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ORIGINAL

Writer's Direct Dial:
(561) 691-7101

April 22, 1999

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RECORDS AND REPORTING

VIA HAND DELIVERY

Ms. Blanca S. Bayó
Director
Division of Records and Reporting
Florida Public Service Commission
Betty Easley Conference Center
2540 Shumard Oak Boulevard
Room 110
Tallahassee, FL 32399-0850

99000

Re: Florida Power & Light Company's Request for Continued Confidential Classification of Certain Material Obtained During the Contracts for Computer Work Audit

Dear Ms. Bayó:

98-081-4-1 971046 ~~ES~~

I enclose and hand you herewith for filing in the above-referenced matter, the original and fifteen (15) copies of Florida Power & Light Company's ("FPL") Request for Continued Confidential Classification.

Also included herewith is a computer diskette containing FPL's Request for Continued Confidential Classification in Word Perfect.

Please do not hesitate to contact me should you or your Staff have any questions regarding this filing.

RECEIVED & FILED
ABJ
FPSC-BUREAU OF RECORDS

Sincerely,
R. Wade Litchfield LMR
R. Wade Litchfield

RWL/bjw
Enclosures

DOCUMENT NUMBER-DATE
~~05209 APR 22 99~~
FPSC-RECORDS/REPORTING

ORIGINAL

BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION

In the Matter of Florida Power & Light)
Company's Request for Confidential) DOCKET NO. _____
Classification in the Contracts for)
Computer Work Audit) Filed: April 22, 1999

REQUEST FOR CONTINUED CONFIDENTIAL CLASSIFICATION
OF CERTAIN MATERIAL PROVIDED IN
CONNECTION WITH AUDIT NO. 98-194-4-2

NOW, BEFORE THE COMMISSION, through undersigned counsel, comes Florida Power & Light Company ("FPL") and, pursuant to rule 25-22.006 of the Florida Administrative Code and section 366.093 of the Florida Statutes, hereby requests continued confidential classification of certain materials provided to the Florida Public Service Commission ("FPSC" or "Commission") Staff ("Staff") in connection with the audit of FPL's Contracts for Computer Work Audit Control No. 96081-4-1 (the "Audit"). In support of its Request, FPL states as follows:

- 1. Petitioner's name and address are:

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

Orders, notices, or other pleadings related to this request should be served on:

William G. Walker, III
Vice President
Florida Power & Light Company
215 South Monroe Street
Suite 810
Tallahassee, Florida 32301-1859
(850) 224-7595
(850) 224-7197 (telecopier)

R. Wade Litchfield
Senior Attorney
Florida Power & Light Company
700 Universe Boulevard
Juno Beach, Florida 33408-0420
(561) 691-7101
(561) 691-7103 (telecopier)

DOCUMENT NUMBER-DATE

05209 APR 22 89

FPSC-RECORDS/REPORTING

2. By order number PSC-97-1313-CFO-EI, issued October 22, 1997 in Docket No. 971045-EI, the Commission granted FPL's request for confidential classification of document numbers 07746-97, 07747-97, 07748-97, and 08209-97. The Commission indicated that document 08209-97 would be returned at the expiration of the eighteen month confidentiality period. The Commission also indicated that the other documents would be retained. FPL hereby renews its request for confidential classification of such materials as have been retained by the Commission and for which FPL previously sought confidential classification by its filing dated August 13, 1997.

3. Section 366.093(4) provides in pertinent part:

Records containing proprietary confidential business information which have not been returned at the conclusion of the period set pursuant to this subsection shall no longer be exempt from s.119.07(1) unless the public utility or affected person shows, and the Commission finds, that the records continue to contain proprietary confidential business information. Upon such finding, the Commission may extend the period for confidential treatment for a period not to exceed eighteen months unless the Commission finds, for good cause, that the protection from disclosure shall be for a specified longer period.

FPL submits that the above-referenced information continues to be proprietary confidential business information and should be protected from disclosure pursuant to the public records laws of the State of Florida for an additional eighteen month period.

4. FPL incorporates herein by reference Exhibits A, B, and C of its original request for confidential classification filed August 13, 1997 and upon which order number PSC-97-1313-CFO-EI was based. In support of its request, FPL submits the affidavits of Susan K. Gampfer, Rick Del Cueto, and Julian R. Manduley, included herewith as Exhibit D. There has been no

change in circumstances that should alter the Commission's previous finding that the information is proprietary confidential business information. The same considerations that led to FPL's initial request for confidential classification and the Commission's decision with respect thereto exist today. Further, the subject information continues to be treated by FPL as confidential.

5. For these reasons, FPL seeks continued confidential classification of the information highlighted in Exhibit A. FPL submits that the highlighted information continues to be proprietary confidential business information within the meaning of section 366.093(3). Pursuant to section 366.093, such information is entitled to confidential treatment and is exempt from the disclosure provisions of the public records laws. Further, pursuant to section 366.093(4), the information that is the subject of this request is exempt from disclosure during the period in which the Commission considers FPL's Request for Continued Confidential Classification.

