



June 27, 1997

Ms Blanca S Bayó, Director  
Division of Records and Reporting  
Florida Public Service Commission  
4075 Esplanade Way, Room 110  
Tallahassee, Florida 32399-0850

**RE: Florida Power & Light Company's Request  
for Confidential Classification in the Environmental  
Cost Recovery Clause Audit - Docket No. 970007-EI;  
Audit Control No. 97-064-4-1**

Dear Ms Bayó

In accordance with Rule 25-22 006, Florida Administrative Code, and Chapter 366 093, Florida Statutes, Florida Power & Light Company ("FPL") hereby submits for filing

The original and fifteen (15) copies of FPL's Request For Confidential Classification In The Environmental Cost Recovery Clause Audit, including the following exhibits

One copy of Exhibit A, the confidential documents referred to in FPL's Request, submitted for filing in a separate, sealed folder marked "EXHIBIT A - CONFIDENTIAL."

Three (3) copies of Exhibit B, the same documents referred to in FPL's Request in which the information contended by FPL to be confidential has been redacted, submitted for filing in three separate folders marked "EXHIBIT B."

The original and fifteen (15) copies of Exhibit C, FPL's justification and identification matrix, submitted for filing as an attachment to FPL's Request.

The original and fifteen (15) copies of Exhibit D, an affidavit in support of FPL's Request, submitted for filing as attachments to FPL's Request, and

One copy of Exhibit E, a computer diskette containing FPL's identification and justification matrix ( in Microsoft Word 6 0), submitted for filing as an attachment to FPL's request

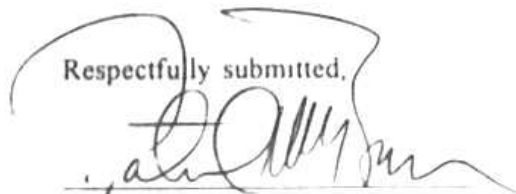
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X-ref 06066-97  
DATE

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Pursuant to Rule 25-22 006(3)(d), FPL requests confidential treatment of these documents pending resolution of FPL's Request for Confidential Classification

If you or your Staff have any questions regarding this filing, please contact me

Respectfully submitted,



Patrick M Bryan  
700 Universe Boulevard  
Building D-3  
Juno Beach, Florida 33408  
(561) 691-7101

Attorney for Florida Power  
& Light Company

PMB/ak

Enclosures

**Exhibit C**  
**Justification Matrix**

**LIST OF CONFIDENTIAL WORKPAPERS**

**Environmental Cost Recovery Clause**

EXHIBIT C

COMPANY: FPL  
 TITLE: LIST OF CONFIDENTIAL WORKPAPERS  
 AUDIT: ENVIRONMENTAL COST RECOVERY CLAUSE  
 DATE: June 27, 1997

FLORIDA  
 STATUTE  
 366.093(3)  
 Section:

BOOK NO.	WKPAPER NO.	DESCRIPTION	NO. OF PAGES	CONF Y/N	LINE NO./ COLUMN NO.	Section:
N/A	9-1	INTERNAL AUDIT NOTES	2	Y - pg 1-2	entire pages	b
N/A	9-2	INTERNAL AUDIT NOTES	1	Y - pg 1	entire page	b
N/A	9-3	INTERNAL AUDIT NOTES	1	Y - pg 1	entire page	b
N/A	9-4	INTERNAL AUDIT NOTES	1	Y - pg 1	entire page	b
N/A	9-5	INTERNAL AUDIT NOTES	1	Y - pg 1	entire page	b
N/A	9-6	INTERNAL AUDIT NOTES	2	Y - pg 1-2	entire pages	b

**Exhibit D**

**AFFIDAVIT OF GUY L. CASACELI**

EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

STATE OF FLORIDA            )  
  )  
COUNTY OF PALM BEACH    )

AFFIDAVIT OF GUY L. CASACELI

Before me the undersigned authority personally appeared Guy L. Casaceli who, being first duly sworn, deposes and says

1 My name is Guy L. Casaceli. 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.

  
Guy L. Casaceli

SWORN TO AND SUBSCRIBED before me this 24<sup>th</sup> day of June, 1997, by Guy L. Casaceli, who is personally known to me or who has produced \_\_\_\_\_ (type of identification) as identification and who did take an oath.

