



ORIGINAL COPY

AIRBORNE EXPRESS

April 19, 1994

Ms. Blanca Bayo, Director
Division of Records and Reporting
Florida Public Service Commission
Fletcher Building
101 East Gaines Street
Tallahassee, Florida 32399-0850

**Re: Florida Power & Light Company's (FPL)
Notice of Intent to Request Confidential Classification (NOI)
In The Fuel and Purchased Power Cost Recovery Clause and
Generating Performance Incentive Factor, Docket No. 940001-BI**

Dear Ms. Bayo:

Please find enclosed an original and fifteen copies of FPL's Notice of Intent regarding the Commission Staff's Document/Record Request Number 5, dated April 11, 1994, for the Staff's audit of FPL's fuel and purchase power cost recovery clause and generating performance incentive factor. Pursuant to F.A.C. Rule 25-22.006, Confidential Information, as amended and filed April 6, 1990, FPSC Order No. 22795, FPL hereby files its Notice of Intent with the Commission's Division of Records and Reporting.

Please return a file stamped copy of this letter to me in the stamped, self-addressed envelope provided herein. If you have any questions regarding this filing, please call me at (305) 552-2724.

Sincerely,

Steven H. Feldman
Steven H. Feldman
Attorney

SHF:sk

Enclosure

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DOCUMENT NUMBER-DATE

03706 APR 20 5

FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In the Matter of Florida Power & Light)
Company's Request for Confidential)
Classification in the Fuel and) Docket No. 940001-EI
Purchased Power Cost Recovery)
Clause and Generating Performance)
Incentive Factor)

NOTICE OF INTENT TO REQUEST
CONFIDENTIAL CLASSIFICATION IN THE
FUEL AND PURCHASED POWER COST RECOVERY CLAUSE
AND GENERATING PERFORMANCE INCENTIVE FACTOR

Comes Now Florida Power & Light Company (hereinafter FPL) and files this its Notice of Intent to Request Confidential Classification (hereinafter NOI) pursuant to F.A.C. Rule 25-22.006, Confidential Information, as amended and filed on April 6, 1990, FPSC Order No. 22795, FPL further states:

1. Petitioner's name and address is:

Florida Power & Light Company
P. O. Box 029100
Miami, Florida 33102-9100

Orders, notices, or other pleadings relevant hereto should be served on:

Steven H. Feldman
LAW/GO, Room 6529
Florida Power & Light Company
P. O. Box 029100
Miami, Florida 33102-9100

2. Pursuant to the Florida Public Service Commission's ("Commission") audit of FPL's fuel and purchased power cost recovery clause and generating performance incentive factor for the period April, 1993 - March 1994, the Commission's

DOCUMENT NUMBER-DATE

03706 APR 20 1993

FPSC-REGULATORY/REPORTING

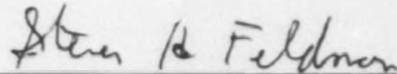
Staff has provided FPL with several written requests for information.

3. The material requested by Staff Document/Record Request (D/RR) No. 5 provided pursuant to the Commission's audit of FPL's fuel and purchased power cost recovery clause and generating performance incentive factor are intended to be and are treated by FPL as proprietary confidential business information as that term is defined in §366.093, Florida Statutes.
4. D/RR No. 5 is confidential propriety business information because disclosure of the information concerning contractual data of FPL's vendors would impair the efforts of FPL to contract for goods and services on favorable terms. The disclosure of contractual data would also impair the competitive business of the provider of the information. The material is confidential pursuant to §§366.093 (3)(d) and (e).
5. D/RR No. 5 is attached hereto as Attachment A.
6. Pursuant to F.A.C. Rule 25-22.006 (3)(a), as amended, this filing constitutes a temporary exemption from §119.07, F.S., for the material identified by the Staff D/RR delineated above

which the Staff obtains, as defined in Subsection (1)(e) of F.A.C. Rule 25-22.006. Furthermore, in accordance with Subsection (3)(d) of F.A.C. Rule 25-22.006, the Commission shall accord the material subject to the above listed D/RR's stringent safeguards against public disclosure.

WHEREFORE, FPL requests the Commission to treat the above-mentioned material identified as confidential in accordance with Subsection (3)(d) of Rule 25-22.006, Florida Administrative Code, as amended.

Respectfully submitted,



Steven H. Feldman, Esq.
Florida Power & Light Company
P. O. Box 029100-9100
Miami, Florida 33102-9100
Florida Bar No. 0869181

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of Florida Power & Light Company's Notice of Intent to Request Confidential Classification was provided by first class mail to Ruth Young, Kathy Welch and Raymond Grant at the Florida Public Service Commission, Division of Auditing and Financial Analysis, 3625, N.W. 82 Avenue, Suite 400, Miami, Florida 33166-7602 on this 19th day of April, 1994.



Steven H. Feldman, Esq.

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(Please Use Ball Point Pen - Press Hard)

FLORIDA PUBLIC SERVICE COMMISSION
DOCUMENT / RECORD REQUEST

TO: Carel Suastegui

UTILITY: FPL

FROM: Raymond Grant
(AUDIT MANAGER)

Raymond Grant
(AUDITOR PREPARING REQUEST)

REQUEST NUMBER: 5

DATE OF REQUEST: 4-11-94

AUDIT PURPOSE: Fuel Audit

REQUEST THE FOLLOWING ITEM(S) BE PROVIDED BY 4-14-94

REFERENCE RULE 25-22.006, F.A.C., THIS REQUEST IS MADE:

ITEM DESCRIPTION:

INCIDENT TO AN INQUIRY

OUTSIDE OF AN INQUIRY

Please provide access to any new contracts and changes to prevailing contracts since the last audit. (12mt ended 3/31/93)

TO: AUDIT MANAGER _____

DATE _____

THE REQUESTED RECORD OR DOCUMENTATION:

- (1) HAS BEEN PROVIDED TODAY
- (2) CANNOT BE PROVIDED IN THREE (3) WORK DAYS BUT WILL BE MADE AVAILABLE BY _____
- (3) AND IN MY OPINION THIS MATERIAL IS PROPRIETARY AND CONFIDENTIAL BUSINESS INFORMATION AS DEFINED IN 364.183, 366.093, OR 367.156, F.S. I UNDERSTAND THAT TO OBTAIN TEMPORARY CONFIDENTIAL HANDLING A NOTICE OF INTENT MUST BE FILED WITH THE DIVISION OF RECORDS AND REPORTING. TO MAINTAIN CONTINUED CONFIDENTIAL HANDLING OF THIS MATERIAL THE UTILITY OR OTHER PERSON MUST, WITHIN 21 DAYS AFTER THE COMMISSION STAFF HAS OBTAINED THE MATERIAL (OR IN THE CASE OF MATERIAL OBTAINED DURING THE COURSE OF AN AUDIT, WITHIN 21 DAYS AFTER THE AUDIT EXIT CONFERENCE) FILE A REQUEST FOR CONFIDENTIAL CLASSIFICATION WITH THE DIVISION OF RECORDS AND REPORTING, REFER TO RULE 25-22.006 F.A.C.
- (4) THE ITEM WILL NOT BE PROVIDED. (SEE ATTACHED MEMORANDUM)

SIGNATURE AND TITLE OF RESPONDENT

DISTRIBUTION:

Original: Utility Complete and Return to Auditor Pins: To FPSC Analysts: Goldenrod: Audit File Copy Canary: Utility Retention
PSC/FAA-0 (Rev. 7-92)