

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition to determine need for an electrical power plant in Martin County by Florida Power & Light Company.

DOCKET NO. 020262-EI

In re: Petition to determine need for an electrical power plant in Manatee County by Florida Power & Light Company.

DOCKET NO. 020263-EI
ORDER NO. PSC-02-1313-CFO-EI
ISSUED: September 27, 2002

ORDER GRANTING IN PART AND DENYING IN PART FLORIDA POWER & LIGHT COMPANY'S REQUEST FOR CONFIDENTIAL CLASSIFICATION FOR CERTAIN DOCUMENTS PROVIDED AS RESPONSES TO STAFF'S REQUEST FOR PRODUCTION OF DOCUMENTS NOS. 18 AND 19

On September 6, 2002, Florida Power & Light Company (FPL), pursuant to Section 366.093, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, filed a Request for Confidential Classification for certain documents provided in response to Staff's Request for Production of Documents (PODs) Nos. 18 and 19. The information was filed with the Commission as Document No. 09503-02.

In support of its request for confidential classification of the POD Responses, FPL asserts that the information contained therein is entitled to confidential classification pursuant to Section 366.093(3)(e), Florida Statutes. FPL states that this information consists of rating agency presentations made by FPL to Standard & Poors and Moody's Investment Services. FPL asserts that the public disclosure of this information would cause irreparable harm to the competitive interests of FPL, as the revelation of detailed financial forecasts would impair FPL's competitive business interests by revealing competitive financial and generation strategies. FPL asserts that this information is intended to be, and has been treated by FPL as private and confidential, and has not been publicly disclosed.

FPL has supplied a page by page and line by line listing of the specific information which it asserts is confidential, which is attached hereto as Exhibit A. I have reviewed the listing supplied

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

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by FPL, and have determined that it adequately and sufficiently identifies the specific information for which FPL requests confidentiality, in compliance with Rule 25-22.006, Florida Administrative Code.

Upon review, it appears that the majority of the information for which confidential classification is sought contains proprietary, confidential information which, if disclosed, would impair the competitive business of FPL. The specific information granted confidential classification is listed below:

LINES	PAGE NUMBERS
All Requested	00115929ND, 00115913ND
All Requested	00115931ND, 00115915ND
All Requested	00115933ND, 00115917ND
All Requested	00115934ND, 00115918ND
All Requested	00115936ND, 00115920ND
All Requested	00115937ND, 00115921ND
All except "2001 Actual" columns	00115938ND, 00115922ND
All Requested	00115940ND, 00115924ND

Accordingly, I hereby grant FPL's request for confidential classification for the information identified in the table above, and contained in Document No. 09503-02.

Pages 00115938ND and 00115922ND also contain data entitled "2001 Actual". This information is not based upon forecasted or projected amounts; nor does it appear to relate to competitive financial strategies and interests, the disclosure of which would impair the competitive business of FPL. Accordingly, I hereby deny the request for confidential classification for the data listed in the 2001 Actual columns on pages 00115938ND and 00115922ND.

Section 366.093(4), Florida Statutes, provides that any finding by the Commission that records contain proprietary

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confidential business information shall be effective for a period not to exceed 18 months, unless the Commission finds good cause to specify a longer period. FPL has requested protection for a period of 36 months, alleging that much of the information contains forecasts through the year 2005. As such, I find it is appropriate that the information in Document No. 09503-02, granted confidentiality above, shall remain confidential for a period of 36 months from the date of issuance of this Order.


Based on the foregoing, it is

ORDERED by Commissioner J. Terry Deason, as Prehearing Officer, that Florida Power & Light Company's Request for Confidential Classification is granted in part and denied in part as set forth in the body of this Order. It is further

ORDERED that the information described within the body of this Order and contained in Document No. 09503-02 is granted confidential classification for a period of thirty-six (36) months from the date of this Order, in the absence of a renewed request for confidentiality pursuant to Section 366.093(4), Florida Statutes. It is further

ORDERED that this Order shall be the only notification by the Commission to the parties of the declassification date of this information.

