FL 33408-0420
(561) 691-7101
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RECEIVED-FPSC

06 DEC -6 AM 11:14

COMMISSION
CLERK

December 5, 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, Room 110
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

**Re: Florida Power & Light Company's Request for Confidential Classification of
Certain Material Provided in Connection with the Monthly Fuel Filings
Docket No. 060001-EI**

Dear Ms. Bayó:

I enclose and hand you herewith for filing in the above-referenced matter, the original and five (5) copies of Florida Power & Light Company's ("FPL") Request for Confidential Classification. The original includes Attachments A, B, and C. The five copies include only Attachments B and C.

Attachment A contains the confidential information that is the subject of FPL's Request for Confidential Classification. Attachment A is submitted for filing in a separate, sealed folder or carton marked "**ATTACHMENT A - CONFIDENTIAL**". Attachment B is an edited version of Attachment A, in which the information FPL asserts is confidential has been blocked out. Attachment C contains FPL's justification for its request for confidential classification.

In accordance with Rule 25-22.006(3)(d), FPL requests confidential treatment of the information in Attachment A pending disposition of FPL's request for Confidential Classification.

Also included herewith is a computer diskette containing FPL's Request for Confidential Classification and Attachment C, in Word. Please contact me should you or your Staff have any questions regarding this filing.

Sincerely,

R. Wade Litchfield

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

RWL/ec
Enclosures
cc: Service List (w/out Attachment A)
Doc/423 Fuel Filing/May 2006
an FPL Group company

RECEIVED & FILED

FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE

11184 DEC-6 g

FPSC-COMMISSION CLERK

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: December 5, 2006

REQUEST FOR CONFIDENTIAL CLASSIFICATION

NOW, BEFORE THIS COMMISSION, through undersigned counsel, comes Florida Power & Light Company ("FPL") and, pursuant to section 25-22.006 of the Florida Administrative Code and section 366.093 of the Florida Statutes, hereby requests confidential classification of certain information on Florida Public Service Commission ("FPSC" or "Commission") Forms 423-1(a), 423-2, 423-2(a) and 423-2(b) submitted in Docket No. 060001-EI. In support of its Request, FPL states as follows:

1. Petitioner's principal business address is as follows:

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
Vice President
Florida Power & Light Company
212 South Monroe Street, Suite 810
Tallahassee, FL 32301-1859
(850) 521-3900
(850) 521-3939 Fax

R. Wade Litchfield
Associate General Counsel
Regulatory
Florida Power & Light Company
700 Universe Boulevard
Juno Beach, FL 33408-0420
(561) 691-7101
(561) 691-7135 Fax

2. The following attachments are included herewith and made a part hereof:

- a. Attachment A includes the complete and unedited version of FPL's May, 2006 Form 423-1(a) and St. Johns River Power Park's (SJRPP) May, 2006 Forms 423-2, 423-2(a) and 423-2(b) which contain certain information that FPL asserts should be accorded confidential treatment. The information in Attachment A for which FPL seeks confidential classification has been highlighted. Attachment A is submitted separately in a sealed envelope marked "**CONFIDENTIAL.**"
- b. Attachment B is the edited version of Attachment A. All information that FPL asserts is entitled to confidential treatment has been blocked out in Attachment B.
- c. Attachment C identifies information for which confidential treatment is sought and, with regard to each item or type of information, contains a brief statement that explains the need for confidentiality and refers to the specific statutory basis or bases for the request.

3. Pursuant to section 366.093, FPL seeks confidential protection for the information highlighted in Attachment A. 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.

4. The statutory bases and support for FPL's assertion of confidentiality with regard to specific items or types of information are set forth in Attachment C. The information for which confidential classification is sought is intended to be and is treated by FPL as confidential and, to the best of FPL's knowledge and belief, has not been publicly disclosed.

5. Upon a finding by the Commission that the material in Attachment 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 until the end of the minimum protective period allowed for by law, or as otherwise extended by the Commission. Further, the materials 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, including those set forth in the supporting materials included herewith, Florida Power & Light Company respectfully requests that its Request for Confidential Classification be granted.

