

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Request for confidential classification of materials provided in connection with FPL Connect Service Audit, RCA 05-285-4-1, by Florida Power & Light Company.

DOCKET NO. 060224-EI
ORDER NO. PSC-06-0978-CFO-EI
ISSUED: November 27, 2006

ORDER GRANTING REQUEST FOR CONFIDENTIAL CLASSIFICATION
OF DOCUMENT NOS. 01604-06, 01605-06 AND 04185-06

On March 13, 2006, Florida Power & Light Company (FPL) filed a request for confidential classification of selected portions of the working papers prepared by staff during the FPL Service Connect Process Audit for the year-ended December 31, 2004. FPL amended its request on May 12, 2006 and November 2, 2006 by reducing the number of documents for which confidential classification was sought.

Florida law presumes that documents submitted to governmental agencies shall be public records. The only exceptions to this presumption are the specific statutory exemptions provided in the law and exemptions granted by governmental agencies pursuant to the specific terms of a statutory provision. This presumption is based on the concept that government should operate in the "sunshine". Rule 25-22.006(4)(c), Florida Administrative Code, provides that it is the Company's burden to demonstrate that the documents fall into one of the statutory examples set out in Section 366.093, Florida Statutes, or to demonstrate that the information is proprietary confidential information, the disclosure of which will cause the Company or its ratepayers harm.

Section 366.093(3), Florida Statutes, in pertinent part, provides:

The term "proprietary confidential business information" means information, regardless of form or characteristics, which is owned or controlled by the person or company, is intended to be and is treated by the person or company as private in that the disclosure of the information would cause harm to the ratepayers or the person's or company's business operations, and has not been disclosed unless disclosed pursuant to a statutory provision, an order of a court or administrative body, or private agreement that provides that the information will not be released to the public. Proprietary confidential business information includes but is not limited to: . . . (e). Information relating to competitive business interests, the disclosure of which would impair the competitive business of the provider of the information.

As listed in Attachment 1, the materials for which FPL seeks confidential classification encompass FPL's customer-specific account information and information about the business operations of FPL's affiliate Florida Power & Light Energy Services (FPLES).

As noted in Order 22851, Docket No. 890973-EI (April 23, 1990),

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

disclosure of this [customer-specific electric demand and energy] information will place [FPL] at a competitive disadvantage by revealing one of its primary operating costs to its competitors.

FPL has also demonstrated that revealing FPLES' proprietary processes and business operations would impair FPL's affiliate's competitive business.

Accordingly, it appears that the materials listed in Attachment 1 meet the definition in Section 366.093(3)(e), Florida Statutes, and shall be treated as confidential.

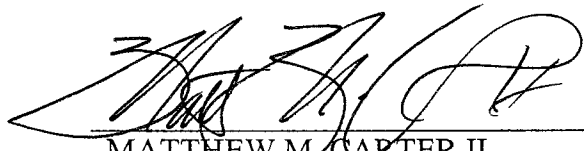
Based on the foregoing, it is

ORDERED by Commissioner Matthew M. Carter II, as Prehearing Officer, that Florida Power & Light Company's Request for Confidential Classification of Document Nos. 01604-06, 01605-06 and 04185-06, as set out in Attachment 1, is granted. It is further

ORDERED that pursuant to Section 366.093, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, any confidentiality granted to the documents specified herein shall expire eighteen (18) months from the date of issuance of this Order in the absence of a renewed request for confidentiality pursuant to Section 366.093. It is further

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

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)

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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.