By ORDER of Commissioner J. Terry Deason as Prehearing Officer, this 27th day of September, 2002.



J. TERRY DEASON
Commissioner and Prehearing Officer

(S E A L)

LDH

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

Any party adversely affected by this order, which is preliminary, procedural or intermediate in nature, may request: (1) reconsideration within 10 days pursuant to Rule 25-22.0376, Florida Administrative Code, if issued by a Prehearing Officer; (2) reconsideration within 15 days pursuant to Rule 25-22.060, Florida Administrative Code, if issued by the Commission; or (3) judicial review by the Florida Supreme Court, in the case of an electric, gas or telephone utility, or the First District Court of Appeal, in the case of a water or wastewater utility. A motion for reconsideration shall be filed with the Director, Division of the Commission Clerk and Administrative Services, in the form prescribed by Rule 25-22.060, Florida Administrative Code. Judicial review of a preliminary, procedural or intermediate ruling or order is available if review of the final action will not provide an adequate remedy. Such review may be requested from the appropriate court, as described above, pursuant to Rule 9.100, Florida Rules of Appellate Procedure.

Florida Power and Light Company
Field-by-Field Confidentiality Justification
Staff's Second Request for Production of Documents, No. 18

Document Title	Page Number	Line Description	Justification
Rating Agency Presentation (2002)	00115929ND	"Customers, Sales and System Capacity" - Average Customer Accounts (thousands) 2002-2006	Fla.Stat §366.093(3)(e)
SAME	00115929ND	Same - Energy Sales (million kWh) 2002-2006	Fla.Stat §366.093(3)(e)
SAME	00115929ND	Same - Average Growth Rate 2002-2006	Fla.Stat §366.093(3)(e)
SAME	00115931ND	"Regulatory Update," Base Revenues Under Old Agreement - Actual/Forecast 2002-2005	Fla.Stat §366.093(3)(e)
SAME	00115931ND	Same - "Rate Reduction" 2002-2005	Fla.Stat §366.093(3)(e)
SAME	00115931ND	Same - "Revenue Sharing" 2002-2005	Fla.Stat §366.093(3)(e)
SAME	00115931ND	Same, "Base Revenue Sharing" 2002-2005	Fla.Stat §366.093(3)(e)
SAME	00115931ND	"Regulatory Update," Base Revenues Under New Agreement - Original Forecast, 2002-2005	Fla.Stat §366.093(3)(e)
SAME	00115931ND	Same - Rate Reduction 2002-2005	Fla.Stat §366.093(3)(e)
SAME	00115931ND	Same - Revenue Sharing 2002-2005	Fla.Stat §366.093(3)(e)
SAME	00115931ND	Same - Base Revenue to FPL 2002-2005	Fla.Stat §366.093(3)(e)
SAME	00115931ND	"Regulatory Update" - Chart - Base Revenue to FPL	Fla.Stat §366.093(3)(e)
SAME	00115933ND	"FPL Cash Generation and Financing Plan (\$Millions)," "Cash Generated" - Cash Flow from Operations (2002-2004)	Fla.Stat §366.093(3)(e)
SAME	00115933ND	Same - "Capital Expenditures" 2002-2004	Fla.Stat §366.093(3)(e)
SAME	00115933ND	Same - "Other" 2002-2004	Fla.Stat §366.093(3)(e)
SAME	00115933ND	Same - "Total Generated/(Used)" 2002-2004	Fla.Stat §366.093(3)(e)
SAME	00115933ND	"FPL Cash Generation and Financing Plan (\$Millions)," "Financing Plan" - Issuance of Long-Term Debt (2002-2004)	Fla.Stat §366.093(3)(e)

