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 Florida Power & Light Company
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April 27, 2012

VIA HAND DELIVERY

Ms. Ann Cole
 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

claim of confidentiality
 notice of intent
 request for confidentiality
 filed by OPC

For DN 02674-12, which
 is in locked storage. You must be
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RECEIVED-FPSC
 APR 27 AM 11:37
 COMMISSION
 CLERK

Re: Docket No. 120009-EI; Nuclear Power Plant Cost Recovery Clause

Dear Ms. Cole:

Enclosed for filing on behalf of Florida Power & Light Company ("FPL") is a Request for Confidential Classification of Exhibits SDS-8 and TOJ-14. Seven copies of FPL's request, including Exhibits C and D, are included. Also included are one copy of Exhibit A and two copies of Exhibit B.

Exhibit A consists of the confidential documents, and all information that FPL asserts is entitled to confidential treatment has been highlighted. Exhibit B is an edited version of Exhibit A, in which the information FPL asserts is confidential has been redacted. Exhibit C consists of FPL's justification table supporting its Request for Confidential Classification. Exhibit D contains two affidavits in support of FPL's Request for Confidential Classification. Also included in this filing is a compact disc containing FPL's Request for Confidential Classification and Exhibit C only in Microsoft Word format.

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

Sincerely,

Jessica Cano
 Jessica A. Cano

COM
 APA
 ECR B+CD
 GCL
 RAD
 SRC
 ADM
 OPC
 CLK

Enclosures
 cc: Parties of Record (w/out enc.)

Florida Power & Light Company

700 Universe Boulevard, Juno Beach, FL 33408

DOCUMENT NUMBER-DATE
 02673 APR 27 2012
 FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Nuclear Power Plant)
Cost Recovery Clause)

Docket No. 120009-EI
Filed: April 27, 2012

**FLORIDA POWER & LIGHT COMPANY'S
REQUEST FOR CONFIDENTIAL CLASSIFICATION
OF EXHIBITS SDS-8 AND TOJ-14**

Pursuant to Section 366.093, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, Florida Power & Light Company ("FPL") requests confidential classification of portions of Exhibit SDS-8 to the pre-filed testimony of FPL witness Steven D. Scroggs and Exhibit TOJ-14 to the pre-filed testimony of FPL witness Terry O. Jones. In support of its request, FPL states:

1. FPL is filing contemporaneously with this request the petition, testimony and exhibits in support of its Nuclear Power Plant Cost Recovery Amount for the Period January - December 2013. Certain portions of Exhibits SDS-8 and TOJ-14 contain confidential contract payment amounts. Pursuant to Rule 25-22.006(3)(a), Florida Administrative Code, FPL is filing this Request for Confidential Classification.

2. The following exhibits are included with and made a part of this request:

a. Exhibit A consists of a copy of the confidential pages on which all information that FPL asserts is entitled to confidential treatment has been highlighted.

b. Exhibit B consists of a copy of the confidential pages on which all information that FPL asserts is entitled to confidential treatment has been redacted.

c. Exhibit C is a table containing an identification of the information highlighted in Exhibit A, together with references to the specific statutory basis or bases for the claim of confidentiality and to the affidavit in support of the requested classification.

d. Exhibit D includes the affidavits of Bruce Beisler and Steven Scroggs in support of this request.

3. FPL submits that the highlighted information in Exhibit A is proprietary confidential business information within the meaning of Section 366.093(3), Florida Statutes. Section 366.093, Florida Statutes, defines confidential information as information that is intended to be and is treated by the company as private in that disclosure of the information would cause harm to the company's business operations or its customers, and has not been disclosed publicly. The confidential information is intended to be and has been treated by FPL as private, its confidentiality has been maintained, and its disclosure would cause harm to FPL and its customers. Pursuant to Section 366.093, such information is entitled to confidential treatment and it is 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. As the affidavits included in Exhibit D indicate, the information provided by FPL contains contractual data, the public disclosure of which would violate nondisclosure provisions of FPL's contracts with certain vendors and impair FPL's ability to contract for goods or services on favorable terms in the future. Such information is protected by Section 366.093(3)(d), Florida Statutes. This information is also competitively sensitive, and its disclosure could impair the competitive business of FPL or its vendors. Such information is protected by Section 366.093(3)(e), Florida Statutes.

