

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Fuel and purchased power cost recovery
clause with generating performance incentive
factor.

DOCKET NO. 070001-EI
ORDER NO. PSC-07-0948-CFO-EI
ISSUED: November 28, 2007

ORDER GRANTING FLORIDA POWER & LIGHT COMPANY'S
REQUEST FOR CONFIDENTIAL CLASSIFICATION
FILED IN DOCKET NO. 060001-EI
(DOCUMENT NOS. 04323-06, 04324-06 AND 04629-06)

On May 26, 2006, Florida Power & Light Company (FPL) requested that certain portions of staff's working papers obtained or prepared during the "Florida Power & Light Capacity Cost Recovery Clause Audit for the Historical Year Ended December 31, 2005" be exempted from public access in accordance with Section 366.093, Florida Statutes, and Rule 25-22.006, Florida Administrative Code. The portions of the audit which are subject to the requests are staff's working papers identified as Document Nos. 04323-06, 04324-06, and 04629-06. This request was filed in Docket No. 060001-EI.

Section 366.093(1), Florida Statutes, provides that "any records received by the commission which are shown and found by the commission to be proprietary confidential business information shall be kept confidential and shall be exempt from [the Public Records Act]." Section 366.093(3), Florida Statutes, defines proprietary confidential business 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 ratepayers or business operations, and has not been voluntarily disclosed to the public. Section 366.093(3)(b)(d) and (e), Florida Statutes, provide that proprietary confidential business information includes, but is not limited to "[i]nternal auditing controls and reports of internal auditors," "[i]nformation concerning bids or other contractual data, the disclosure of which would impair the efforts of the public utility or its affiliate to contract for goods or services on favorable terms," and "[i]nformation relating to competitive interests, the disclosure of which would impair the competitive business of the provider of the information."

FPL contends that the information falls within these categories and thus constitutes proprietary confidential business information entitled to protection under Section 366.093, Florida Statutes, and Rule 25-22.006, Florida Administrative Code. FPL states that this information is intended to be and is treated by FPL as private and has not been publicly disclosed.

DOCUMENT NUMBER-DATE

10565 NOV 28 07

FPSC-COMMISSION CLERK

FPL requests that the following information be granted confidential classification:

Staff Work Paper Number	Description	Page(s)	Line(s)	Type of Information
9	Internal Audit List	1-4	Col. B	Internal Auditing Controls and Reports of Internal Audits
9-1	Internal Audit Review	1-3	All	Internal Auditing Controls and Reports of Internal Audits
9-2	Internal Audit Review	1-5	All	Internal Auditing Controls and Reports of Internal Audits
9-2/1	Internal Audit Review	1	All	Internal Auditing Controls and Reports of Internal Audits
9-3	Internal Audit Review	1-4	All	Internal Auditing Controls and Reports of Internal Audits
9-3/1	Internal Audit Review	1	All	Internal Auditing Controls and Reports of Internal Audits
9-4	Internal Audit Review	1-2	All	Internal Auditing Controls and Reports of Internal Audits
9-5	Internal Audit Review	1-3	All	Internal Auditing Controls and Reports of Internal Audits
41-1/2-4	Rate Codes	1-3	Col. 1	Customer-Specific Account Information
42-1/2-1	GADS Detail	1	Cols. B-D,G,H, 11-12	Sensitive Contractual and Competitive Business Information
42-1/2-1	GADS Detail	2	Cols. B-D,G,H, 11-19	Sensitive Contractual and Competitive Business Information
42-1/2-1	GADS Detail	3	Cols. B-D,G,H, 11	Sensitive Contractual and Competitive Business Information
42-1/2-1	GADS Detail	4	Cols. B-D,G,H, 11; 12	Sensitive Contractual and Competitive Business Information
42-1/2-1	GADS Detail	5	Cols. B-D,G,H, 11-15; 16	Sensitive Contractual and Competitive Business Information
42-1/2-1	GADS Detail	6	Cols. B-D,G,H, 11-17	Sensitive Contractual and Competitive Business Information