  
Notary Public, State of Florida

My Commission Expires:



Anita Kabara  
My Commission CC639166  
Expires March 29, 2000

**Exhibit E**

**COMPUTER DISKETTE  
OF FPL'S  
IDENTIFICATION AND JUSTIFICATION MATRIX**

**June 27, 1997**

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In the Matter of Florida Power & )  
Light Company's Request for )  
Confidential Classification in )  
the Environmental Cost Recovery )  
Clause Audit )  
\_\_\_\_\_ )

DOCKET NO 970007-EI

FILED July 1, 1997

**REQUEST FOR CONFIDENTIAL CLASSIFICATION OF CERTAIN  
MATERIAL OBTAINED DURING THE ENVIRONMENTAL  
COST RECOVERY CLAUSE AUDIT**

Florida Power & Light Company ("FPL") hereby requests confidential classification of certain material obtained during the Environmental Cost Recovery Clause Audit (the "Audit") This request for confidential classification is filed pursuant to section 25-22 006 of the Florida Administrative Code and section 366.093 of the Florida Statutes FPL further states

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

Patrick M. Bryan, Esquire  
Florida Power & Light Company  
700 Universe Boulevard  
Building D-3  
Juno Beach, Florida 33408-0420

2 During the Audit, Commission Staff requested access to various FPL internal audit reports and other documents related to environmental cost recovery

3 The following exhibits are attached hereto or are being filed separately, but contemporaneously herewith

RECEIVED DATE

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FILED



- a. Composite Exhibit A consists of all documents for which FPL seeks confidential treatment. All information contended by FPL to be entitled to confidential treatment has been highlighted in Composite Exhibit A. Composite Exhibit A is being filed separately in a sealed folder marked "CONFIDENTIAL."
- b. Composite Exhibit B, attached, consists of all documents for which FPL seeks confidential treatment. All information contended by FPL to be entitled to confidential treatment has been redacted in Composite Exhibit B.
- c. Exhibit C, attached, is a line by line and page by page justification matrix including identification of information for which confidential treatment is sought, correlation of the confidential information with the specific justification for the claim of confidentiality.
- d. Exhibit D, attached is the affidavit of Guy I. Casaceli.
- e. Exhibit E is a computer diskette containing FPL's justification matrix (Exhibit C).

4. The material in Exhibit A for which FPL seeks confidential treatment should not be declassified for a period of at least 18 months and should be returned to FPL in accordance with section 366.093(4) of the Florida Statutes as soon as the information is no longer necessary for the Commission to conduct its business. Since the materials are derived from internal auditing reports and controls, the materials should remain confidential while at the Commission and should be returned to FPL so that FPL can maintain the confidential nature of the documents.

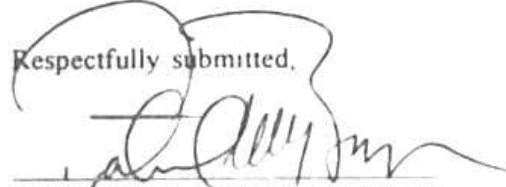
5. FPL seeks confidential protection for this information pursuant to section 366.093(3)(b)(internal audit information). Pursuant to section 366.093, such materials are entitled to confidential treatment and exempt from the mandatory disclosure provisions of the public records law. Thus, once the Commission determines that the information is encompassed by sections 366.093(b), the Commission is not required to balance the danger of disclosure against the public interest in access.

6. Within the justification matrix (Exhibit C) the column marked "FLORIDA STATUTE 366.093(3)" is keyed to justifications for confidentiality contained within the referenced statute. For lines marked "(b)", the justification for confidentiality is that the referenced material is related to internal auditing controls and/or reports of internal auditors within the meaning of section 366.093(3)(b) of the Florida Statutes. The justification for confidentiality of the referenced material is more fully set forth in the affidavit of Guy I. Casaceli (Exhibit D).

CONCLUSION

FPL requests confidentiality protection as to the material set out and described in the attached confidentiality justification matrix (Exhibit C)

Respectfully submitted,



PATRICK M BRYAN, ESQUIRE  
700 Universe Boulevard  
Building D-3  
Juno Beach, Florida 33408-0420  
(561) 691-7101

Attorney for Florida Power  
& Light Company