Florida Power and Light Company
Field-by-Field Confidentiality Justification
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Document Title	Page Number	Line Description	Justification
SAME	00115933ND	Same - "Retirements of Long-Term Debt and Preferred Stock" 2002-2004	Fla.Stat §366.093(3)(e)
SAME	00115933ND	Same - "Net Equity (to) from FPL Group" 2002-2004	Fla.Stat §366.093(3)(e)
SAME	00115933ND	Same - "Change in Cash/Short-Term Debt" 2002-2004	Fla.Stat §366.093(3)(e)
SAME	00115933ND	Same - "Total Financing" 2002-2004	Fla.Stat §366.093(3)(e)
SAME	00115933ND	Same - "Cash/Short-Term Debt) Balance" 2002-2004	Fla.Stat §366.093(3)(e)
SAME	00115934ND	"Adjusted Financial Ratios (\$Millions)," "Capital Structure" - Debt 2002-2004	Fla.Stat §366.093(3)(e)
SAME	00115934ND	Same - "Preferred" 2002-2004	Fla.Stat §366.093(3)(e)
SAME	00115934ND	Same - "Equity" 2002-2004	Fla.Stat §366.093(3)(e)
SAME	00115934ND	Same - "Total" 2002-2004	Fla.Stat §366.093(3)(e)
SAME	00115934ND	"Adjusted Financial Ratios" - Debt Ratio Chart 2002-2004	Fla.Stat §366.093(3)(e)
SAME	00115934ND	"Adjusted Financial Ratios", "Capitalization Rations" - Debt 2002-2004	Fla.Stat §366.093(3)(e)
SAME	00115934ND	Same - "Preferred" 2002-2004	Fla.Stat §366.093(3)(e)
SAME	00115934ND	Same - "Equity" - 2002-2004	Fla.Stat §366.093(3)(e)
SAME	00115934ND	Same - "Total" 2002-2004	Fla.Stat §366.093(3)(e)
SAME	00115934ND	"Adjusted Financial Ratios" - FFO/Avg. Total Debt Chart 2002-2004	Fla.Stat §366.093(3)(e)
SAME	00115934ND	"Adjusted Financial Ratios" - FFO/Avg. Total Debt 2002-2004	Fla.Stat §366.093(3)(e)
SAME	00115934ND	Same "FFO Interest Coverage" 2002-2004	Fla.Stat §366.093(3)(e)
SAME	00115934ND	Same - "Pre-Tax Interest Coverage" 2002-2004	Fla.Stat §366.093(3)(e)
SAME	00115934ND	Same - "FFO Interest Coverage" Chart 2002P-2004P	Fla.Stat §366.093(3)(e)

**Florida Power and Light Company
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Document Title	Page Number	Line Description	Justification
SAME	00115936ND	"FPL Group Financing Plan" - Cumulative Cash requirements over the 2002 to 2004 period	Fla.Stat §366.093(3)(e)
SAME	00115936ND	Same - "Equity & Equity-Like Products"	Fla.Stat §366.093(3)(e)
SAME	00115936ND	Same - "Non-Recourse Debt"	Fla.Stat §366.093(3)(e)
SAME	00115936ND	"Recourse Debt at Florida Power & Light"	Fla.Stat §366.093(3)(e)
SAME	00115937ND	"Consolidated Cash Generation and Liquidity," "Cash Generated" - "Net Income" 2002-2004	Fla.Stat §366.093(3)(e)
SAME	00115937ND	Same - "Depreciation and Amortization" 2002-2004	Fla.Stat §366.093(3)(e)
SAME	00115937ND	Same - "Increase/(Decrease) in Deferred Income Taxes" 2002-2004	Fla.Stat §366.093(3)(e)
SAME	00115937ND	Same - "Deferrals Under Cost Recovery Clauses" 2002-2004	Fla.Stat §366.093(3)(e)
SAME	00115937ND	Same - "Other" 2002-2004	Fla.Stat §366.093(3)(e)
SAME	00115937ND	Same - "Cash Flow from Operations" 2002-2004	Fla.Stat §366.093(3)(e)
SAME	00115937ND	Same, "Less:" - "Capital Expenditures" 2002-2004	Fla.Stat §366.093(3)(e)
SAME	00115937ND	Same, "Less:" - "Independent Power Investments" 2002-2004	Fla.Stat §366.093(3)(e)
SAME	00115937ND	Same, "Less:" - "Dividends Paid" 2002-2004	Fla.Stat §366.093(3)(e)
SAME	00115937ND	Same, "Less:" - "Other" 2002-2004	Fla.Stat §366.093(3)(e)
SAME	00115937ND	Same - "Cash Generation" 2002-2004	Fla.Stat §366.093(3)(e)
SAME	00115937ND	"Consolidated Cash Generation and Liquidity," "Financing Plan" - "FPL Group Common Equity" 2002-2004	Fla.Stat §366.093(3)(e)
SAME	00115937ND	Same - "Increase/(Decrease) in Debt with Equity Units" - "Group Capital" 2002-2004	Fla.Stat §366.093(3)(e)