Staff Work Paper Number	Description	Page(s)	Line(s)	Disposition	Type of Information Classified Confidential
Documents 01605-06, 02151-06 and 04185-06					
Audit Report	Audit Finding No. 1	4	25	Grant	Sensitive Competitive Business information
Audit Report	Audit Finding No. 4	8	26	Grant	Sensitive Competitive Business information
Audit Report	Audit Finding No. 5	11	2-3	Grant	Sensitive Competitive Business information
Documents 01604-06, 02151-06 and 04185-06					
Annotated Audit Report	Audit Finding No. 1	4	25	Grant	Sensitive Competitive Business information
Annotated Audit Report	Audit Finding No. 4	8	26	Grant	Sensitive Competitive Business information
Annotated Audit Report	Audit Finding No. 5	11	2-3	Grant	Sensitive Competitive Business information
5B	Meeting on Clarification of the Cost Allocation Worksheets Provided	1	1,14	Grant	Sensitive Competitive Business information
5B	Meeting on Clarification of the Cost Allocation Worksheets Provided	2	9	Grant	Sensitive Competitive Business information
25	Notes on Observation of FPLES Representative	2	23,25-29	Grant	Sensitive Competitive Business information
25	Notes on Observation of FPLES Representative	3	5,7-11,14	Grant	Sensitive Competitive Business information
25	Notes on Observation of FPLES Representative	4	3-5,7,9-10,16,18	Grant	Sensitive Competitive Business information
25	Notes on Observation of FPLES Representative	5	4,10,12-14,19-21,24,28	Grant	Sensitive Competitive Business information
25	Notes on Observation of FPLES Representative	6	2-3	Grant	Sensitive Competitive Business information
Documents 01604-06, 02151-06 and 04185-06					
25A	Print Screen of Vapors	1	1-20, except Connect Service Business Partners Named on Lines 12-18	Grant	Sensitive Competitive Business information
28	Summary of FPL Representative Training	2	12,19-22	Grant	Sensitive Competitive Business information
29	Script Used by FPLES to offer Services	1	10-11	Grant	Sensitive Competitive Business information
29-1	Audit Finding #1	1	14-15,26-28	Grant	Sensitive Competitive Business information
42-2	FPLES Connect Service Providers	1	18	Grant	Sensitive Competitive Business information
42-3	Explanation of FPLES Connect Services	1	20-21	Grant	Sensitive Competitive Business information
42-7	Types of Calls Transferred	1	13	Grant	Sensitive Competitive Business information

Staff Work Paper Number	Description	Page(s)	Line(s)	Disposition	Type of Information Classified Confidential
42-8	Customer Information Transferred	1	13-17	Grant	Sensitive Competitive Business information
43	Summary of Cost Allocation and Audit Findings	1	8-22,24-25, 27-28,35	Grant	Sensitive Competitive Business information
43	Summary of Cost Allocation and Audit Findings	2	6-7,12,23-25	Grant	Sensitive Competitive Business information
43	Summary of Cost Allocation and Audit Findings	4	1-2,5-6,9-11,13-15, 17,21-23,25-26, 30-31	Grant	Sensitive Competitive Business information
43	Summary of Cost Allocation and Audit Findings	5	2-3	Grant	Sensitive Competitive Business information
43	Summary of Cost Allocation and Audit Findings	6	6	Grant	Sensitive Competitive Business information
43-1	Cost Allocation	1	18-19,21,24,27, 32-33,36	Grant	Sensitive Competitive Business information
43-1	Cost Allocation	2	33-35, Col. H	Grant	Sensitive Competitive Business information
43-1	Cost Allocation	4	2-10,12-19,22-31,34-35	Grant	Sensitive Competitive Business information
43-1	Cost Allocation	5	5,18,31,44,57	Grant	Sensitive Competitive Business information
43-1	Cost Allocation	6	12,25	Grant	Sensitive Competitive Business information
43-1	Cost Allocation	9	33-35	Grant	Sensitive Competitive Business information
43-1	Cost Allocation	11	32-34	Grant	Sensitive Competitive Business information
44, p. 2	Bill Insert	1	20	Grant	Sensitive Competitive Business information
44-17	Bill Insert Cost	1	1-33,35-37	Grant	Sensitive Competitive Business information
44-19	Bill Insert Information	1	18,20	Grant	Sensitive Competitive Business information
Documents 01604-06, 02151-06 and 04185-06					
44-19	Bill Insert Information	2	8-9	Grant	Sensitive Competitive Business information
44-21	Bill Stuffers Information	1	18-23	Grant	Sensitive Competitive Business information
44-24	FPL Revenues	1	7,11,16-21	Grant	Sensitive Competitive Business information
44-24	FPL Revenues	2	13-15 Col. N; 17-23 Cols. S&T	Grant	Sensitive Competitive Business information
44-24	FPL Revenues	4	17; 27, Col. N	Grant	Sensitive Competitive Business information