Staff Work Paper Number	Description	Page(s)	Line(s)	Type of Information
42-1/2-1	GADS Detail	7	Cols. B-D,G,H, 11-16; 17-20	Sensitive Contractual and Competitive Business Information
42-1/2-1	GADS Detail	8	Cols. B-D,G,H, 11-13	Sensitive Contractual and Competitive Business Information
42-1/2-1	GADS Detail	9	Cols. B-D,G,H, 11	Sensitive Contractual and Competitive Business Information
42-1/2-1	GADS Detail	10	Cols. B-D,G,H, 11-14	Sensitive Contractual and Competitive Business Information
43-3/1	Gas Sample Item	3	Col. C, 1-8	Sensitive Contractual and Competitive Business Information
43-3/1	Gas Sample Item	4	2,4; Cols. A-D	Sensitive Contractual and Competitive Business Information
43-3/1-1	Deal Journal/Invoice Details	1	Cols. C,F-H,J,K, 1-8	Sensitive Contractual and Competitive Business Information
43-3/1-1	Deal Journal/Invoice Details	2	Cols. F-K	Sensitive Contractual and Competitive Business Information
43-3/1-1/1	Invoice	1	Cols. C-F	Sensitive Contractual and Competitive Business Information
43-3/1-2/1	Transportation Invoice	1	Col. D	Sensitive Contractual and Competitive Business Information
43-3/1-2/1	Transportation Invoice	2	Cols. B-C,E	Sensitive Contractual and Competitive Business Information
43-3/2-1	Oil Pricing	1	Col. G, 1-6,9-13, 15-20,22-28,30-35 Col. I, 2	Sensitive Contractual and Competitive Business Information
43-3/2-1/2	Oil Pricing	1	All	Sensitive Contractual and Competitive Business Information
43-3/3	Invoice	1	1-7	Sensitive Contractual and Competitive Business Information
43-3/3-1	Invoice	1	1-8,10	Sensitive Contractual and Competitive Business Information

Staff Work Paper Number	Description	Page(s)	Line(s)	Type of Information
43-3/3-2	Invoice Explanation	1	4,5	Sensitive Contractual and Competitive Business Information
43-3/4-1	Invoice Pricing	1	Col. G, 1-8,10-15, 17-23,25-30	Sensitive Contractual and Competitive Business Information
45-4/1-1	Allocation to Owners	1	3-8,11-16	Sensitive Competitive Business Information
45-4/1-1	Allocation to Owners	2	All	Sensitive Competitive Business Information
45-4/1-1/1	Receipts Allocation	1	4-8,12-16	Sensitive Competitive Business Information
45-4/2-1	Allocation of Survey	1	4-8,12-16	Sensitive Competitive Business Information
45-4/2-1	Allocation of Survey	2	All	Sensitive Competitive Business Information
45-4/2-1/1	Receipts Allocation	1	5-9,4-17	Sensitive Competitive Business Information
45-4/3-1	Allocation of Survey	1	4-8,12-16	Sensitive Competitive Business Information
45-4/3-1	Allocation of Survey	2	All	Sensitive Competitive Business Information
45-4/3-1/1	Receipts Allocation	1	5-9,13-17	Sensitive Competitive Business Information
45-4/3-1/2	Cost MMBTU	2	All	Sensitive Competitive Business Information
45-4/4-1	Allocation Survey	1	4-8,12-16	Sensitive Competitive Business Information
45-4/4-1	Allocation Survey	2	All	Sensitive Competitive Business Information
45-4/4-1/1	Receipts Allocation	1	5-9,13-17	Sensitive Competitive Business Information
46-1/1	True Up Information	1	34-38	Sensitive Contractual and Competitive Business Information
46-1/2	True Up Information	1	34-38	Sensitive Contractual and Competitive Business Information
46-1/3	Nuclear Sharing	1-2	Col. A	Sensitive Contractual and Competitive Business Information
46-1/4	Nuclear Sharing	1-2	Col. A	Sensitive Contractual and Competitive Business Information
46-1/5	True Up Information	1	Cols. B,D	Sensitive Contractual and Competitive Business Information

