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COMMISSION
CLERK

May 5, 2010

VIA HAND DELIVERY

Ms. Ann Cole
Commission Clerk
Florida Public Service Commission
Betty Easley Conference Center
2540 Shumard Oak Boulevard, Room 110
Tallahassee, FL 32399-0850

Re: Docket No. 100001-EI

Dear Ms. Cole:

Enclosed for filing on behalf of Florida Power & Light Company ("FPL") are an original and seven (7) copies of FPL's First Request for Extension of Confidential Classification of Materials Provided Pursuant to Staff's Third Request for Production of Documents. Also enclosed are a Revised Exhibit C and a Revised Exhibit D. FPL's First Request for Extension of Confidential Classification and Revised Exhibit C are also included on the enclosed CD in Word format.

Please contact me if you or your Staff have any questions regarding this filing.

Sincerely,

Ilan G. Kaufer
Attorney for
Florida Power & Light Company

COM _____
APA _____
ECR 5 Enclosures
GCL 1 cc: Counsel for parties of record, w/out exhibits
RAD _____
SSC _____
ADM _____
OPC _____
CLK Perf
an FPL Group company

DOCUMENT NUMBER-DATE
03751 MAY-5 0
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. 100001-EI

Filed: May 5, 2010

**FLORIDA POWER & LIGHT COMPANY'S FIRST REQUEST FOR
EXTENSION OF CONFIDENTIAL CLASSIFICATION OF MATERIALS PROVIDED
PURSUANT TO STAFF'S THIRD REQUEST FOR PRODUCTION OF DOCUMENTS**

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 First Request for Extension of Confidential Classification of certain material provided to the Florida Public Service Commission ("FPSC" or "Commission") staff ("Staff") in connection with the Staff's Third Request for Production of Documents in Docket No. 080001-EI, a predecessor to this docket. In support of this First Request for Extension of Confidential Classification, FPL states as follows:

1. On July 21, 2008, FPL filed its Request for Confidential Classification of certain materials obtained pursuant to Staff's Third Request for Production of Documents, which incorporated by reference the previously provided Exhibits A through D. FPL adopts and incorporates by reference its July 21, 2008 Request and exhibits.

2. By Order No. PSC-08-0743-CFO-EI, dated November 6, 2008, the Commission granted FPL's July 21, 2008 Request.

3. The period of confidential treatment granted by Order No. PSC-08-0743-CFO-EI will soon expire. All of the information that was the subject of FPL's July 21, 2008 Request warrants continued treatment as proprietary and confidential business information within the

meaning of section 366.093(3), Florida Statutes. Accordingly, FPL hereby submits its First Request for Extension of Confidential Classification.

4. Included herewith and made a part hereof is a Revised Exhibit C to reflect that Solomon L. Stamm has been added as an affiant in support of the continued confidential classification of the confidential documents. Also included is a Revised Exhibit D which contains Mr. Stamm's affidavit.

5. FPL submits that the information identified in Revised Exhibit C ("Confidential Information") continues to be proprietary confidential business information within the meaning of section 366.093(3), Florida Statutes. 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.

6. As the affidavit provided herewith indicates, the information that FPL asserts is proprietary and confidential business information relates to FPL's security measures, systems, or procedures. This information is protected from public disclosure pursuant to section 366.093(3)(c), Florida Statutes.

7. Nothing has changed since the filing of FPL's July 21, 2008 request to render the Confidential Information stale or public, such that continued confidential treatment would not be appropriate.

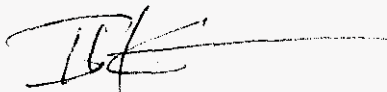
8. Upon a finding by the Commission that the Confidential Information remains proprietary and confidential business information, the information should not be declassified for

at least an additional eighteen (18) month period and should be returned to FPL as soon as it is no longer necessary for the Commission to conduct its business. See § 366.093(4), Fla. Stat.

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 First Request for Extension of Confidential Classification be granted.