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Document Title	Page Number	Line Description	Justification
SAME	00115937ND	Same - "Increase/(Decrease) in Long-Term Debt - FPL" 2002-2004	Fla.Stat §366.093(3)(e)
SAME	00115937ND	Same - "Increase/(Decrease) in Recourse Debt" - "Group Capital" 2002-2004	Fla.Stat §366.093(3)(e)
SAME	00115937ND	Same - "Increase/(Decrease) in Recourse Debt" - "Group Capital" 2002-2004	Fla.Stat §366.093(3)(e)
SAME	00115937ND	Same - "Change in Cash/Short-Term Debt and Other Total Financing" 2002-2004	Fla.Stat §366.093(3)(e)
SAME	00115937ND	Same - "Cash/(Short-Term Debt) Net Position" 2002-2004	Fla.Stat §366.093(3)(e)
SAME	00115938ND	"Adjusted Financial Ratios (\$Millions)" - "Capital Structure" 2002-2004	Fla.Stat §366.093(3)(e)
SAME	00115938ND	Same - "FFO/Avg. Total Debt" 2002-2004	Fla.Stat §366.093(3)(e)
SAME	00115938ND	Same - Debt Ratio Chart	Fla.Stat §366.093(3)(e)
SAME	00115938ND	Same - FFO/Avg. Total Debt	Fla.Stat §366.093(3)(e)
SAME	00115938ND	Same - FFO/Interest Coverage Chart	Fla.Stat §366.093(3)(e)
SAME	00115938ND	Same - FFO/Interest Coverage 2002-2004	Fla.Stat §366.093(3)(e)
SAME	00115938ND	Same - Pre Tax Interest Coverage 2002-2004	Fla.Stat §366.093(3)(e)
SAME	00115940ND	"Conclusions" - FPL Group Plan Instruments	Fla.Stat §366.093(3)(e)

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Document Title	Page Number	Line Description	Justification
Rating Agency Presentation (2002)	00115913ND	"Customers, Sales and System Capacity" - Average Customer Accounts (thousands) 2002-2006	Fla.Stat §366.093(3)(e)
SAME	00115913ND	Same - Energy Sales (million kWh) 2002-2006	Fla.Stat §366.093(3)(e)
SAME	00115913ND	Same - "Avg. Growth Rate" 2002-2006	Fla.Stat §366.093(3)(e)
SAME	00115915ND	"Regulatory Update," "Base Revenues Under Old Agreement" - Actual/Forecast 2002-2005	Fla.Stat §366.093(3)(e)
SAME	00115915ND	Same - "Rate Reduction" 2002-2005	Fla.Stat §366.093(3)(e)
SAME	00115915ND	Same - "Revenue Sharing" 2002-2005	Fla.Stat §366.093(3)(e)
SAME	00115915ND	Same, "Base Revenue to FPL 2002-2005	Fla.Stat §366.093(3)(e)
SAME	00115915ND	"Regulatory Update," Base Revenues Under New Agreement - Original Forecast, 2002-2005	Fla.Stat §366.093(3)(e)
SAME	00115915ND	Same - Rate Reduction 2002-2005	Fla.Stat §366.093(3)(e)
SAME	00115915ND	Same - Revenue Sharing 2002-2005	Fla.Stat §366.093(3)(e)
SAME	00115915ND	Same - Base Revenue to FPL 2002-2005	Fla.Stat §366.093(3)(e)
SAME	00115915ND	"Regulatory Update" - chart - Base Revenue to FPL	Fla.Stat §366.093(3)(e)
SAME	00115917ND	"FPL Cash Generation and Financing Plan (\$Millions)," "Cash Generated" - Cash Flow from Operations (2002-2004)	Fla.Stat §366.093(3)(e)
SAME	00115917ND	Same - "Capital Expenditures" 2002-2004	Fla.Stat §366.093(3)(e)
SAME	00115917ND	Same - "Other" 2002-2004	Fla.Stat §366.093(3)(e)
SAME	00115917ND	Same - "Total Generated/(Used)" 2002-2004	Fla.Stat §366.093(3)(e)
SAME	00115917ND	"FPL Cash Generation and Financing Plan (\$Millions)," "Financing Plan" - Issuance of Long-Term Debt (2002-2004)	Fla.Stat §366.093(3)(e)