Staff Work Paper Number	Description	Page(s)	Line(s)	Type of Information
46-1/5-1	True Up Information Prior Period	1	Cols. B-C, 4-10, 26-32,39-46	Sensitive Contractual and Competitive Business Information
46-1/6	True Up Information	1	Cols. B,D	Sensitive Contractual and Competitive Business Information
46-1/7	True Up Information	1	Cols. B-D	Sensitive Contractual and Competitive Business Information
46-1/8	Review of Contracts	1	6,17,19-22,33-34	Sensitive Contractual and Competitive Business Information
48-1/1	A8 Worksheet	1	Col. A	Sensitive Contractual and Competitive Business Information
48-1/1-1	Energy Payment Summary and Invoices	1	2	Sensitive Contractual and Competitive Business Information
48-1/1-1	Energy Payment Summary and Invoices	2	4	Sensitive Contractual and Competitive Business Information
48-1/1-1	Energy Payment Summary and Invoices	3	2	Sensitive Contractual and Competitive Business Information
48-1/1-1	Energy Payment Summary and Invoices	4	4	Sensitive Contractual and Competitive Business Information
48-1/1-1	Energy Payment Summary and Invoices	5-6	2	Sensitive Contractual and Competitive Business Information
48-1/1-2	Energy Payment Summary and Invoices	1	2	Sensitive Contractual and Competitive Business Information
48-1/1-2	Energy Payment Summary and Invoices	2	4	Sensitive Contractual and Competitive Business Information
48-1/1-2	Energy Payment Summary and Invoices	3-4	2	Sensitive Contractual and Competitive Business Information
48-1/1-3	Energy Payment Summary and Invoices	1	2	Sensitive Contractual and Competitive Business Information
48-1/1-3	Energy Payment Summary and Invoices	2	4	Sensitive Contractual and Competitive Business Information
48-1/1-3	Energy Payment Summary and Invoices	3	3	Sensitive Contractual and Competitive Business Information

Staff Work Paper Number	Description	Page(s)	Line(s)	Type of Information
48-1/1-3	Energy Payment Summary and Invoices	4	2	Sensitive Contractual and Competitive Business Information
48-1/1-4	Energy Payment Summary and Invoices	1	2	Sensitive Contractual and Competitive Business Information
48-1/1-4	Energy Payment Summary and Invoices	2	4	Sensitive Contractual and Competitive Business Information
48-1/1-4	Energy Payment Summary and Invoices	3	3	Sensitive Contractual and Competitive Business Information
48-1/1-4	Energy Payment Summary and Invoices	4	2	Sensitive Contractual and Competitive Business Information
48-1/1-5	Energy Payment Summary and Invoices	1	2	Sensitive Contractual and Competitive Business Information
48-1/1-5	Energy Payment Summary and Invoices	2	4	Sensitive Contractual and Competitive Business Information
48-1/1-5	Energy Payment Summary and Invoices	3-4	2	Sensitive Contractual and Competitive Business Information
48-1/1-6	Energy Payment Summary and Invoices	1	2	Sensitive Contractual and Competitive Business Information
48-1/1-6	Energy Payment Summary and Invoices	2	4	Sensitive Contractual and Competitive Business Information
48-1/1-6	Energy Payment Summary and Invoices	3-4	2	Sensitive Contractual and Competitive Business Information
48-1/1-7	Energy Payment Summary and Invoices	1	2	Sensitive Contractual and Competitive Business Information
48-1/1-7	Energy Payment Summary and Invoices	2	4	Sensitive Contractual and Competitive Business Information
48-1/1-7	Energy Payment Summary and Invoices	3-4	2	Sensitive Contractual and Competitive Business Information
48-1/1-7/1	Energy Payment Summary and Invoices	1	1,16	Sensitive Contractual and Competitive Business Information
48-1/1-8	Energy Payment Summary and Invoices	1	2	Sensitive Contractual and Competitive Business Information

Staff Work Paper Number	Description	Page(s)	Line(s)	Type of Information
48-1/1-8	Energy Payment Summary and Invoices	2	4	Sensitive Contractual and Competitive Business Information
48-1/1-8	Energy Payment Summary and Invoices	3-4	2	Sensitive Contractual and Competitive Business Information
48-1/1-9	Energy Payment Summary and Invoices	1	2	Sensitive Contractual and Competitive Business Information
48-1/1-9	Energy Payment Summary and Invoices	2	4,5	Sensitive Contractual and Competitive Business Information
48-1/1-9	Energy Payment Summary and Invoices	3-4	2	Sensitive Contractual and Competitive Business Information
48-1/1-10	Energy Payment Summary and Invoices	1	2	Sensitive Contractual and Competitive Business Information
48-1/1-10	Energy Payment Summary and Invoices	2	4	Sensitive Contractual and Competitive Business Information
48-1/1-10	Energy Payment Summary and Invoices	3-4	2	Sensitive Contractual and Competitive Business Information
48-1/1-11	Energy Payment Summary and Invoices	1	2	Sensitive Contractual and Competitive Business Information
48-1/1-11	Energy Payment Summary and Invoices	2	4	Sensitive Contractual and Competitive Business Information
48-1/1-11	Energy Payment Summary and Invoices	3-4	2	Sensitive Contractual and Competitive Business Information
48-2/1	A8 Worksheet	1	Col. A	Sensitive Contractual and Competitive Business Information
48-2/1-1	Energy Payment Summary and Invoices	1	2	Sensitive Contractual and Competitive Business Information
48-2/1-1	Energy Payment Summary and Invoices	2	4	Sensitive Contractual and Competitive Business Information
48-2/1-1	Energy Payment Summary and Invoices	3	3	Sensitive Contractual and Competitive Business Information
48-2/1-1	Energy Payment Summary and Invoices	4	2	Sensitive Contractual and Competitive Business Information