Respectfully submitted,



R. WADE LITCHFIELD
Associate General Counsel
Attorney for Florida Power & Light Company
700 Universe Boulevard
Juno Beach, Florida 33408-0420
Tel.: (561) 691-7101
Fax: (561) 691-7135

CERTIFICATE OF SERVICE

I, THE UNDERSIGNED COUNSEL, HEREBY CERTIFY that a copy of Florida Power & Light Company's Request for Confidential Classification, without Attachment A, has been served via first class mail, postage prepaid to the parties listed below, this 5th day of December, 2006:

Lisa Bennett, Esq.
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

G. Sasso/J. Walls/D. Triplett
Carlton Fields Law Firm
P.O. Box 3239
Tampa, FL 33601-3239

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

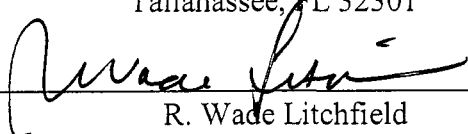
Messer Law Firm
Norman H. Horton, Jr.
P.O. Box 1876
Tallahassee, FL 32302-1876

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

Office of the Attorney General
C. Crist/J. Shreve/C. Bradley
The Capitol – PL01
Tallahassee, FL 32399

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

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


R. Wade Litchfield

ATTACHMENT "A"

FPL'S FPSC FORM 423-1(a)

SJRPP'S FPSC FORMS

423-2

423-2 (a)

423-2 (b)

CONFIDENTIAL
FILED UNDER SEPARATE COVER

ATTACHMENT “B”

**EDITED VERSION
FPL’S FPSC FORM 423-1(a)
SJRPP’S FPSC FORMS
423-2
423-2 (a)
423-2 (b)**

MONTHLY REPORT OF COST AND QUALITY OF FUEL OIL FOR ELECTRIC PLANTS
 DETAIL OF INVOICE AND TRANSPORTATION CHARGES

FPSC FORM NO. 423-1 (a)

1. REPORTING MONTH: MAY YEAR: 2006

2. REPORTING COMPANY: FLORIDA POWER LIGHT COMPANY

3. NAME, TITLE TELEPHONE NUMBER OF CONTACT PERSON CONCERNING DATA
 SUBMITTED ON THIS FORM: KORY DUBIN, REGULATORY AFFAIRS, (305) 552-4910.