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SAME	00115917ND	Same - "Retirements of Long-Term Debt and Preferred Stock 2002-2004	Fla.Stat §366.093(3)(e)
SAME	00115917ND	Same - "Net Equity (to) from FPL Group" 2002-2004	Fla.Stat §366.093(3)(e)
SAME	00115917ND	Same - "Change in Cash/Short-Term Debt" 2002-2004	Fla.Stat §366.093(3)(e)
SAME	00115917ND	Same - "Total Financing" 2002-2004	Fla.Stat §366.093(3)(e)
SAME	00115917ND	Same - "Cash/(Short-Term Debt) Balance" 2002-2004	Fla.Stat §366.093(3)(e)
SAME	00115918ND	"Adjusted Financial Ratios (\$Millions)," "Capital Structure" - Debt 2002-2004	Fla.Stat §366.093(3)(e)
SAME	00115918ND	Same - "Preferred" 2002-2004	Fla.Stat §366.093(3)(e)
SAME	00115918ND	Same - "Equity" 2002-2004	Fla.Stat §366.093(3)(e)
SAME	00115918ND	Same - "Total" 2002-2004	Fla.Stat §366.093(3)(e)
SAME	00115918ND	"Adjusted Financial Ratios" - Debt Ratio Chart 2002-2004	Fla.Stat §366.093(3)(e)
SAME	00115918ND	"Adjusted Financial Ratios," "Capitalization Ratios" - Debt 2002-2004	Fla.Stat §366.093(3)(e)
SAME	00115918ND	Same - "Preferred" 2002-2004	Fla.Stat §366.093(3)(e)
SAME	00115918ND	Same - "Equity" 2002-2004	Fla.Stat §366.093(3)(e)
SAME	00115918ND	Same - "Total" 2002-2004	Fla.Stat §366.093(3)(e)
SAME	00115918ND	"Adjusted Financial Ratios" - FFO/Avg. Total Debt Chart 2002P-2004P	Fla.Stat §366.093(3)(e)
SAME	00115918ND	"Adjusted financial Ratios" - FFO/Avg. Total Debt 2002-2004	Fla.Stat §366.093(3)(e)
SAME	00115918ND	Same - "FFO Interest Coverage" 2002-2004	Fla.Stat §366.093(3)(e)
SAME	00115918ND	Same - "Pre-Tax Interest Coverage" 2002-2004	Fla.Stat §366.093(3)(e)
SAME	00115918ND	Same - "FFO Interest Coverage" Chart 2002P-2004P	Fla.Stat §366.093(3)(e)