Staff Work Paper Number	Description	Page(s)	Line(s)	Disposition	Type of Information Classified Confidential
44-24	FPL Revenues	5	17, Col. N	Grant	Sensitive Competitive Business information
44-24	FPL Revenues	6	14-16, Col. N	Grant	Sensitive Competitive Business information
46	Total Revenues Received by FPLES Related to Service Connect Calls	1	19,21	Grant	Sensitive Competitive Business information
46-1	Gas Service Revenues	1	15-22, Col. C	Grant	Sensitive Competitive Business information
46-1	Gas Service Revenues	2-3	All	Grant	Sensitive Competitive Business information
46-1	Gas Service Revenues	5	15-21, Col. C	Grant	Sensitive Competitive Business information
46-1	Gas Service Revenues	6-7	All	Grant	Sensitive Competitive Business information
46-2	Cash Receipts Received on Behalf of FPLES	1	15-19, Col. C; 20-22	Grant	Sensitive Competitive Business information
46-2	Cash Receipts Received on Behalf of FPLES	4	5,11,17,22,28, Col. B; 5-33, Cols. D-F	Grant	Sensitive Competitive Business information
46-2	Cash Receipts Received on Behalf of FPLES	5	5,11,16,24,29, Col. B; 5-34, Cols. D-F	Grant	Sensitive Competitive Business information
46-2	Cash Receipts Received on Behalf of FPLES	6	5,10,16, Col B; 5-22, Cols. D-F	Grant	Sensitive Competitive Business information
46-2	Cash Receipts Received on Behalf of FPLES	7	5,10,16,21,26,34, Col. B; 5-34 Cols. D-F	Grant	Sensitive Competitive Business information
46-2	Cash Receipts Received on Behalf of FPLES	8	9-14,19,25,31, Col. B; 5-32, Cols. D-F	Grant	Sensitive Competitive Business information
46-2	Cash Receipts Received on Behalf of FPLES	9	8,13,18,23,28,33, Col B. ; 5-33, Cols D-F	Grant	Sensitive Competitive Business information
Documents 01604-06, 02151-06 and 04185-06					
46-2	Cash Receipts Received on Behalf of FPLES	10	9,17,22,28,34, Col. B; 5-34, Cols. D-F	Grant	Sensitive Competitive Business information

Staff Work Paper Number	Description	Page(s)	Line(s)	Disposition	Type of Information Classified Confidential
46-2	Cash Receipts Received on Behalf of FPLES	11	10,15,20,25,30, Col. B; 5-33, Cols. D-F	Grant	Sensitive Competitive Business information
46-2	Cash Receipts Received on Behalf of FPLES	12	7,14,20,25,34, Col. B; 5-34, Cols. D-F	Grant	Sensitive Competitive Business information
46-2	Cash Receipts Received on Behalf of FPLES	13	9,14,19,27,33, Col. B; 5-33, Cols. D-F	Grant	Sensitive Competitive Business information
46-2	Cash Receipts Received on Behalf of FPLES	14	9,17,22,30, Col. B; 5-35, Cols. D-F	Grant	Sensitive Competitive Business information
46-2	Cash Receipts Received on Behalf of FPLES	15	5,11,17,22,27, Col. B. 5-34, Cols. D-G	Grant	Sensitive Competitive Business information
46-2	Cash Receipts Received on Behalf of FPLES	16	6,11,17,23,29, Col. B; 5-32, Cols. D-F	Grant	Sensitive Competitive Business information
46-2	Cash Receipts Received on Behalf of FPLES	17	6,11,18,23,28,33, Col. B; 5-33, Cols. D-F	Grant	Sensitive Competitive Business information
46-2	Cash Receipts Received on Behalf of FPLES	18	9,14,19,24,29, Col. B; 5-34, Cols. D-F	Grant	Sensitive Competitive Business information
46-2	Cash Receipts Received on Behalf of FPLES	19	31,36, Col. B; 5-43, Cols. D-F	Grant	Sensitive Competitive Business information
46-3	Transfer Cash Collected at FPL for VAPS to Inter-Company Payable Account to FPLES	1	16-25, Col. C	Grant	Sensitive Competitive Business information
46-3	Transfer Cash Collected at FPL for VAPS to Inter-Company Payable Account to FPLES	2	5-7,12, Cols. D-E; Col. B;	Grant	Sensitive Competitive Business information
46-3	Transfer Cash Collected at FPL for VAPS to Inter-Company Payable Account to FPLES	3	5-8, Cols.C-D	Grant	Sensitive Competitive Business information
46-3	Transfer Cash Collected at FPL for VAPS to Inter-Company Payable Account to FPLES	4	4-7 Cols B-E;	Grant	Sensitive Competitive Business information