Staff Work Paper Number	Description	Page(s)	Line(s)	Type of Information
48-2/1-2	Energy Payment Summary and Invoices	1	2	Sensitive Contractual and Competitive Business Information
48-2/1-2	Energy Payment Summary and Invoices	2	4	Sensitive Contractual and Competitive Business Information
48-2/1-2	Energy Payment Summary and Invoices	3	3	Sensitive Contractual and Competitive Business Information
48-2/1-2	Energy Payment Summary and Invoices	4	1	Sensitive Contractual and Competitive Business Information
48-2/1-2	Energy Payment Summary and Invoices	5	2	Sensitive Contractual and Competitive Business Information
48-2/1-2/1	Energy Payment Summary and Invoices	1-2	All	Sensitive Contractual and Competitive Business Information
48-2/1-3	Energy Payment Summary and Invoices	1	2	Sensitive Contractual and Competitive Business Information
48-2/1-3	Energy Payment Summary and Invoices	2	4	Sensitive Contractual and Competitive Business Information
48-2/1-3	Energy Payment Summary and Invoices	3-4	2	Sensitive Contractual and Competitive Business Information
49-1	Form 423	1	1,10-16,37-38	Sensitive Contractual Information
49-1/2	Fuel Transactions	1-2	Cols H-Q	Sensitive Contractual and Competitive Business Information
49-1/3	Fuel Transactions	1	Cols H-Q	Sensitive Contractual and Competitive Business Information
49-1/4	Inventory Report	1	Cols. A-B, 1-8,10-18, 20-23,25-26,28-44 Cols. E-L, 1-44 Cols. M-N, 1-8, 10-18,20-23,24-26, 28-44 45-46	Sensitive Contractual and Competitive Business Information
49-2	Reconcile A-5 to 423	1	1,10-17b,39-40	Sensitive Contractual Information

Staff Work Paper Number	Description	Page(s)	Line(s)	Type of Information
49-2/2	Fuel Transactions	1-2	Cols. H-Q	Sensitive Contractual and Competitive Business Information
49-2/3	Fuel Transactions	1	Cols. H-Q	Sensitive Contractual and Competitive Business Information
49-2/4	Inventory Report	1	Cols. A-B, 1-8,10-18, 20-23,25-26,28-44; Cols E-L, 1-44; Cols M-O, 1-8,10-18, 20-23,25-26,28-44; 45-46	Sensitive Contractual and Competitive Business Information
50-1/2	LAMBDA	1	Cols. F,H-I,K-N, 1-21,23-46	Sensitive Contractual and Competitive Business Information
50-1/2-1	Purchase Statement	1	Cols. C-F	Sensitive Contractual and Competitive Business Information
50-1/2-2	Invoice	1-2	3-5	Sensitive Contractual and Competitive Business Information
53-1	Natural Gas Procurement	1-13	Cols., C-F	Sensitive Contractual and Competitive Business Information
53-1/1	Natural Gas Procurement	1	Cols., C-F	Sensitive Contractual and Competitive Business Information
53-1/1	Natural Gas Procurement	2	A-E,J-P	Sensitive Contractual and Competitive Business Information
53-1/1	Natural Gas Procurement	3-18	All	Sensitive Contractual and Competitive Business Information
53-1/1	Natural Gas Procurement	19	9; Cols. C,E	Sensitive Contractual and Competitive Business Information
53-1/1-1	Invoice	1-3	Cols. C-F	Sensitive Contractual and Competitive Business Information
53-1/1-1	Invoice	4	Cols. B-D	Sensitive Contractual and Competitive Business Information

