

BEFORE THE 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-03-1416-CFO-EI ISSUED: December 16, 2003

ORDER GRANTING REQUEST FOR EXTENSION  
OF CONFIDENTIAL CLASSIFICATION

Florida Power & Light Company (FPL) has filed a request for extension of the confidential classification granted by Order No. PSC-02-0549-CFO-EI to certain documents made part of the evidentiary record in this docket. The documents consist of portions of Appendixes C1-C6 to FPL's Martin and Manatee Need Determination petition and Exhibit AST-2 to the testimony of FPL's witness, Alan Taylor. The documents were treated as confidential in the hearing in this docket, and they have been granted confidential treatment by the Florida Supreme Court for purposes of the appeal of the Commission's final order granting the determination of need. FPL filed its request to extend confidential classification on October 24, 2003. No party has objected to the extension.

Order No. PSC-02-0549-CFO-EI, which was issued April 23, 2002, explains in detail the grounds for confidential treatment of these documents, and upon review it is clear that they remain proprietary confidential business information within the meaning of section 366.093(3), Florida Statutes. FPL asserts that the appeal of the Commission's decision in this docket is still pending, and FPL also expects that it will be filing a new petition for a determination of need within the next year. This is good cause to extend confidential classification of the documents for an additional 18 months.

Based on the foregoing, it is

ORDERED by Commissioner J. Terry Deason, as Prehearing officer, that Florida Power & Light Company's request for an extension of Confidential Classification for the materials deemed confidential by Order No. PSC-02-0549-CFO-EI is granted for a period of 18 months from the issuance date of this Order. It is further

ORDERED that this Order shall be the only notification by the Commission to the parties of the expiration of the confidentiality time period.

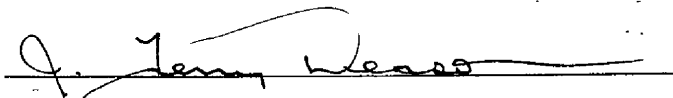
DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

ORDER NO. PSC-03-1416-CFO-EI  
DOCKETS NOS. 020262-EI, 020263-EI  
PAGE 2

BY ORDER of Commissioner J. Terry Deason, as Prehearing Officer, this 16th, Day  
of December, 2003.



J. TERRY DEASON  
Commissioner and Prehearing Officer

(SEAL)

MCB

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; or (2) 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.