

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Energy conservation cost recovery clause.

DOCKET NO. 110002-EG  
 ORDER NO. PSC-11-0316-CFO-EG  
 ISSUED: July 28, 2011

ORDER GRANTING REQUEST OF CONFIDENTIAL CLASSIFICATION OF DOCUMENT NO. 03047-11

On May 3, 2011, pursuant to Section 366.093, Florida Statutes (F.S.), and Rule 25-22.006, Florida Administrative Code (F.A.C.), Florida Power & Light Company (FPL) filed a request for confidential classification of Document No. 03047-11, regarding confidential information required to be filed as part of true-up filing. FPL asserts that the confidential information in the document is intended to be proprietary, is treated as proprietary, and has not been publicly disclosed. FPL requests that the Commission grant confidential classification for the document for a period of 18 months from the date of the issuance of this Order, pursuant to Section 366.093(4), F.S.

Section 366.093(1), F.S., provides that records the Commission has found to contain proprietary confidential business information shall be kept confidential and shall be exempt from Chapter 119, F.S., Florida's Public Records Act. Section 366.093(3), F.S., 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), F.S., provides that proprietary confidential business information includes:

- (d) Information concerning bids or other contractual data, the disclosure of which would impair the efforts of the public utility or its affiliates to contract goods or services on favorable terms.

FPL asserts that the information for which it seeks confidential status contains sensitive competitive business information: information concerning its contracts and contracting processes, information disclosing customer specific cost-effectiveness. Section 366.093(3)(d), F.S. provides the Commission may grant a confidential classification to contract and bid information if its release will impair the ability of the public utility or its affiliates to purchase goods or services in the future.

FPL requests confidential classification for the information listed in the following table:

WORKPAPER	PAGE(S)	LINE(S)	TYPE OF INFORMATION
Document No. 03047-11			
AS-1, CT-6	20-24	No. 3	Customer specific information

DOCUMENT NUMBER-DATE

05252 JUL 28 =

FPSC-COMMISSION CLERK

<b>WORKPAPER</b>	<b>PAGE(S)</b>	<b>LINE(S)</b>	<b>TYPE OF INFORMATION</b>
Document No. 03047-11			
AS-1, CT-6	26-37	No. 3	Customer specific information
AS-1, CT-6	39-50	No. 3	Customer specific information
AS-1, CT-6	52-63	No. 3	Customer specific information
AS-1, CT-6	65-76	No. 3	Customer specific information
AS-1, CT-6	78-84	No. 3	Customer specific information

Upon review, it appears that the requested information satisfies the criteria set forth in Section 366.093(3)(d), F.S. The information contains competitive business and contractual information, the disclosure of which would impair the company's ability to compete for services and impair the competitive interests of its customers. In addition, the information contains customer specific information, the disclosure of which would be detrimental to the interests of FPL's customers. Therefore, confidential classification for Document No. 03047-11 is granted.

Pursuant to Section 366.093(4), F.S., 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), F.S., unless FPL or another affected person shows, and the Commission finds, that the information continues to contain proprietary confidential business information.

Based on the foregoing, it is

ORDERED by Commissioner Ronald A. Brisé, as Prehearing Officer, that Florida Power & Light Company's request for confidential classification of Document No. 03047-11 is hereby granted as set forth herein. It is further

ORDERED that the information for which confidential classification has been requested will be granted confidential classification for a period of 18 months from the date of the issuance of this Order. It is further

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

By ORDER of Commissioner Ronald A. Brisé, as Prehearing Officer, this 28th day of  
July, 2011.



RONALD A. BRISE

Commissioner and Prehearing Officer  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399  
(850) 413-6770  
www.floridapsc.com

TLT

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 25-22.0376, 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.