Staff Work Paper Number	Description	Page(s)	Line(s)	Type of Information
53-1/1-1/1	Invoice	1	1; Col. A, 2; Col. B, 6; Col. C, 14; Col. D, 18; Cols, E-G	Sensitive Contractual and Competitive Business Information
53-1/1-1/1	Invoice	2	Col. D, 1; Cols C,E,I	Sensitive Contractual and Competitive Business Information
53-1/1-1/1	Invoice	3-4	Col A, 3-6; Col. B, 8-10,12-14; Col. C, 15	Sensitive Contractual and Competitive Business Information
53-1/1-2	Swap Deal Entry	1-2	1,3,5,10,15 Cols. A-C;	Sensitive Contractual and Competitive Business Information
53-1/1-3	Confirmation	1	1-2,23,26-30,36	Sensitive Contractual and Competitive Business Information
53-1/1-3	Confirmation	2	1-5,32	Sensitive Contractual and Competitive Business Information
53-1/1-3	Confirmation	3	1-2,23,26-30,36	Sensitive Contractual and Competitive Business Information
53-1/1-3	Confirmation	4	1-5,29	Sensitive Contractual and Competitive Business Information
53-2	Heavy Oil Procurement	1-13	Cols. C-F	Sensitive Contractual and Competitive Business Information
53-2/1	Heavy Oil Procurement	1	Cols. C-F	Sensitive Contractual and Competitive Business Information
53-2/1	Heavy Oil Procurement	2-14	All	Sensitive Contractual and Competitive Business Information
53-2/1-1	FPL Derivatives Settlement	1	All	Sensitive Contractual and Competitive Business Information

Staff Work Paper Number	Description	Page(s)	Line(s)	Type of Information
53-2/1-1	FPL Derivatives Settlement	2	Cols. E-L	Sensitive Contractual and Competitive Business Information
53-2/1-1	FPL Derivatives Settlement	3	1,3,6,10,16; Cols. A-B	Sensitive Contractual and Competitive Business Information
53-2/1-1	FPL Derivatives Settlement	5	3; Cols. C-F	Sensitive Contractual and Competitive Business Information
53-2/1-1	FPL Derivatives Settlement	6	2,11-17,20,23-26,36	Sensitive Contractual and Competitive Business Information
53-2/1-1	FPL Derivatives Settlement	7	5	Sensitive Contractual and Competitive Business Information
53-2/1-2	Bank Statement	1	3,20	Sensitive Contractual and Competitive Business Information
53-2/1-2	Bank Statement	2	24,28-29,33,36	Sensitive Contractual and Competitive Business Information
53-3	Electricity	1-13	Cols. C-F	Sensitive Contractual and Competitive Business Information
53-3/1	Electricity	1	Cols. C-F	Sensitive Contractual and Competitive Business Information
53-3/1	Electricity	2-3	All	Sensitive Contractual and Competitive Business Information
53-3/1-1	Bank Statement	1-3	All	Sensitive Contractual and Competitive Business Information
53-3/1-1	Bank Statement	4	3; Cols. C-F	Sensitive Contractual and Competitive Business Information
53-3/1-1	Bank Statement	5	1; Col. A, 2; Col B, 3; Col .C, 10 14; Cols. D-F	Sensitive Contractual and Competitive Business Information
53-3/1-1/1	Contract Calculation	1	All	Sensitive Contractual Information

Staff Work Paper Number	Description	Page(s)	Line(s)	Type of Information
53-4	EMT Manual	1-71	All	Sensitive Competitive Business Information
58-1/1-1/2	Summary Nuclear	1	3; Col. A, 7,8,10	Sensitive Contractual and Competitive Business Information
58-1/1-2	September A6 [Form]	1	4; Col. A, 8-9,11	Sensitive Contractual and Competitive Business Information
58-1/2	LAMBDA	1-9	Cols. F,H-N	Sensitive Contractual and Competitive Business Information
58-1/3	Daily Log Sample	1-2	Cols. A-C, 1	Sensitive Contractual Information
58-2/1-1	Gen Trader Information	1	All	Sensitive Competitive Business Information
59-1	Vendor Report	1-5	1; Col. A	Sensitive Contractual Information
59-2	Vendor Report	1	1; Col. A	Sensitive Contractual Information

FPL witness Robert Onsgard, Manager of Internal Auditing, states that sensitive information concerning FPL's Internal Audit Information is contained in the working papers "Internal Audit List" and "Internal Audit Review." As such, argues FPL, the information should be granted confidential classification pursuant to Section 366.093(b), Florida Statutes.

FPL witness Korel Dubin, Manager of Regulatory Issues, states that customer specific account information, including bank account numbers, are contained in the staff working paper titled: "Rate Codes." Witness Dubin testifies that it is FPL's corporate policy not to disclose customer information, including customer names, addresses, telephone numbers, account numbers, rates, billing determinates, conservation savings, and bills. According to the witness, FPL does not disclose this information without customer consent, unless required by law.