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Document Title	Page Number	Line Description	Justification
SAME	00115920ND	"FPL Group Financing Plan" - Cumulative Cash requirements over the 2002 to 2004 period	Fla.Stat §366.093(3)(e)
SAME	00115920ND	Same - "Equity & Equity-Like Products"	Fla.Stat §366.093(3)(e)
SAME	00115920ND	Same - "Non-Recourse Debt"	Fla.Stat §366.093(3)(e)
SAME	00115920ND	"Recourse Debt at Florida Power & Light"	Fla.Stat §366.093(3)(e)
SAME	00115921ND	"Cash Generation and Liquidity," "Consolidated Cash Generated" - "Net Income" 2002-2004	Fla.Stat §366.093(3)(e)
SAME	00115921ND	Same - "Depreciation and Amortization" 2002-2004	Fla.Stat §366.093(3)(e)
SAME	00115921ND	Same - "Increase/(Decrease) in Deferred Income Taxes" 2002-2004	Fla.Stat §366.093(3)(e)
SAME	00115921ND	Same - "Deferrals Under Cost Recovery Clauses" 2002-2004	Fla.Stat §366.093(3)(e)
SAME	00115921ND	Same - "Other" 2002-2004	Fla.Stat §366.093(3)(e)
SAME	00115921ND	Same - "Cash Flow from Operations" 2002-2004	Fla.Stat §366.093(3)(e)
SAME	00115921ND	Same, "Less:" - "Capital Expenditures" 2002-2004	Fla.Stat §366.093(3)(e)
SAME	00115921ND	Same, "Less:" - "Independent Power Investments" 2002-2004	Fla.Stat §366.093(3)(e)
SAME	00115921ND	Same, "Less:" - Dividends Paid" 2002-2004	Fla.Stat §366.093(3)(e)
SAME	00115921ND	Same, "Less:" - "Other" 2002-2004	Fla.Stat §366.093(3)(e)
SAME	00115921ND	Same - "Cash Generation" 2002-2004	Fla.Stat §366.093(3)(e)
SAME	00115921ND	"Consolidation Cash Generation and Liquidity," "Financing Plan" - "FPL Group Common Equity" 2002-2004	Fla.Stat §366.093(3)(e)
SAME	00115921ND	Same - "Increase/(Decrease) in Debt with Equity Units - Group Capital" 2002-2004	Fla.Stat §366.093(3)(e)
SAME	00115921ND	Same - "Increase/(Decrease) in Long-Term Debt - FPL" 2002-2004	Fla.Stat §366.093(3)(e)

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Staff's Second Request for Production of Documents, No. 18

Document Title	Page Number	Line Description	Justification
SAME	00115921ND	Same - "Increase/(Decrease) in Recourse Debt - Group Capital" 2002-2004	Fla.Stat §366.093(3)(e)
SAME	00115921ND	Same - "Increase/(Decrease) in Non-Recourse Debt - FPL Energy" 2002-2004	Fla.Stat §366.093(3)(e)
SAME	00115921ND	Same - "Change in Cash/Short-Term Debt and Other Total Financing" 2002-2004	Fla.Stat §366.093(3)(e)
SAME	00115921ND	Same - "Cash/(Short-Term Debt) Net Position" 2002-2004	Fla.Stat §366.093(3)(e)
SAME	00115922ND	"Adjusted Financial Ratios (\$Millions)" - "Capital Structure" 2002-2004	Fla.Stat §366.093(3)(e)
SAME	00115922ND	Same - "FFO/Avg. Total Debt" 2002-2004	Fla.Stat §366.093(3)(e)
SAME	00115922ND	Same - Debt Ratio Chart	Fla.Stat §366.093(3)(e)
SAME	00115922ND	Same - FFO/Avg. Total Debt Chart	Fla.Stat §366.093(3)(e)
SAME	00115922ND	Same - FFO Interest Coverage Chart	Fla.Stat §366.093(3)(e)
SAME	00115922ND	Same - FFO Interest Coverage 2002-2004	Fla.Stat §366.093(3)(e)
SAME	00115922ND	Same - Pre-Tax Interest Coverage 2002-2004	Fla.Stat §366.093(3)(e)
SAME	00115924ND	"Conclusions" - FPL Group Plan Instruments	Fla.Stat §366.093(3)(e)