4. SIGNATURE OF OFFICIAL SUBMITTING REPORT: *[Signature]*

5. DATE COMPLETED: 07/18/2006

EDITED COPY

(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)	(I)	(J)	(K)	(L)	(M)	(N)	(O)	(P)	(Q)	(R)
LINE NO.	PLANT	SUPPLIER	DELIVERY LOCATION	DELIVERY DATE	TYPE OIL	VOLUME (BBLs)	INVOICE PRICE (\$/BBL)	INVOICE AMOUNT (\$)	DISCOUNT (\$)	NET AMOUNT (\$)	NET PRICE (\$/BBL)	QUALITY ADJUST. (\$/BBL)	EFFECTIVE PUR PRICE (\$/BBL)	TRANSP TO TERM (\$/BBL)	ADDITIONAL TRANS CHGS (\$/BBL)	OTHER CHGS (\$/BBL)	DELIVERED PRICE (\$/BBL)
1	PMT	SHELL	PORT MANATEE	05/12/2006	F06	172267								0.0000			50.7957
2	PMT	SHELL	PORT MANATEE	05/19/2006	F06	174816								0.0000			50.7957
3	PMR	CONOCO	PALM BEACH	05/08/2006	F06	107861								0.0000			52.5779
4	PMR	CONOCO	PALM BEACH	05/17/2006	F06	107855								0.0000			52.5779
5	PTF	CONOCO	FISHER ISLAND	05/26/2006	F06	46068								0.0000			53.0729
6	PCC	CONOCO	PORT CANAVERAL	05/29/2006	F06	62066								0.0000			52.8465
7	PMT	GLENOCORE	PORT MANATEE	05/20/2006	F06	298101								0.0000			51.2357
8	PRV	GLENOCORE	RIVIERA	05/09/2006	F06	147508								0.0000			53.5120
9	PTF	GLENOCORE	FISHER ISLAND	05/22/2006	F06	83014								0.0000			54.1029
10	PMR	SEMPRA	PALM BEACH	05/10/2006	F06	147561								0.0000			53.6979
11	PMT	SEMPRA	PORT MANATEE	05/23/2006	F06	148522								0.0000			52.8457
12	PMR	SHELL	PALM BEACH	05/14/2006	F06	135229								0.0000			51.2979
13	PMR	SHELL	PALM BEACH	05/31/2006	F06	120482								0.0000			51.2979
14	PPE	SHELL	PORT EVERGLADES	05/23/2006	F06	131365								0.0000			50.8042
15	PPE	VITOL	PORT EVERGLADES	05/18/2006	F06	250722								0.0000			50.3942
16	PMR	WPI	PALM BEACH	05/01/2006	F06	111111								0.0000			56.4379
17	PPE	AMERIGAS		05/11/2006	PRO	6	69.5100	417	0	417	69.5100	0.0000	69.5100	0.0000	0.0000	0.0000	69.5100
18	PPE	AMERIGAS		05/30/2006	PRO	8	69.0400	552	0	552	69.0400	0.0000	69.0400	0.0000	0.0000	0.0000	69.0400
19	PTF	AMERIGAS		05/01/2006	PRO	6	68.4600	411	0	411	68.4600	0.0000	68.4600	0.0000	0.0000	0.0000	68.4600
20	PRV	FERRELL		05/05/2006	PRO	5	85.6400	428	0	428	85.6400	0.0000	85.6400	0.0000	0.0000	0.0000	85.6400
21	PRV	FERRELL		05/12/2006	PRO	3	91.3300	274	0	274	91.3300	0.0000	91.3300	0.0000	0.0000	0.0000	91.3300
22	PRV	FERRELL		05/19/2006	PRO	4	93.5600	374	0	374	93.5600	0.0000	93.5600	0.0000	0.0000	0.0000	93.5600
23	PRV	FERRELL		05/26/2006	PRO	3	94.9000	285	0	285	94.9000	0.0000	94.9000	0.0000	0.0000	0.0000	94.9000
24	PMR	INDIANTOWN		05/31/2006	PRO	12	63.0000	756	0	756	63.0000	0.0000	63.0000	0.0000	0.0000	0.0000	63.0000
25	PMT	SUBURBAN		05/09/2006	PRO	20	65.2400	1,305	0	1,305	65.2400	0.0000	65.2400	0.0000	0.0000	0.0000	65.2400
26	PMT	SUBURBAN		05/12/2006	PRO	8	67.2700	538	0	538	67.2700	0.0000	67.2700	0.0000	0.0000	0.0000	67.2700

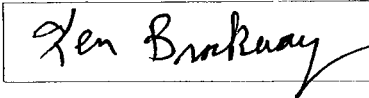
**MONTHLY REPORT OF COST AND QUALITY OF COAL FOR ELECTRIC PLANTS
ORIGIN, TONNAGE, DELIVERED PRICE AND AS RECEIVED QUALITY**

1. Report For Month/Yr: **May 2006**

2. Reporting Company: **Florida Power & Light**

3. Plant Name: **St. Johns River Power Park (SJRPP)**

4. Name, Title & Telephone Number of Contact
Person Concerning Data Submitted on this Form: **Korel M. Dubin (305-552-4910)**

5. Signature of Official Submitting Report: 

6. Date Completed: **June 12, 2006**

Line No.	Supplier Name	Mine Location	Purchase Type	Transportation Mode	Tons	Effective Purchase Price (\$/Ton)	Total Trans Cost (\$/Ton)	FOB Plant Price (\$/Ton)	As Received Coal Quality			
									Sulfur Content (%)	Btu Content (%)	Ash Content (%)	Moisture Content (%)
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)	(k)	(l)	(m)
1	Capex	,IM,	S	OC	4,398			34.04	5.68	13,897	0.28	7.86
2	Coal Marketing Company	45,IM,999	LTC	OC	11,320			48.85	0.57	11,262	8.32	13.08
3	DTE Clover, LLC	08,KY,095	LTC	UR	8,904			51.53	1.18	12,462	10.15	6.65
4	James River Coal Sales, Inc.	08,KY,095	LTC	UR	7,445			55.53	1.17	12,626	10.14	5.71
5	TCP Petcoke Corporation	,TX,	LTC	OC	6,943			31.74	6.04	14,285	0.25	6.60