Respectfully submitted,

John T. Butler, Managing Attorney
Ilan G. Kaufer, Attorney for
Florida Power & Light Company
700 Universe Boulevard
Juno Beach, FL 33408
Telephone: (561) 304-5675
Facsimile: (561) 691-7135


By: 
Ilan G. Kaufer
Florida Bar No. 65394

CERTIFICATE OF SERVICE
DOCKET NO. 100001-EI

I HEREBY CERTIFY that a true and correct copy of Florida Power & Light Company's First Request for Extension of Confidential Classification was served via hand delivery* and/or by U.S. mail this 5th day of May, 2010 to the following (exhibits are not included with the service copies but are available upon request):

<p>Lisa Bennett, Esq.* Division of Legal Services Florida Public Service Commission 2540 Shumard Oak Blvd Tallahassee, Florida 32399-0850 LBENNETT@PSC.STATE.FL.US</p>	<p>J. R. Kelly, Esq. Patricia Christensen, Esq. Charles Beck, Esq. Office of Public Counsel c/o The Florida Legislature 111 West Madison Street, Room 812 Tallahassee, Florida 32399 Kelly.jr@leg.state.fl.us Christensen.patty@leg.state.fl.us beck.charles@leg.state.fl.us</p>
<p>James D. Beasley, Esq Ausley & McMullen Attorneys for Tampa Electric P.O. Box 391 Tallahassee, Florida 32302 jbeasley@ausley.com lwillis@ausley.com</p>	<p>John T. Burnett, Esq. Progress Energy Service Company, LLC P.O. Box 14042 St. Petersburg, Florida 33733-4042 john.burnett@pgnmail.com</p>
<p>John W. McWhirter, Jr., Esq McWhirter & Davidson, P.A. Attorneys for FIPUG P.O. Box 3350 Tampa, Florida 33602 jmcwhirter@mac-law.com</p>	<p>Beth Keating, Esq. Akerman, Senterfitt Attorneys for FPUC 106 East College Avenue Suite 1200 Tallahassee, Florida 32301 Beth.keating@akerman.com</p>
<p>Jeffrey A. Stone, Esq. Russell A. Badders, Esq. Beggs & Lane Attorneys for Gulf Power P.O. Box 12950 Pensacola, Florida 32576-2950 jas@beggslane.com rab@beggslane.com</p>	<p>James W. Brew, Esq Attorney for White Springs Brickfield, Burchette, Ritts & Stone, The P.C 1025 Thomas Jefferson Street, NW Eighth Floor, West Tower Washington, DC 2007-5201 jbrew@bbrslaw.com</p>

<p>Robert Scheffel Wright, Esq Jay T. LaVia, III, Esq Young van Assenderp, P.A Attorneys for Florida Retail Federation 225 South Adams Street, Suite 200 Tallahassee, FL 32301 swright@yvlaw.net jlavia@yvlaw.net</p>	<p>Jon C. Moyle and Vicki Kaufman Keefe, Anchors Gordon & Moyle, P.A. 118 N. Gadsden St. Tallahassee, FL 32301 Co-Counsel for FIPUG vkaufman@kagmlaw.com jmoyle@kagmlaw.com</p>
<p>Cecilia Bradley Senior Assistant Attorney General Office of the Attorney General The Capitol - PL01 Tallahassee, FL 32399-1050 cecilia.bradley@myfloridalegal.com</p>	<p>Michael Barrett Division of Legal Services Florida Public Service Commission 2540 Shumard Oak Blvd Tallahassee, Florida 32399-0850 MBARRETT@PSC.STATE.FL.US</p>
<p>Captain Shayla L. McNeill Attorney for the FEA AFLOA/JACL-ULFSC 139 Barnes Drive, Suite 1 Tyndall AFB, FL 32403-5319 Shayla.mcneill@tyndall.af.mil</p>	

By: 

Ilan G. Kaufer
Fla. Bar No. 65394

REVISED EXHIBIT C

COMPANY: Florida Power & Light Company
TITLE: List of Confidential Exhibits
DOCKET NO.: 100001-EI
DOCKET TITLE: Fuel and Purchased Power Cost Recovery Clause and
 Generating Performance Incentive Factor
SUBJECT: Staff's Third Request for Production of Documents Nos. 16 and 17
REVISED DATE: May 5, 2010

