

Jessica A. Cano
Attorney
Florida Power & Light Company
700 Universe Boulevard
Juno Beach, FL 33408-0420
(561) 304-5226
(561) 691-7135 (Facsimile)

January 25, 2008

-VIA OVERNIGHT DELIVERY -

Ms. Ann Cole, Director
Division of the Commission Clerk and Administrative Services
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

RECEIVED FPSC
08 JAN 28 PM 3:58
COMMISSION
CLERK

Re: Florida Power & Light Company's Second Extension of Confidential Classification Granted by Order No. PSC-06-0637-CFO-EI in Docket No. 060001-EI

Dear Ms. Cole:

I enclose for filing in the above referenced matter the original and two copies of Florida Power & Light Company's ("FPL") Second Request for Extension of Confidential Classification Granted by Order No. 06-0637-CFO-EI in Docket No. 060001. Exhibits A, B and C from previous filing subject to PSC Order No. 06-0637-CFO-EI are incorporated herein by reference.

CMP Attached is Exhibit D containing the affidavit of Thomas Hartman in support of FPL's
COM Second Request for Extension of Confidential Classification. Also included herewith is a
CTR computer diskette containing FPL's Second Request in word Format. Please contact me should
you or your staff have any questions regarding this filing.

ECR 1 Please note that Exhibit D, affidavit of Thomas Hartman is a copy, an original will be
GCL 1 provided under separate cover.

(CONF. DNS 11779-04)
09881-04

OPC
RCA
SCR
SGA
SEC

Sincerely,

Koual M. Duhin
Jessica A. Cano *for JAC*

OTH 1 *Conf records*
Enclosure

cc: Counsel for Parties of Record (w/encl.)

DOCUMENT NUMBER-DATE

00689 JAN 28 08

FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Fuel and purchased power)
cost recovery clause with generating)
performance incentive factor)

Docket No. 080001-EI
Filed: January 28, 2008

**SECOND REQUEST FOR EXTENSION OF CONFIDENTIAL CLASSIFICATION
GRANTED BY ORDER NO. PSC-06-0637-CFO-EI IN DOCKET NO. 060001-EI**

NOW BEFORE THIS COMMISSION, through the 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-06-0637-CFO-EI of certain information on pricing and other contractual terms contained in the contracts for the purchase of capacity and energy between Southern Company Services, Inc. and FPL from Scherer Unit 3, Harris Unit 1 and Franklin Unit 1 that are Documents TLH-1, TLH-2, and TLH-3, respectively, to the prepared testimony of Thomas Hartman (the “Power Purchase Contract Information”). In support of its Second 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:

John T. Butler, Esq.
Senior Attorney
Florida Power & Light Company
700 Universe Boulevard
Juno Beach, Florida 33048

2. On May 4, 2006, FPL filed with the Commission its First Request for Extension of Confidential Classification of the Power Purchase Contract Information, which incorporated

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

by reference the previously provided Exhibits A through D. FPL's May 4, 2006 Request and Exhibits A through D are incorporated herein by reference.

3. By Order No. PSC-06-0637-CFO-EI, dated July 28, 2006, the Commission granted FPL's May 4, 2006 Request.

4. The period of confidential treatment granted by Order No. PSC-06-0637-CFO-EI will soon expire. All of the information that was the subject of FPL's May 4, 2006 Request warrants continued treatment as proprietary and confidential business information with the meaning of section 366.093(3).

5. Included herewith and made part of the hereof is Exhibit D. Exhibit D consists of the affidavit of Thomas Hartman which shall supplement the Exhibit D previously filed.

6. 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 record 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.

7. The information the FPL asserts is proprietary confidential business information consists of bids and other contractual data, the disclosure of which would impair FPL's ability to contract for fuel and electric power on favorable terms to the detriment of FPL's customers. This information is protected by section 366.093(3)(d). The information also relates to the competitive interest of FPL and Southern Company Services, Inc., the disclosure of which would impair both their competitive businesses. This information is protected by section 366.093(3)(e).