WHEREFORE, for the above and foregoing reasons, including those set forth in the supporting materials included herewith or incorporated herein by reference, Florida Power & Light Company respectfully requests that its Request for Continued Confidential Classification be granted.

Respectfully submitted,



R. WADE LITCHFIELD LMR
Florida Authorized House Counsel
Attorney for
Florida Power & Light Company
700 Universe Boulevard
Juno Beach, Florida 33408-0420
(561) 691-7101

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

STATE OF FLORIDA)
)
PALM BEACH COUNTY)

AFFIDAVIT OF RICK DEL CUETO

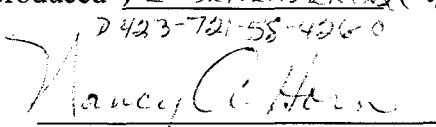
Before me the undersigned authority personally appeared Rick Del Cueto who, being first duly sworn, deposes and says:

1. My name is Rick Del Cueto. I am currently employed by Florida Power & Light Company (FPL) as Manager, Internal Auditing. I have personal knowledge of the matters stated in this affidavit.
2. All matters identified as exempt from disclosure pursuant to 366.093(3)(b) consist of information related to internal auditing controls and reports of internal auditors. The confidentiality of the information has been maintained by FPL.
3. The obtained materials should remain confidential for a period of not less than 18 months and should be returned to FPL as soon as the information is no longer necessary for the Commission to conduct its business so that FPL can maintain the confidential nature of these documents.
4. Affiant says nothing further:



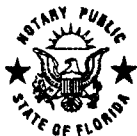
Rick Del Cueto

SWORN TO AND SUBSCRIBED before me this 19th day of April, 1999, by Rick Del Cueto, who is personally known to me or who has produced FL DRIVER'S LICENSE (type of identification) as identification and who did take an oath.

2423-721-58-4260


Notary Public, State of Florida

My Commission Expires:



Nancy A Horn
My Commission CC600794
Expires November 11 2000

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

STATE OF FLORIDA)
)
DADE COUNTY)

AFFIDAVIT OF JULIAN R. MANDULEY

Before me the undersigned authority personally appeared Julian R. Manduley who, being first duly sworn, deposes and says:

1. My name is Julian R. Manduley. I am currently employed by Florida Power & Light Company (FPL) as Principal Procurement Agent in the Corporate Procurement Business Unit. I have personal knowledge of the matters stated in this affidavit.
2. All matters identified as exempt from disclosure pursuant to 366.093(3)(d), Florida Statutes, consist of information concerning contractual data and pricing information, the disclosure of which would impair FPL's ability and efforts to enter into similar type contracts in the future on favorable terms.
3. The confidentiality of the information has been maintained by FPL.
4. The obtained materials should remain confidential for a period of not less than 18 months and should be returned to FPL as soon as the information is no longer necessary for the Commission to conduct its business so that FPL can maintain the confidential nature of these documents.
5. Affiant says nothing further.

Julian R. Manduley
Julian R. Manduley

SWORN TO AND SUBSCRIBED before me this 19th day of April, 1999, by Julian R. Manduley, who is personally known to me or who has produced _____ (type of identification) as identification and who did take an oath.

Bertila Estopinales
Notary Public, State of Florida

My Commission Expires:



Bertila Estopinales
MY COMMISSION # CC802392 EXPIRES
January 14, 2003
BONDED THRU TROY FAIN INSURANCE, INC

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

STATE OF FLORIDA)
)
DADE COUNTY)

AFFIDAVIT OF SUSAN K. GAMPFER

Before me the undersigned authority personally appeared Susan K. Gampfer who, being first duly sworn, deposes and says:

- 1. My name is Susan Gampfer. I am currently employed by Florida Power & Light Company (FPL) as Director of Planning and Architecture in the Information Management Business Unit. I have personal knowledge of the matters stated in this affidavit.
- 2. All matters identified as exempt from disclosure pursuant to 366.093(3)(c) Florida Statutes, consist of information concerning security measures, systems, and procedures related to computer data and use. All matters identified as exempt from disclosure pursuant 366.093(e) consist of or derive from information relating to FPL's competitive interests. The disclosure of such information would impair the competitive business of FPL.
- 3. The confidentiality of the information has been maintained by FPL.
- 4. The obtained materials should remain confidential for a period of not less than 18 months and should be returned to FPL as soon as the information is no longer necessary for the Commission to conduct its business so that FPL can maintain the confidential nature of these documents.
- 5. Affiant says nothing further.

Susan K Gampfer
Susan K. Gampfer

SWORN TO AND SUBSCRIBED before me this 19th day of April, 1999, by Susan Gampfer, who is personally known to me or who has produced _____ (type of identification) as identification and who did take an oath.

Bertila Estopinales
Notary Public, State of Florida

My Commission Expires:



Bertila Estopinales
MY COMMISSION # CC802392 EXPIRES
January 14, 2003
BONDED PUBLIC ACCOUNTANTS, INC.