Requests	Description	Pages	Conf Y/N	Line and Col. No.	Florida Statute 366.093(3) Subsection	Affiant
No. 16	Nuclear Regulatory Commission Report : Turkey Point Nuclear Plant confirmatory Action Letter	FCR 08-9392 through 9394	Y	ALL	(c)	S. Stamm
No.16	Nuclear Regulatory Commission Report Turkey Point Nuclear Plant – NRC Augmented Inspection Team Report	FCR 08-9395 through FCR 08-9422	Y	ALL	(c)	S. Stamm
No.17	Nuclear Regulatory Commission Report Annual Performance Review and Inspection Plan for Physical Protection – Turkey Point Plant	FCR 08-9452 through FCR 08-9455	Y	ALL	(c)	S. Stamm
No.17	Nuclear Regulatory Commission Report Turkey Point Nuclear Plant- Integrated Inspection Report; Preliminary White Finding	FCR 08-9456 through FCR 08-9487	Y	ALL	(c)	S. Stamm
No.17	Nuclear Regulatory Commission Report Turkey Point Nuclear Plant – NRC Triennial Fire Protection Inspection follow up report	FCR 08-9488 through FCR 08-9494	N		(c)	S. Stamm

No. 17	Nuclear Regulatory Commission Report Turkey Point Nuclear Plant – NRC Triennial Fire Protection Inspection follow up report	FCR 08-9495 through FCR 08-9698	Y	ALL	(c)	S. Stamm
No.17	Nuclear Regulatory Commission Report Turkey point Nuclear Plant – Integrated Inspection; Preliminary White Finding	FCR 08-9699 through FCR 08-9703	N		(c)	S. Stamm
No.17	Nuclear Regulatory Commission Report Turkey point Nuclear Plant – Integrated Inspection; Preliminary White Finding	FCR 08-9704 through FCR 08-9730	Y	ALL	(c)	S. Stamm
No.17	Nuclear Regulatory Commission Report Turkey Point Nuclear Plant – NRC Inspection Report – Preliminary White Finding	FCR 08-9731 through 9758	Y	ALL	(c)	S. Stamm
No. 17	Nuclear Regulatory Commission Report Turkey Point Nuclear Plant – NRC Material Control and Accounting Program Inspection Report	FCR 08-9759 through FCR 08-9772	Y	ALL	(c)	S. Stamm
No. 17	Nuclear Regulatory Commission Report Mid Cycle Security Assessment Letter – Turkey Point Nuclear Plant	FCR 08-9773 through FCR 08-9776	Y	ALL	(c)	S. Stamm
No.17	Nuclear Regulatory Commission Report Request for Additional Information	FCR 08-9777 through FCR 08-9778	Y	ALL	(c)	S. Stamm

REVISED EXHIBIT D

BEFORE THE FLORIDA
PUBLIC SERVICE COMMISSION

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

Docket No: 100001-EI

STATE OF FLORIDA)
)
COUNTY OF PALM BEACH)

AFFIDAVIT OF SOLOMON L. STAMM

BEFORE ME, the undersigned authority, personally appeared Solomon L. Stamm, who, being first duly sworn deposes and says:

1. My name is Solomon L. Stamm. I am currently employed by Florida Power & Light Company ("FPL") as Controller, Nuclear Division. I have personal knowledge of the matters stated in this affidavit.

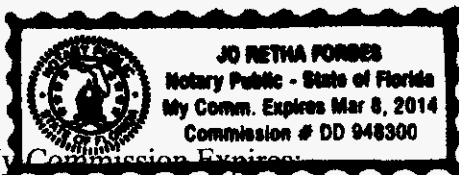
2. I have reviewed the documents for which I am listed as Affiant in Exhibit C and which are included in Exhibit A to FPL's request for Confidential Classification. All of the information in these documents relates to security. Disclosure of this information would divulge certain details about FPL's security measures, system or procedures to the detriment of FPL, its customers, and the general public. Specifically, the confidential documents contain or constitute various NRC confidential reports, which discuss security related information for the pressurizer piping event (drilled hole), security assessments, and inspection reports. Some of the information is also exempt from disclosure in accordance with 10 C.F.R 2.390. To the best of my knowledge, FPL has maintained the confidentiality of this information.

3. No significant changes have occurred since the issuance of Order No. 08-0743-CFO-EI to render the information stale or public such as 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 no 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 its business so that FPL can continue to maintain the confidentiality of these documents

4. Affiant says nothing further.

Solomon L. Stamm

SWORN TO AND SUBSCRIBED before me this 30th day of April, 2010, by Solomon Stamm, 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