FPL witness Pamela Sonnelitter, General Manager of Business Services in the Power Generation Division states that certain of FPL's sensitive contractual and competitively sensitive business information is contained within staff working papers titled "GADS Detail." FPL argues that the information would harm the ability of FPL and its affiliates to contract on favorable terms if the information was released. FPL also urges that release of this information would harm the competitive business of the provider of the information.

FPL witness Gerard J. Yupp, Director of Wholesale Operations in the Energy Marketing and Trading Division, states that certain of FPL's sensitive contractual and competitive business information is contained within the following staff working papers: "Gas Sample," "Deal

Journal/Invoice Details,” “Invoice,” “Transportation Invoice,” “Oil Pricing,” “Invoice Pricing,” “Invoice Explanation,” “True Up Information,” “ True Up Information Prior Period,” “Review of Contracts,” “Fuel Transactions,” “Inventory Report,” “LAMBDA,” “Purchase Statement,” “Natural Gas Procurement,” “Swap Deal Entry,” “Confirmation,” “Heavy Fuel Procurement,” “FPL Derivatives Settlement,” “Bank Statement,” and “Electricity.” Witness Yupp also states that sensitive competitive information of FPL’s is contained in working papers titled: “Allocation to Owners,” “Receipts Allocation,” “Allocation of Survey,” “Cost MMBTU,” “EMT Manual,” and “Gen Trader Information.” Finally, witness Yupp states that certain of FPL’s sensitive contractual information is contained in the work papers titled: “Form 423,” “Reconcile A5 to 423,” “Contact Calculation,” “Daily Log Sample,” and “Vendor Report.” FPL concludes that the release of this information could harm the competitive business of FPL and could harm FPL and its affiliates’ ability to contract on favorable terms.

FPL witness Osvaldo J. Lom, Supervisor of Purchased Power Contracts testifies that certain of FPL’s sensitive contractual and competitive business information is reported in staff working papers titled: “True Up Information,” “Nuclear Sharing,” “A8 Worksheet,” “Energy Payment Summary and Invoices,” “Summary Nuclear,” and “ September A6 [Form].” FPL argues that the release of this contractual information would harm the ability of the utility and its affiliates to contract favorably for goods and services. Additionally, FPL contends that if this information is released it would harm the competitive businesses of the provider of that information.

Upon review, it appears that the above-referenced information satisfies the criteria set forth in Section 366.093(3), Florida Statutes, for classification as proprietary confidential business information and shall be treated as confidential. The information constitutes “[i]nternal auditing controls and reports of internal auditors,” “[i]nformation concerning bids or other contractual data, the disclosure of which would impair the efforts of the public utility or its affiliate to contract for goods or services on favorable terms,” or “[i]nformation relating to competitive interests, the disclosure of which would impair the competitive business of the provider of the information.” Thus, this information is granted confidential classification.

Pursuant to Section 366.093(4), Florida Statutes, the information for which confidential classification is granted herein shall remain protected from disclosure for a period of 18 months from the date of issuance of this order. At the conclusion of the 18 month period, the confidential information will no longer be exempt from Section 119.07(1), Florida Statutes, unless FPL or another affected person shows, and the Commission finds, that the records continue to contain proprietary confidential business information.

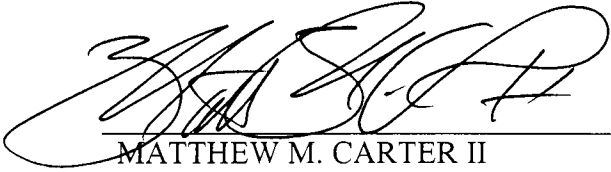
Based on the foregoing, it is

ORDERED by Commissioner Matthew M. Carter II, as Prehearing Officer, that Florida Power & Light Company’s Request for Confidential Classification of Document Nos. 04323-06, 04324-06, and 04629-06 is granted. It is further

ORDERED that the information in Document Nos. 04323-06, 04324-06, and 04629-06 for which confidential classification has been granted shall remain protected from disclosure for a period of 18 months from the date of issuance of this order. It is further

ORDERED that this Order shall 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 28th day of November, 2007.



MATTHEW M. CARTER II
Commissioner and Prehearing Officer

(S E A L)

LCB/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 Office of Commission Clerk, 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.