

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Environmental cost recovery clause.

DOCKET NO. 060007-EI  
ORDER NO. PSC-06-0976-CFO-EI  
ISSUED: November 27, 2006

ORDER GRANTING FLORIDA POWER & LIGHT COMPANY'S FIRST REQUEST  
FOR EXTENSION OF CONFIDENTIAL CLASSIFICATION OF MATERIALS PROVIDED  
IN AUDIT NO. 04-044-4-1 (DOCUMENT NOS. 08243-04, 08288-04, AND 03931-06)

This Order addresses the continuation of confidential treatment of portions of materials provided in the Environmental Cost Recovery Clause Audit No. 04-044-4-1. By Order No. PSC-04-1074-CFO-EI the Commission initially granted confidential classification for the documents on November 3, 2004. On May 3, 2006, Florida Power & Light Company ("FPL") requested that confidential treatment be extended for the information contained in portions of Document Nos. 08234-04, 08288-04, and 03931-06. FPL requests that confidentiality be extended for an additional 18 months.<sup>1</sup>

The material at issue consists of customer-specific account information and internal auditing controls and reports of internal auditors. With respect to the customer-specific account information, FPL asserts that its corporate policy is not to disclose such information, and it is confidential pursuant to Section 366.093(3)(e), Florida Statutes. FPL also contends that the auditing materials are confidential pursuant to Section 366.093(3)(b), Florida Statutes. FPL states nothing has changed since the issuance of Order No. PSC-04-1074-CFO-EI to render the information stale or public so that confidential treatment would no longer be appropriate.

Upon review, it appears that portions of materials provided in the Environmental Cost Recovery Clause Audit No. 04-044-4-1, which were the subject of Order No. PSC-04-1074-CFO-EI, dated November 3, 2004, continue to be proprietary confidential business information within the meaning of Section 366.093, Florida Statutes, to the same extent confidentiality was granted by this Commission's prior order. Therefore, FPL's request for extension of confidential treatment of portions of materials provided in the Environmental Cost Recovery Clause Audit No. 04-044-4-1 is granted. The information identified in the table below is entitled to extended confidential treatment.

<sup>1</sup> Document No. 03931-06 supplants Document No. 08288-04, and that document has been returned to FPL. Therefore, this Order will address continued confidential treatment for the information contained in Document Nos. 08234-04 and 03931-06.

DOCUMENT NUMBER-DATE

10802 NOV 27 06

FPSC-COMMISSION CLERK

Staff's Workpaper Number	Description	Line No./Col No.	Florida Statute 366.903 (3) Subsection
9	List of Internal Audits	p. 1, Col. C, lines 1-51 p. 2, Col. C, lines 1-12	(b)
41-2/1-2	Customer billing	p. 1, Col. B, lines 1-36 p. 2, Col. B, lines 1-33	(e)
41-2/1-3	Customer billing	p.1, Col. B, lines 1-36 p. 2, Col. B, lines 1-28	(e)
41-2/1-4	Customer billing	p. 1-4 p.5, Col. A, line 1	(e)

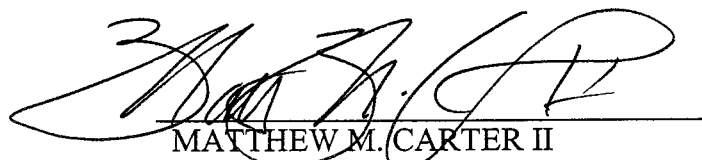
Section 366.093(4), Florida Statutes, provides that any finding by the Commission that records contain proprietary confidential business information shall be effective for a period not to exceed 18 months, absent good cause shown. Accordingly, the information identified in Document Nos. 08234-04 and 03931-06 shall be granted extended confidential classification for a period of 18 months from the issuance of this Order.

Based on the foregoing, it is

ORDERED by Commissioner Matthew M. Carter II, as Prehearing Officer, that the information described in the body of this Order and contained in Document Nos. 08234-04 and 03931-06 shall be granted confidential classification for a period of 18 months from the issuance of this Order. It is further

ORDERED that this Order will be the only notification by the Commission to the parties of the date of declassification of the materials discussed herein.

By ORDER of Commissioner Matthew M. Carter II, as Prehearing Officer, this 27th day of November, 2006.

  
MATTHEW M. CARTER II  
Commissioner and Prehearing Officer

( S E A L )

MCB/pz

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.