



**AIRBORNE EXPRESS**

June 1, 1994

ORIGINAL  
FILE COPY

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 Numbers 1 and 28, dated April 11 and May 27, 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.

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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

RECEIVED & FILED  
MAY  
FPSC BUREAU OF RECORDS

Enclosure

DOCUMENT NUMBER - DATE

05398 JUN-2 94

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

05398 JUN-23

FPSC-RECORDS/REPORTING

Staff has provided FPL with several written requests for information.

3. The material requested by Staff Document/Record Request (D/RR) Numbers 1 and 28, 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 Number 1 requests reports of internal auditors which are confidential pursuant to §366.093 (3)(b), Florida Statutes.
5. D/RR Number 28 requests confidential propriety business information concerning contractual data of FPL's vendors, which if disclosed, 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).
6. D/RR Numbers 1 and 28 are attached hereto as Attachments A and B, respectively.

7. 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 1st day of June, 1994.

  
Steven H. Feldman, Esq.

(Please Use Ball Point Pen - Press Hard)

FLORIDA PUBLIC SERVICE COMMISSION  
DOCUMENT / RECORD REQUEST

TO: Cuba Services

UTILITY: FYL

FROM: Raymond Grant  
(AUDIT MANAGER)

Raymond Grant  
(AUDITOR PREPARING REQUEST)

REQUEST NUMBER: 1

DATE OF REQUEST: 4-11-94

AUDIT PURPOSE: Fuel Adjustment Clause

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

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

ITEM DESCRIPTION:

- INCIDENT TO AN INQUIRY
- OUTSIDE OF AN INQUIRY

① Please provide access to 2004 material audits performed related to fuel since the last full fuel Adjustment Audit (April 92 - March 93)

② Please provide a list of material audit performed since the last full audit (4/92-3/93)

Copy of list attached.

TO: AUDIT MANAGER

Raymond Grant

DATE

5/27/94

THE REQUESTED RECORD OR DOCUMENTATION:

- (1)  HAS BEEN PROVIDED TODAY REVIEW OF AUDIT WORK PAPERS COMPLETED 5/27/94 AT G.O.
- (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)

Raymond Grant ACCOUNTANT  
SIGNATURE AND TITLE OF RESPONDENT

ATTACHMENT A

DISTRIBUTION:

Original: Utility Complete and Return to Auditor    Pink: To FPSC Analyst    Goldenrod: Audit File Copy    Canary: Utility Retain

(Please Use Ball Point Pen - Press Hard)

FLORIDA PUBLIC SERVICE COMMISSION  
DOCUMENT / RECORD REQUEST

TO: Carla Surlague

UTILITY: FPL

FROM: Raymond Grant  
(AUDITOR PREPARING REQUEST)

REQUEST NUMBER: 28

DATE OF REQUEST: 5-27-94

AUDIT PURPOSE: Fuel Ag

REQUEST THE FOLLOWING ITEM(S) BE PROVIDED BY \_\_\_\_\_ (DATE)

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

ITEM DESCRIPTION:

- INCIDENT TO AN INQUIRY
- OUTSIDE OF AN INQUIRY

① Please provide lookup to D+D first payment of \$4,195.17

TO: AUDIT MANAGER

Raymond Grant

DATE

5/27/94

THE REQUESTED RECORD OR DOCUMENTATION:

- (1)  HAS BEEN PROVIDED TODAY (COPIES ATTACHED)
- (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)

Raymond Grant Sr. Accountant  
SIGNATURE AND TITLE OF RESPONDENT

ATTACHMENT B

DESTINATION:

Original: Utility Complete and Return to Auditor    Pink: To FPSC Analyst    Goldenrod: Audit File Copy    Canary: Utility Retain