Staff Work Paper Number	Description	Page(s)	Line(s)	Disposition	Type of Information Classified Confidential
Documents 01604-06, 02151-06 and 04185-06					
46-3	Transfer Cash Collected at FPL for VAPS to Inter-Company Payable Account to FPLES	5	4-7, Cols. B-F; 9-12, Col. F; 14, Col. D	Grant	Sensitive Competitive Business information
46-3	Transfer Cash Collected at FPL for VAPS to Inter-Company Payable Account to FPLES	6	4-9, Cols B-H; 11-16, Col. H	Grant	Sensitive Competitive Business information
46-3	Transfer Cash Collected at FPL for VAPS to Inter-Company Payable Account to FPLES	7	15-18, Col. C	Grant	Sensitive Competitive Business information
46-3	Transfer Cash Collected at FPL for VAPS to Inter-Company Payable Account to FPLES	8	6-8, Col. B 19-21; 23, Col. A; 25-26, Col. C	Grant	Sensitive Competitive Business information
46-3	Transfer Cash Collected at FPL for VAPS to Inter-Company Payable Account to FPLES	9	9-12.5, Cols. A-E,G,H	Grant	Sensitive Competitive Business information
46-4	Journal Entry to True-Up Bad Debt Provision for the Inventory Portion of Natural Gas	1	Lines 15-17, Col. C	Grant	Sensitive Competitive Business information
46-4	Journal Entry to True-Up Bad Debt Provision for the Inventory Portion of Natural Gas	2-4	All	Grant	Sensitive Competitive Business information
46-4	Journal Entry to True-Up Bad Debt Provision for the Inventory Portion of Natural Gas	5	Line 29, Col. B	Grant	Sensitive Competitive Business information
46-4	Journal Entry to True-Up Bad Debt Provision for the Inventory Portion of Natural Gas	6	11-12; 16-18, Col. B	Grant	Sensitive Competitive Business information

Staff Work Paper Number	Description	Page(s)	Line(s)	Disposition	Type of Information Classified Confidential
46-4	Journal Entry to True-Up Bad Debt Provision for the Inventory Portion of Natural Gas	8	6, col. B; 8, Col. D; 10, Col. F; 19-22,24,31-32; 33, Col. I	Grant	Sensitive Competitive Business information
Documents 01604-06, 02151-06 and 04185-06					
46-4	Journal Entry to True-Up Bad Debt Provision for the Inventory Portion of Natural Gas	9	8-9, Col. G; 18, Cols. L,N; 19-20	Grant	Sensitive Competitive Business information
47-1	General Ledger Monthly Transaction 12/04	5	14-18, Col B	Grant	Sensitive Competitive Business information
47-2	General Ledger Monthly Transaction 12/04	1	7-9, Cols. D-E	Grant	Sensitive Competitive Business information
47-2	General Ledger Monthly Transaction 12/04	2	14-19, Col. B	Grant	Sensitive Competitive Business information
47-2	General Ledger Monthly Transaction 12/04	3	7-11, Cols. D-E	Grant	Sensitive Competitive Business information
47-2	General Ledger Monthly Transaction 12/04	5	14-21, col. B	Grant	Sensitive Competitive Business information