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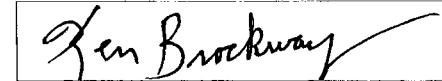
**MONTHLY REPORT OF COST AND QUALITY OF COAL FOR ELECTRIC PLANTS
DETAIL OF INVOICE PURCHASE PRICE**

1. Report For Month/Yr: **May 2006**

4. Name, Title & Telephone Number of Contact
Person Concerning Data Submitted on this Form: **Korel M. Dubin (305-552-4910)**

2. Reporting Company: **Florida Power & Light**

5. Signature of Official Submitting Report:



3. Plant Name: **St. Johns River Power Park (SJRPP)**

6. Date Completed: **June 12, 2006**

Line No.	Supplier Name	Mine Location	Purchase Type	Tons	FOB Mine Price (\$/Ton)	Short Haul & Loading Charge	Original Invoice Price (\$/Ton)	Retro-active Price Increases (\$/Ton)	Base Price (\$/Ton)	Quality Adjustments (\$/Ton)	Effective Purchase Price (\$/Ton)
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)	(k)	(l)
1	Capex	,IM,	S	4,398		0.00		0.00		0.00	
2	Coal Marketing Company	45,IM,999	LTC	11,320		0.00		0.00		0.00	
3	DTE Clover, LLC	08,KY,095	LTC	8,904		0.00		0.00		0.00	
4	James River Coal Sales, Inc.	08,KY,095	LTC	7,445		0.00		0.00		0.00	
5	TCP Petcoke Corporation	,TX,	LTC	6,943		0.00		0.00		0.00	

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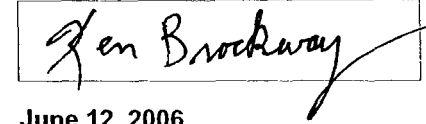
**MONTHLY REPORT OF COST AND QUALITY OF COAL FOR ELECTRIC PLANTS
DETAIL OF TRANSPORTATION CHARGES**

1. Report For Month/Yr: **May 2006**

4. Name, Title & Telephone Number of Contact
Person Concerning Data Submitted on this Form: **Korel M. Dubin (305-552-4910)**

2. Reporting Company: **Florida Power & Light**

5. Signature of Official Submitting Report:



3. Plant Name: **St. Johns River Power Park (SJRPP)**

6. Date Completed:

June 12, 2006

Line No.	Supplier Name	Mine Location	Shipping Point	Transportation Mode	Tons	Effective Purchase Price (\$/Ton)	Short Haul & Loading Charge (\$/Ton)	Rail Charges		Waterborne Charges				Total Transport Charges (\$/Ton)	FOB Plant Price (\$/Ton)	
								Rail Rate (\$/Ton)	Other Rail Charges (\$/Ton)	River Barge Rate (\$/Ton)	Trans-loading Rate (\$/Ton)	Ocean Barge Rate (\$/Ton)	Other Water Charges (\$/Ton)			Related Charges (\$/Ton)
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)	(k)	(l)	(m)	(n)	(o)	(p)	(q)
1	Capex	,IM,	CAPEX	OC	4,398		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		34.04
2	Coal Marketing Company	45,IM,999	EL CERREJON	OC	11,320		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		48.85
3	DTE Clover, LLC	08,KY,095	CLOVER DTE	UR	8,904		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		51.53
4	James River Coal Sales, Inc.	08,KY,095	CLOVER MINE	UR	7,445		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		55.53
5	TCP Petcoke Corporation	,TX,	TCP-DOMESTIC	OC	6,943		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		31.74

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ATTACHMENT C

**Docket No. 060001-EI
May 2006**

Justification for Confidentiality of May 2006 Report:

<u>FORM</u>	<u>LINE(S)</u>	<u>COLUMN</u>	<u>RATIONALE</u>
423-1(a)	1 -16	H	(1)
423-1(a)	1 -16	I	(2)
423-1(a)	1 – 16	J	(2), (3)
423-1(a)	1 – 16	K	(2)
423-1(a)	1 – 16	L	(2)
423-1(a)	1 – 16	M	(2), (4)
423-1(a)	1 – 16	N	(2), (5)
423-1(a)	1 – 16	P	(6), (7), (8)
423-1(a)	1 – 16	Q	(6), (7), (8)

Rationale for confidentiality:

- (1) This information is contractual information which, if made public, “would impair the efforts of [FPL] to contract for goods or services on favorable terms.” Section 366.093(3)(d), Fla. Stat. The information delineates the price per barrel FPL has paid for fuel oil for specific shipments from specific suppliers. This information would allow suppliers to compare an individual supplier’s price with the market quote for that date of delivery and thereby determine the contract pricing formula between FPL and that supplier.

Contract pricing formulas generally contain two components, which are: (1) a markup in the market quoted price for that day; and (2) a transportation charge for delivery at an FPL chosen port of delivery. Discounts and quality adjustment components of fuel price contract formulas are discussed in paragraphs 3 and 4. Disclosure of the invoice price would allow suppliers to determine the contract price formula of their competitors. The knowledge of

others' prices (*i.e.*, contract formulas) among fuel oil suppliers is reasonably likely to cause the suppliers to converge on a target price, or to follow a price leader, effectively eliminating any opportunity for a major buyer like FPL to obtain price concessions from any one supplier. The end result is reasonably likely to be increased fuel oil prices and therefore increased electric rates.

- (2) The contract data found in Columns I through N are an algebraic function of Column H. That is, the publication of these Columns together, or independently, could allow a supplier to derive the invoice price of oil.
- (3) If FPL fuel contracts provide for an early payment incentive in the form of a discount from the invoice price, the existence and amount of such discount is confidential for the reasons stated in paragraph (1) relative to price concessions.
- (4) For fuel that does not meet contract requirements, FPL may reject the shipment, or accept the shipment and apply a quality adjustment. This is, in effect, a pricing term which is as important as the price itself and is therefore confidential for the reasons stated in paragraph (1) relative to price concessions.
- (5) Column N is as important as H from a confidentiality standpoint because of the relatively few times that there are quality or discount adjustments. That is, Column N will equal Column H most of the time. Consequently, Column N needs to be protected for the same reasons as set forth in paragraph (1).
- (6) Column R is used to mask the delivered price of fuel such that the invoice or effective price of fuel cannot be determined. Columns P and Q are algebraic variables of Column R. Consequently, disclosure of Columns P and Q would allow a supplier to calculate the invoice or effective purchase price of oil (Columns H and N) by subtracting these columnar variables from Column R.
- (7) Terminaling and transportation services in Florida tend to have the same, if not more severe, oligopolistic attributes of fuel oil suppliers. Due to the small demand in Florida for both of these services, market entry is difficult. In instances in which FPL has attempted to determine the level of interest in bidding either or both of these services, FPL has found only a very few qualified parties with such an interest. Consequently, disclosure of these contract data is reasonably likely to result in increased prices for terminaling and transportation services.

Petroleum inspection services also have the market characteristics of an oligopoly. Due to the limited number of fuel terminal operations, there are correspondingly few requirements for fuel inspection services. In FPL's last bidding process for petroleum inspection services, only six qualified bidders were found for FPL's bid solicitations. Consequently, disclosure of these contract data is reasonably likely to result in increased prices for petroleum inspection services.

Justification for Confidentiality of May 2006 Report:

<u>FORM</u>	<u>LINES</u>	<u>COLUMNS</u>	<u>RATIONALE</u>
423-2	1-5	G, H	(1)
423-2	1-5	H	(2)

Rationale for Confidentiality:

- (1) Disclosure of the effective purchase price “would impair the efforts of [JEA, acting on its own behalf and as agent for FPL] to contract for goods or services [at the St. Johns River Power Park (SJRPP)] on favorable terms.” Section 366.093(3)(d), Fla. Stat. The data informs other potential coal suppliers as to the price SJRPP is paying for coal. Disclosure of this information, which is particularly sensitive given SJRPP’s reliance on long term contracts with fixed price provisions or short term spot transactions, could adversely affect FPL’s interests in subsequent solicitations for coal and/or in negotiating coal supply agreements. JEA maintains this information as confidential pursuant to section 163.01(15)(m), Fla. Stat. Additionally, providing the purchase price would enable one to ascertain the total transportation charges in Column H by subtracting the effective purchase price from the delivered price at the transfer facility, shown in Column I.

- (2) Disclosure of the total transportation cost “would impair the efforts of [JEA acting on its own behalf and as agent for FPL] to contract for goods or services [at SJRPP] on favorable terms.” Section 366.093(3)(d), Fla Stat. Moreover, the service provider itself typically designates the transportation costs in the contract as confidential. JEA maintains this information as confidential pursuant to section 163.01(15)(m), Fla. Stat. Further, disclosure of this information would enable potential coal suppliers to calculate Column G which FPL seeks to protect by subtracting Column H from Column I.

Justification for Confidentiality of May 2006 Report:

<u>FORM</u>	<u>LINE(S)</u>	<u>COLUMN</u>	<u>RATIONALE</u>
423-2(a)	1-5	F	(1)
423-2(a)	1-5	H	(1)
423-2(a)	1-5	J	(1)
423-2(a)	1-5	L	(2)

Rationale for Confidentiality:

- (1) The information presented in these columns are algebraic derivations of the information in column L that FPL seeks to protect.
- (2) Disclosure of the effective purchase price “would impair the efforts of [JEA, acting on its own behalf and as agent for FPL] to contract for goods or services [at the St. Johns River Power Park (SJRPP)] on favorable terms.” Section 366.093(3)(d), Fla. Stat. The data informs other potential coal suppliers as to the price SJRPP is paying for coal. Disclosure of this information could adversely affect FPL’s interests in subsequent solicitations for coal and/or in negotiating coal supply agreements. JEA maintains this information as confidential pursuant to section 163.01(15)(m), Fla. Stat. Additionally, providing the purchase price would enable one to ascertain the total transportation charges in Column H on Form 423-2, which FPL seeks to protect, by subtracting the effective purchase price from the delivered price at the transfer facility shown in Column I on Form 423-2.

Justification for Confidentiality of May 2006 Report:

FORM	LINE(S)	COLUMN	RATIONALE
423-2(b)	1-5	G	(1)
423-2(b)	1-5	I	(2)
423-2(b)	1-5	P	(2)

Rationale for Confidentiality:

- (1) Disclosure of the effective purchase price “would impair the efforts of [JEA, acting on its own behalf and as agent for FPL] to contract for goods or services [at the St. Johns River Power Park (SJRPP)] on favorable terms.” Section 366.093(3)(d), Fla. Stat. The data informs other potential coal suppliers as to the price SJRPP is paying for coal. Disclosure of this information, which is particularly sensitive given SJRPP’s reliance on long term contracts with fixed price provisions or short term spot transactions, could adversely affect FPL’s interests in subsequent solicitations for coal and/or in negotiating coal supply agreements. JEA maintains this information as confidential pursuant to section 163.01(15)(m), Fla. Stat. Additionally, providing the purchase price would enable one to ascertain the total transportation charges in Column P, which FPL seeks to protect, by subtracting the effective purchase price from the delivered price at the transfer facility shown in Column Q.

- (2) Disclosure of the total transportation cost “would impair the efforts of [JEA acting on its own behalf and as agent for FPL] to contract for goods or services [at SJRPP] on favorable terms.” Section 366.093(3)(d), Fla Stat. Moreover, the service provider itself typically designates the transportation costs in the contract as confidential. JEA maintains this information as confidential pursuant to section 163.01(15)(m), Fla. Stat. Further, disclosure of this information would enable potential coal suppliers to calculate Column G which FPL seeks to protect, by subtracting Column P from Column Q.

Date of Declassification:

<u>FORM</u>	<u>LINE(S)</u>	<u>COLUMN</u>
423-1(a)	1 – 2	H-N, P & Q
423-1(a)	3 – 6	H-N, P & Q
423-1(a)	7 – 9	H-N, P & Q
423-1(a)	10 – 11	H-N, P & Q
423-1(a)	12 – 14	H-N, P & Q
423-1(a)	15	H-N, P & Q
423-1(a)	16	H-N, P & Q
423-2	1 – 5	G, H
423-2(a)	1 – 5	F, H, & J, L
423-2(b)	1 – 5	G, I, P

FPL requests that the confidential information identified above not be disclosed for a period of eighteen (18) months.