5. Upon a finding by the Commission that the information highlighted in Exhibit A, and referenced in Exhibit C, is proprietary confidential business information, the information

should not be declassified for a period of 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. *See* § 366.093(4), Fla. Stat.

WHEREFORE, FPL respectfully requests confidential classification of the material described herein.

Respectfully submitted,

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

By: Jessica Cano
Jessica A. Cano
Fla. Bar No. 0037372

**CERTIFICATE OF SERVICE
DOCKET NO. 120009-EI**

I HEREBY CERTIFY that a true and correct copy of FPL's Request for Confidential Classification (without exhibits*) was served by hand delivery** or U.S. Mail this 27th day of April, 2012 to the following:

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By: 
Jessica A. Cano
Fla. Bar No. 0037372

*Exhibits to this Request are not included with the service copies, but copies of Exhibits B, C and D are available upon request.

EXHIBIT C

Exhibit C

Company: Florida Power and Light Company
Title: Confidential Exhibits SDS-8 and TOJ-14
Docket No.: 120009-EI

Document	Description	No. of Pages	Conf. Y/N	Line No./Col. No.	Florida Statute 366.093 (3) Subsection	Affiant
1	2012 AE-7A Schedule Construction Costs and Carrying Costs on Construction Cost Balance, Contracts Executed, New Nuclear (Exhibit SDS – 8)	1	Y	Page 1 Lines 1-16 Columns A-D	(d), (e)	Steven D. Scroggs
2	2012 AE-7B Schedule Construction Costs and Carrying Costs on Construction Cost Balance, Contracts Executed, New Nuclear (Exhibit SDS- 8)	7	Y	Pages 1-7 Line 1	(d), (e)	Steven D. Scroggs
3	Schedule P-7A: 2012 Preconstruction Costs and Carrying Costs on Construction Cost Balance, Contracts Executed, New Nuclear (Exhibit SDS-8)	1	Y	Page 1 Lines 1-16 Columns A-D	(d), (e)	Steven D. Scroggs
4	2012 Schedule P- 7B Pre- Construction Costs and Carrying Costs On Construction Cost Balance, Executed Details, New Nuclear (Exhibit SDS-8)	7	Y	Pages 1-7 Line 1	(d), (e)	Steven D. Scroggs

Document	Description	No. of Pages	Conf. Y/N	Line No./Col. No.	Florida Statute 366.093 (3) Subsection	Affiant
5	2012 AE-7A Schedule Construction Costs and Carrying Costs on Construction Cost Balance, Contracts Executed, Extended Power Uprate (Exhibit TOJ-14)	7	Y	Pages 1-7 Lines 1-16 Columns A-D	(d), (e)	Bruce Beisler
6	2012 AE-7B Schedule Construction Costs and Carrying Costs on Construction Cost Balance, Contracts Executed, Extended Power Uprate (Exhibit TOJ-14)	79	Y	Pages 1-79 Line 1	(d), (e)	Bruce Beisler
7	Schedule P-7A: 2012 Preconstruction Costs and Carrying Costs on Construction Cost Balance, Contracts Executed, New Nuclear (Exhibit TOJ-14)	7	Y	Pages 1-7 Lines 1-16 Columns A-D	(d), (e)	Bruce Beisler
8	2012 Schedule P- 7B Pre- Construction Costs and Carrying Costs On Construction Cost Balance, Executed Details, New Nuclear (Exhibit TOJ-14)	79	Y	Pages 1-79 Line 1	(d), (e)	Bruce Beisler

EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Nuclear Power Plant Cost)
Recovery Clause)

DOCKET NO. 120009-EI

STATE OF FLORIDA)

AFFIDAVIT OF BRUCE BEISLER

PALM BEACH COUNTY)

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

1. My name is Bruce Beisler. I am currently employed by Florida Power & Light Company ("FPL") as Project Manager - Nuclear. I have personal knowledge of the matters stated in this affidavit.