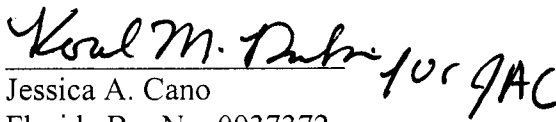
8. The material for which FPL seeks continued confidential classification is intended to be and is treated by FPL as confidential and has not been disclosed. Nothing has changed since the issuance of Order No. PSC-06-0637-CFO-EI to render the information stale or public, such that continued confidential treatment would not be appropriate.

9. Accordingly, FPL requests that the information highlighted in Exhibit A to the May 4, 2006 Request and referenced in Order No. PSC-06-0637-CFO-EI be accorded confidential classification for an additional eighteen month period. FPL further requests that the information 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 forgoing reasons, as more fully set forth in the supporting materials and affidavits included herewith and incorporated herein by reference, Florida Power & Light Company respectfully requests that its Second Request for Extension of Confidential Classification be granted.

Respectfully submitted,

R. Wade Litchfield, Esq.
Vice President and Associate General Counsel
John T. Butler, Esq.
Senior Attorney
Jessica A. Cano
Attorney
Florida Power & Light Company
700 Universe Boulevard
Juno Beach, FL 33408
Telephone: (561) 304-5226
Facsimile: (561) 691-7135

By: 
Jessica A. Cano
Florida Bar No. 0037372

CERTIFICATE OF SERVICE
Docket No. 080001-EI

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by overnight delivery (*) or United States mail this 25th day of January, 2008, to the following:

Lisa Bennett, Esq.*
Division of Legal Services
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850

J. R. Kelly, Esq.
Steve Burgess, Esq.
Office of Public Counsel
c/o The Florida Legislature
111 West Madison Street, Room 812
Tallahassee, Florida 32399

Lee L. Willis, Esq.
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P.O. Box 12950
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Michael B. Twomey, Esq.
Attorney for AARP
Post Office Box 5256
Tallahassee, Florida 32314-5256

By: Kerel M. Dubini for
Jessica A. Cano *JAC*

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Fuel and Purchased Power Cost Recovery) DOCKET NO. 080001-EI
Clause with Generating Performance Incentive Factor)

STATE OF FLORIDA)
) AFFIDAVIT OF THOMAS HARTMAN
PALM BEACH COUNTY)

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

1. My name is Thomas Hartman. I am currently employed by Florida Power & Light Company ("FPL") as Director of Business Management for the Resource Assessment and Planning business unit. I have personal knowledge of the matters stated in this affidavit.

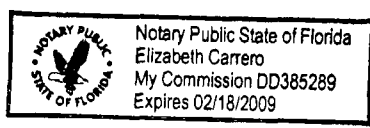
2. I have reviewed Exhibit C and the documents which are included in Exhibit A to FPL's Request for Confidential Classification. The documents or materials that I have reviewed and which are asserted by FPL to be proprietary confidential business information contain or constitute pricing and other contract terms in contracts for the purchase of capacity and energy between Southern Company Services, Inc. and FPL from Scherer Unit 3, Harris Unit 1 and Franklin Unit 1. Disclosure of those contractual terms would impair FPL's ability to contract on favorable terms. Disclosure of this information also would impair the competitive interests of FPL and Southern Company Services, Inc. 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-06-0637-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. These materials should be returned to FPL as soon as the information is no longer necessary for the Commission to conduct business so that FPL can continue to maintain confidentiality of these documents.

4. Affiant says nothing further.

[Handwritten signature of Thomas Hartman]
Thomas Hartman

SWORN TO AND SUBSCRIBED before me this 23rd day of January, 2008, by Thomas Hartman, who is personally known to me or who has produced (type of identification) as identification and who did take an oath.



[Handwritten signature of Elizabeth Carrero]
Notary Public, State of Florida