2. I have reviewed Exhibit C and the documents that are included in FPL's Request for Confidential Classification concerning information provided with its Petition for Approval of Nuclear Power Plant Cost Recovery Amount for the Year Ending December 2013, for which I am identified on Exhibit C as the affiant. The documents and materials that I have reviewed contain proprietary confidential business information, including information concerning bids or contractual data. Disclosure of this information would violate FPL's contracts with its vendors, work to the detriment of FPL's competitive interests, impair the competitive interests of its vendors and/or impair FPL's efforts to enter into contracts on commercially favorable terms. To the best of my knowledge, FPL has maintained the confidentiality of these documents and materials.

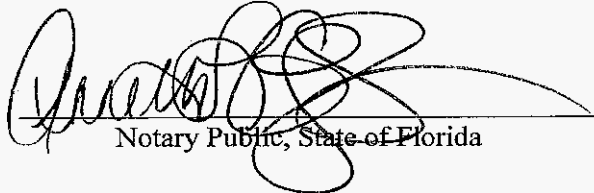
3. Consistent with the provisions of the Florida Administrative Code, such materials should remain confidential for a period of not less than 18 months. In addition, they should be returned to FPL as soon as the information is no longer necessary for the Commission to conduct its business so that FPL can continue to maintain the confidentiality of these documents.

4. Affiant says nothing further.

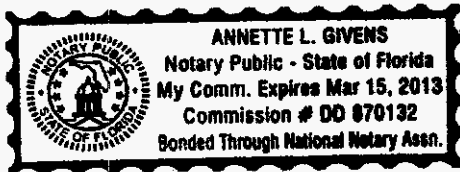


Bruce Beisler

SWORN TO AND SUBSCRIBED before me this 26 day of April 2012, by Bruce Beisler, 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:



BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Nuclear Power Plant Cost)
Recovery Clause)

DOCKET NO. 120009-EI

STATE OF FLORIDA)
)
PALM BEACH COUNTY)

AFFIDAVIT OF STEVEN D. SCROGGS

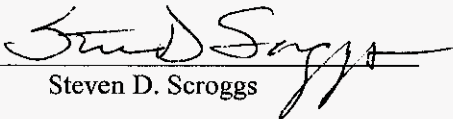
BEFORE ME, the undersigned authority, personally appeared Steven D. Scroggs who, being first duly sworn, deposes and says:

1. My name is Steven D. Scroggs. I am currently employed by Florida Power & Light Company ("FPL") as Senior Director, Project Development. I have personal knowledge of the matters stated in this affidavit.

2. I have reviewed Exhibit C and the documents that are included in FPL's Request for Confidential Classification concerning information provided with its Petition for Approval of Nuclear Power Plant Cost Recovery for the Year ending December 2013, for which I am identified on Exhibit C as the affiant. The documents and materials that I have reviewed contain proprietary confidential business information, including contractual data. Disclosure of this information would violate FPL's contracts with its vendors, work to the detriment of FPL's competitive interests, impair the competitive interests of its vendors and/or impair FPL's efforts to enter into contracts on commercially favorable terms. To the best of my knowledge, FPL has maintained the confidentiality of these documents and materials.

3. Consistent with the provisions of the Florida Administrative Code, such materials should remain confidential for a period of not less than 18 months. In addition, they 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.



Steven D. Scroggs

SWORN TO AND SUBSCRIBED before me this 25 day of April 2012, by Steven D. Scroggs, 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:

