



May 28, 1999

ORIGINAL

VIA HAND DELIVERY

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

990692-EI

**Re: Florida Power & Light Company's Request
for Confidential Classification of
Information in its 1998 FERC Form 1
and its Diversification Report**

Dear Ms. Bayò:

I enclose and hand you herewith for filing in the above-referenced matter, the original and two (2) copies of Florida Power & Light Company's ("FPL") Request for Confidential Classification. The original includes Exhibits A, B, C, and D. The two copies include only Exhibits B, C, and D.

Exhibit A contains the confidential information that is the subject of FPL's Request for Confidential Classification. Exhibit A is submitted for filing in a separate, sealed folder or carton marked "ATTACHMENT A "CONFIDENTIAL." Exhibit B is an edited version of Exhibit A, in which the information FPL asserts is confidential has been blocked out. Exhibit C contains FPL's justification for its request for confidential classification. Exhibit D contains an affidavit in support of FPL's Request for Confidential Classification. Exhibit E contains FPL's Report For Confidential Treatment of its FERC Form 1, as filed with FERC. Also included herewith is a computer diskette containing FPL's Request and Exhibit C in Word Perfect 6/7/8 for Windows.

Pursuant to Rule 25-22.006(3)(d), FPL requests confidential treatment of the documents in Exhibit A pending disposition of FPL's Request for Confidential Classification.

- AFA _____
- APP _____
- CAF _____
- CMU _____
- CTR _____
- EAG _____
- LEG _____
- MAS _____
- OPC _____
- RRR _____
- SEC _____
- WAW _____
- OTH _____

Request + C, D, E
DOCUMENT NUMBER-DATE

Exhibit B
DOCUMENT NUMBER-DATE

~~06682~~ MAY 28 99

~~06683~~ MAY 28 99

Confidential
DOCUMENT NUMBER-DATE

06684 MAY 28 99

FPSC-RECORDS/REPORTING

Ms. Blanca S. Bayò
Director of Records and Reporting
Florida Public Service Commission
May 28, 1999
Page 2

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

Thanking you for your attention to this matter, I remain,

Sincerely,

A handwritten signature in cursive script, appearing to read "R. Wade Litchfield". The signature is written in dark ink and is positioned above the printed name.

R. Wade Litchfield

RWL/lj
Enclosures

ORIGINAL

**BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION**

In the Matter of Florida Power & Light) Docket No. _____
Company's Request for Confidential)
Classification of Certain Information) FILED: May 28, 1999
in its FERC Form 1 filling for 1998)

**REQUEST FOR CONFIDENTIAL CLASSIFICATION
OF CERTAIN INFORMATION IN ITS 1998
FERC FORM 1 AND DIVERSIFICATION REPORT**

NOW, BEFORE THIS COMMISSION, through undersigned counsel, comes Florida Power & Light Company ("FPL") and, pursuant to section 25-22.006 of the Florida Administrative Code and section 366.093 of the Florida Statutes, hereby requests confidential classification of certain information provided to the Florida Public Service Commission ("FPSC" or "Commission") in connection with FPL's Annual Report of Major Electric Utilities for the year ended 1998, as supplemented by FPL's Analysis of Diversification Activities report, submitted pursuant to Sections 25-6.135 and 25-6,1751, respectively, of the Florida Administrative Code. In support of its Request, FPL states as follows:

1. Petitioner's principal business address is as follows:

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, Ste. 810
Tallahassee, FL 32301-1859
Telephone: (850) 224-7595
Telecopier: (850) 224-7197

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

2. Pursuant to Section 25-6.135 of the Florida Administrative Code, FPL is required to submit its Annual Report of Major Electric Utilities for the year ended 1998 (“FERC Form 1”). FPL also is required to submit a report entitled “Analysis of Diversification Activities” (“Diversification Report”) pursuant to Section 25-6. FPL submits its Diversification Report to the FPSC as a section within the FERC Form 1. FPL considers certain information within its FERC Form 1 and its Diversification Report to be proprietary confidential business information within the meaning of section 366.093 of the Florida Statutes. Therefore, FPL submits these two reports in their entirety as Exhibit A to this Request and hereby requests confidential classification for the information identified as confidential in Exhibit C and highlighted in Exhibit A.

3. The following exhibits are included herewith and made a part hereof:
 - a. Exhibit A consists of all documents for which FPL seeks confidential treatment, whether in whole or in part. All information in Exhibit A that FPL asserts is entitled to confidential treatment has been highlighted. Exhibit A is submitted separately in a sealed folder or carton marked “CONFIDENTIAL.”
 - b. Exhibit B is an edited version of Exhibit A. All information that FPL asserts is entitled to confidential treatment has been blocked out in Exhibit B.

- c. Exhibit C is a table containing a line-by-line and page-by-page identification of the information for which confidential treatment is sought, and, with regard to each document or portions thereof, references to the specific statutory basis or bases for the claim of confidentiality and to the affidavits in support of the requested classification. Exhibit C is sometimes referred to hereinafter as the “Justification Table.”
- d. Exhibit D is the affidavit of Donald L. Babka.
- e. Exhibit E is a copy of FPL’s Request for Confidential Treatment of its FERC Form 1, filed with the Federal Energy Regulatory Commission (“FERC”).

4. FPL seeks confidential protection for the information highlighted in Exhibit A.

The statutory bases for FPL’s assertion of confidentiality with regard to each document or portion thereof are set forth in the Justification Table under the column titled “FLORIDA STATUTE 366.093(3).” The letters (a) through (f) refer to subsections of section 366.093(3), as applicable. Support for FPL’s Request for Confidential Classification of the referenced material is provided through FPL’s Request for Confidential Treatment of its FERC Form 1 filed with FERC (“FERC Request”), included herewith as Exhibit E, and the affidavit of Donald L. Babka, included herewith as Exhibit D.

5. FPL submits that the information highlighted in Exhibit A is proprietary confidential business information within the meaning of section 366.093(3). With respect to the highlighted information in the FERC Form 1, FPL incorporates by reference the arguments and discussion set forth in the FERC Request and Attachment A thereto, to the extent applicable. In particular, FPL notes that the public availability of detailed information

pertaining to FPL's costs and operations affords wholesale power marketers and other non-traditional utilities an unfair advantage in developing marketing strategies that target FPL's existing and potential customers. These competitors are not subject to the same reporting requirements, thus putting FPL at a competitive disadvantage and impairing FPL's business interests. While in the past, the Commission has declined to protect certain information on the basis of such arguments, FPL submits that in light of current circumstances and competitive conditions, particularly manifest in the vigorous efforts of non-utilities to locate merchant power plants in the State of Florida, these issues should be revisited.

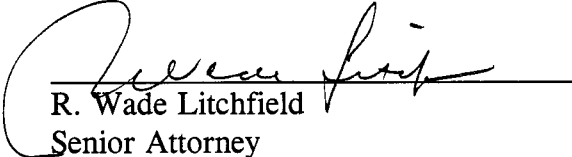
6. As Mr. Babka's affidavit indicates, the highlighted information in FPL's Diversification Report consists of details pertaining to new or amended contracts with affiliates, and affiliate transactions. This information would reveal the nature and specifics of certain contractual relationships between FPL and its affiliates, the disclosure of which would impair the efforts of FPL or its affiliates to contract for goods and services on favorable terms. Disclosure of such information also would assist competitors of FPL and/or its affiliates in identifying, among other things, key facts and elements pertaining to the business or strategic plans of these entities.

7. Pursuant to section 366.093, such materials are entitled to confidential treatment and are exempt from the disclosure provisions of the public records law. Thus, once the Commission determines that the information in question is proprietary confidential business information, the Commission is not required to engage in any further analysis or review such as weighing the harm of disclosure against the public interest in access to the information.

8. Upon a finding by the Commission that the material in Exhibit A for which FPL seeks confidential treatment is “proprietary confidential business information,” pursuant to section 366.093(4) such materials should not be declassified for a period of at least eighteen (18) months and should be returned to FPL as soon as the information is no longer necessary for the Commission to conduct its business.

WHEREFORE, for the above and foregoing reasons, as more fully set forth in the supporting materials and affidavits included herewith, Florida Power & Light Company respectfully requests that its Request for Confidential Classification be granted.

Respectfully submitted,



R. Wade Litchfield

Senior Attorney
700 Universe Boulevard
Juno Beach, FL 33408-0420
(561) 691-7101

Authorized House Counsel for
Florida Power & Light Company

**BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION**

**In the Matter of Florida Power & Light)
Company's Request for Confidential)
Classification of Certain Information)
in its FERC Form 1 filing for 1998)**

FILED: May 28, 1999

Exhibit C

Justification Table

EXHIBIT C

COMPANY: Florida Power & Light Company
DOCKET NO.:
TITLE: FERC Form 1
DATE: May 28, 1999

**FLORIDA
STATUTE
366.093(3)
Subsection:**

DOCUMENT DESCRIPTION	PAGE NO.	CONF. Y/N	COLUMN	LINE NOS.	
FERC Form 1	204-207	Y	b-g	2-88	(e)
FERC Form 1	214	Y	a-d	2-46	(e)
FERC Form 1	216	Y	a-b	1-42	(e)
FERC Form 1	219	Y	b-c	2-16, 18-26	(e)
FERC Form 1	228-229	Y	b-m	2-28, 30-35, 37-39, 41-46	(e)
			b-l	1, 29, 36, 40	
FERC Form 1	304	Y	a-f	1-42	(e)
FERC Form 1	310-311	Y	a-k	1-14	(e)
FERC Form 1	320-323	Y	b-c	4-168	(e)
FERC Form 1	326-327	Y	a-m	1-14	(d) & (e)
FERC Form 1	328-330	Y	a-n	1-17	(e)
FERC Form 1	332	Y	a-g	1-16, Total	(d) & (e)
FERC Form 1	336	Y	b-e	(A) 1-11 (B) All	(e)
	337		a-g	1-50	
FERC Form 1	352-353	Y	a-g	1-38	(e)
FERC Form 1	354	Y	b, c & d	3-25 25	(e)

	355	Y	b-d	62-96	
FERC Form 1	401	Y	b a-e	1-28 29-41	(e)
FERC Form 1	402-403	Y	b-f	1-34, 37-43	(e)
FERC Form 1	422-423	Y	a-p	1-36	(e)
FERC Form 1	424-425	Y	a-o	1-44	(e)
FERC Form 1	426-427	Y	a-k	1-40	(e)
FERC Form 1	430	Y	b-f	1-9	(e)
FERC Form 1	431	Y	b-c	1-11	(e)

EXHIBIT C

COMPANY: Florida Power & Light Company
DOCKET NO.:
TITLE: FPSC Diversification Report
DATE: May 28, 1999

**FLORIDA
STATUTE
366.093(3)
Subsection:**

DOCUMENT DESCRIPTION PAGE NO. CONF. Y/N LINE NOS. AFFIDAVIT

DOCUMENT DESCRIPTION	PAGE NO.	CONF. Y/N	LINE NOS.	FLORIDA STATUTE 366.093(3) Subsection:	AFFIDAVIT
FPSC Diversification Report	455	Y	Entire Schedule	(d) & (e)	D. Babka
FPSC Diversification Report	456	Y	Entire Schedule	(e)	D. Babka
FPSC Diversification Report	457	Y	Entire Schedule	(d) & (e)	D. Babka
FPSC Diversification Report	458	Y	Entire Schedule	(d) & (e)	D. Babka
FPSC Diversification Report	459	Y	Entire Schedule	(e)	M. Mitchell

**BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION**

**In the Matter of Florida Power & Light)
Company's Request for Confidential)
Classification of Certain Information)
in its FERC Form 1 filing for 1998)**

FILED: May 28, 1999

Exhibit D

AFFIDAVIT

**BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION**

In the Matter of Florida Power & Light)
Company's Request for Confidential)
Classification of Certain Information)
in its FERC Form 1 filing for 1998)

DOCKET NO. _____

FILED: _____, 1999

STATE OF FLORIDA)
)
COUNTY OF DADE)

AFFIDAVIT OF DONALD L. BABKA

BEFORE ME, the undersigned authority, personally appeared Donald L. Babka who, being first duly sworn, deposes and says:

1. My name is Donald L. Babka. I am currently employed by Florida Power & Light Company ("FPL") as Director of Regulatory and Tax Accounting. My business address is 9250 West Flagler Street, Miami, Florida. I have personal knowledge of the matters stated in this affidavit.

2. I have reviewed the information for which I am listed in Exhibit C as affiant and which is included in Exhibit A to FPL's Request for Confidential Classification. Such information, as noted on Exhibit C, constitutes commercially sensitive information: (i) relating to the competitive interests of FPL and/or its affiliates, the disclosure of which would impair the competitive business of such entities; and/or (ii) that constitutes contractual data, the disclosure of which would impair the efforts of the public utility or its affiliates to contract for goods or services on favorable terms. Such information includes details pertaining to new or amended contracts with affiliates, and affiliate transactions. In addition to revealing the nature and specifics of certain contractual relationships between FPL and its affiliates, the disclosure of such information would assist competitors of FPL and/or its affiliates in identifying, among other things, key facts and elements pertaining to the business or strategic plans of these entities.

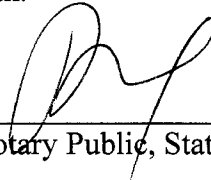
3. To the best of my knowledge, FPL has maintained the confidentiality of this information.

4. Affiant says nothing further.



Donald L. Babka

SWORN TO AND SUBSCRIBED before me this 25th day of May 1999, by Donald L. Babka, 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:

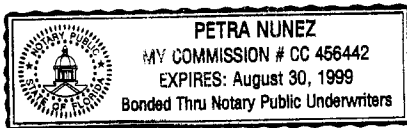


EXHIBIT D

**BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION**

In the Matter of Florida Power & Light)
Company's Request for Confidential)
Classification of Certain Information)
in its FERC Form 1 filing for 1998)

DOCKET NO. _____

FILED: _____, 1999

STATE OF FLORIDA)
)
COUNTY OF PALM BEACH)

AFFIDAVIT OF MARK F. MITCHELL


BEFORE ME, the undersigned authority, personally appeared Mark F. Mitchell who, being first duly sworn, deposes and says:

1. My name is Mark F. Mitchell. I am currently employed by Florida Power & Light Company ("FPL") as Manager, Compensation, HR Planning and Corporate Travel. My business address is 700 Universe Boulevard, Juno Beach, Florida. I have personal knowledge of the matters stated in this affidavit.

2. I have reviewed the information for which I am listed in Exhibit C as Affiant and which is included in Exhibit A to FPL's Request for Confidential Classification. Such information, as noted on Exhibit C, constitutes commercially sensitive information relating to FPL's competitive interests, the disclosure of which would impair the competitive business of FPL. Such information includes the types (*i.e.*, job function/title) and number of employees transferred between FPL and its affiliates. Such information would be valuable to competitors of FPL and its affiliates in identifying key facts or elements of or pertaining to the business or strategic plans of these companies.

3. To the best of my knowledge, FPL has maintained the confidentiality of this information.

4. Affiant says nothing further.



Mark F. Mitchell

SWORN TO AND SUBSCRIBED before me this ____ day of May 1999, by Mark F. Mitchell, 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:



Diane S. Bryant
MY COMMISSION # CC723929 EXPIRES
June 3, 2002
BONDED THRU TROY FAIN INSURANCE, INC

**BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION**

In the Matter of Florida Power & Light)	
Company's Request for Confidential)	
Classification of Certain Information)	FILED: May 28, 1999
in its FERC Form 1 filing for 1998)	

Exhibit E

**FPL's REQUEST FOR CONFIDENTIAL TREATMENT OF
ITS FERC FORM 1, FILED WITH FERC**

COPY

BRUDER, GENTILE & MARCOUX, L.L.P.

ATTORNEYS AT LAW

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SUITE 510 EAST
WASHINGTON, D. C. 20005-3934

(202) 783-1350

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OF COUNSEL

GEORGE F. BRUDER
RETIRED 1997

CARMEN L. GENTILE
J. MICHEL MARCOUX
DAVID E. GOROFF
GARY E. GUY
JAMES H. MCGREW
THOMAS L. BLACKBURN

ANTONIA A. FROST
DAVID M. CONNELLY*

*ADMITTED IN MARYLAND

May 24, 1999

The Honorable David P. Boergers
Secretary
Federal Energy Regulatory Commission
888 First Street, N.E.
Washington, D.C. 20426

Re: Florida Power & Light Company
Request for Confidential Treatment of FERC Form 1

Dear Secretary Boergers:

Enclosed please find the 1998 FERC Form 1 of Florida Power & Light Company ("FPL" or "the Company"). FPL hereby requests that the Commission treat designated portions of its 1998 Annual Report, FERC Form 1, as confidential pursuant to 18 C.F.R. § 388.112. The increasingly competitive environment in which electric utilities operate has made some of the information that is required in the Form 1 commercially sensitive and justifies its treatment on a confidential basis under the Commission's regulations.

JUSTIFICATION FOR REQUEST FOR CONFIDENTIAL TREATMENT

The Nature of the Competitive Wholesale Power Sales Market

In any competitive market, the availability of information about competitors can provide market participants a competitive advantage. This is increasingly true for the electricity market. FPL, like other public utilities, is facing competition from wholesale power marketers and other non-traditional utilities. Consequently, the commercial sensitivity of information about the Company has increased in recent years. Although FPL does not have market-based rate authority within the State of Florida, it sells power at market-based rates outside the state. The public availability of information about FPL's costs and operations gives competing power suppliers a significant advantage in developing marketing strategies that target the Company's existing and potential power sales customers.

The public availability of information about FPL's costs and operations would be less objectionable if all market participants were subject to the same reporting and

disclosure requirements. However, most of the Company's competitors are non-traditional utilities that are not subject to the detailed reporting requirements that apply to FPL and other public utilities. Consequently, FPL is operating in an environment in which its competitors have detailed commercial and financial information about the Company, but the Company has little or no such information about most of its competitors. The disparity in information makes it virtually impossible for the Company to compete as effectively as other wholesale market participants.

Consistency of Request with Commission Regulations

The Commission's regulations, 18 C.F.R. § 388.112, provide that a party may seek confidential treatment of any document filed with the Commission by claiming that some or all of the information contained in a particular document is exempt from the mandatory public disclosure requirements of the Freedom of Information Act, 5 U.S.C. § 552, and should otherwise be withheld from public disclosure. Both the Commission's regulations and the Freedom of Information Act recognize an exemption from public disclosure for "trade secrets and commercial and financial information that is privileged or confidential."^{1/}

There can be no dispute that the information for which FPL is seeking confidential treatment is "commercial and financial information." The Commission has interpreted the term "commercial and financial information" as "anything 'pertaining to or dealing with commerce' including such items as profit and loss data, overhead and operating costs, and information on financial condition." *Central Maine Power Company*, 72 FERC ¶ 61,118, 61,680 (1995). The data contained in the Form 1 unquestionably constitutes commercial and financial information since it includes the reporting company's operating costs and information on its financial condition.

The information also is privileged or confidential because it is directly relevant to the ability of FPL to compete effectively in the wholesale marketplace for power sales. If wholesale customers know the details of the Company's costs, they will be able to develop offers to purchase power from the Company that minimize the Company's ability to obtain a contribution to its fixed costs. Competitors in the wholesale power sales market will be able to develop competing offers that undercut the Company's offers because they will have superior market information. Such unfair competition will adversely affect the public interest because it will allow competitors to raise their prices to just below the Company's cost-based prices, which would increase the prices that power purchasers must pay.

Consistency of Request with the Public Interest

The public interest does not compel the Commission to continue to make commercially sensitive Form 1 data publicly available. If FPL makes a cost-based rate

^{1/} 5 U.S.C. §552(b)(4); 18 C.F.R. § 388.107(d).

filing that requires Commission review of the Form 1 data, the Commission Staff will have easy access to that information since the Company is filing an unexpurgated version of the Form 1 in compliance with Commission regulations. Customers that demonstrate a need to review the confidential portions of the Form 1, either in conjunction with matters the Commission has set for hearing or in the course of evaluating whether to make a filing under Section 206 of the Federal Power Act concerning the reasonableness of the Company's filed rates, can obtain that information if they sign the model confidentiality agreement that the Commission adopted last year. Consequently, granting FPL's request for confidential treatment will not adversely affect the ability of the Commission to fulfill its regulatory obligations or the ability of the Company's customers to obtain the information they need to protect their interests.

FPL recognizes that the Commission has previously held that granting of a request for confidentiality for the Form 1 of one public utility would provide it a competitive advantage because the Form 1s of other public utilities are publicly available. See, e.g., *Consolidated Edison Company of New York, Inc. and Central Hudson Gas & Electric Corp.*, 72 FERC ¶ 61,184 (1995). The Commission's conclusion in that proceeding, rather than justifying denial of the request for confidential treatment, actually demonstrates why such treatment is necessary. The Commission's order includes the justification that the availability of Form 1 data for some utilities and not for others would provide a competitive advantage to the utilities that have access to their competitors' commercial information but have not provided their own commercial information. As explained above, FPL is seeking to forestall its non-public utility competitors from obtaining that same competitive advantage — an advantage that the Commission has acknowledged results from disclosure of Form 1 data. The logic that supports the Commission's order thus justifies granting the Company's request for confidential treatment.

The filing of FERC Form 1 by other public utilities without requests for confidentiality does not justify denying FPL's request for such treatment. Each public utility must make its own determination about whether the information it provides in the Form 1 is commercially sensitive or could otherwise cause it competitive harm. The decision of a public utility to not seek confidential treatment for its Form 1 affects only the utility that made that decision. Therefore, FPL cannot — and should not be required to — point to any special circumstances that justify treating its Form 1 differently from those of other public utilities. Consequently, the Commission should evaluate the request for confidential treatment of the Form 1 for each public utility that makes such a request rather than basing its decision on what other public utilities have done. This is far more fair than holding FPL captive to the decisions of other public utilities, as would be the case if the Commission were to deny confidential treatment for FPL on the ground that other public utilities had not made similar requests.

The availability in other forums of information that is similar to the Form 1 data also should not affect FPL's request for confidential treatment of the Form 1 data. As explained above, the need for confidential treatment has increased as the electric

industry has become more competitive. FPL is requesting the Florida Public Service Commission for confidential treatment of its proprietary, confidential business information. If FPL were required to defer its request for confidential treatment from any regulatory agency until all regulatory agencies agreed on the scope of confidential treatment and the date on which such treatment would begin, no information would ever receive confidential treatment. The appropriate approach is for each regulatory agency to make its own determination as to what information is confidential without regard to the actions of other agencies. FPL recognizes and will accept the risk that there will be differences in the timing of decisions on confidentiality.

The filing of quarterly reports of transactions by power marketers does not justify the denial of this request for confidential treatment. The Company's quarterly reports provide only the high and low price and the total amount of energy purchased by each customer, aggregated for each quarter. That information is not at all comparable in detail or commercial sensitivity to the detailed cost data that public utilities must file.

Nor is it necessary to keep the Form 1 data public in order to allow the Commission or the Department of Energy's Energy Information Administration ("EIA") to prepare its reports on the industry. The EIA reports present aggregated data that do not identify individual utilities. Consequently, EIA reports that are based on the Form 1s of individual utilities would not disclose commercially sensitive information about FPL or other public utilities. Moreover, the EIA does not make use of many of the most sensitive types of information that are included in the Form 1, such as plant generating statistics, monthly peak loads and generator output and wages and salaries. If it is necessary to obtain confidential status for the Form 1, FPL does not object to providing to the EIA the unexpurgated version of the Form 1 subject to the same confidentiality protections that are provided by 18 C.F.R. § 388.112.

EXPLANATION OF SPECIFIC REQUESTS FOR CONFIDENTIAL TREATMENT

Attachment A to this filing is a chart that sets out the page, column and line numbers for the Form 1 entries for which FPL is requesting confidential treatment, together with explanations as to why confidential treatment is required.

MISCELLANEOUS

Consistent with the Commission's regulations, the following materials are enclosed:

1. One complete paper copy of FPL's FERC Form 1, containing the statement, on the front page, "Contains Privileged Information — Do Not Release" and marked to show the information for which confidential treatment is sought.

2. Fourteen paper copies of the FERC Form 1, each containing the statement on the front page "Privileged Material Has Been Deleted", and from which such material has been removed.
3. FPL also has submitted an electronic copy of the FERC Form 1 with a request for confidential treatment that is consistent with the Commission's instructions for confidential treatment of electronic versions of Form 1.

Please contact the following persons concerning this request for privileged treatment:

Mr. W. G. Walker, III
Florida Power & Light Company
215 South Monroe Street
Suite 810
Tallahassee, Florida 32301
Telephone: (850) 224-7517
Facsimile: (850) 224-7197
E-Mail: Bill_Walker@FPL.com

Thomas L. Blackburn, Esquire
Bruder, Gentile & Marcoux, L.L.P.
1100 New York Avenue, N.W.
Suite 510 East
Washington, D.C. 20005-3934
Telephone: 202/783-1350
Facsimile: 202/737-9117
E-Mail: tlblackburn@brugen.com

Very truly yours,



Thomas L. Blackburn
Counsel for Florida Power & Light Company

FLORIDA POWER & LIGHT COMPANY
1998 FERC FORM 1
PAGES FOR WHICH CONFIDENTIAL TREATMENT IS REQUESTED

Page	Title	Column	Line	Comments
204-207	Electric Plant in Service	b-g	2-88	Discloses detailed cost information by plant account and also provides plant refurbishment history. Discloses business plans to competitors as additions and retirements to electric plant in service are made.
214	Electric Plant Held for Future Use	a-d	2-46	Reveals business expansion plans to competitors and strategy for future plant locations. Can affect cost of adjacent real estate purchases.
216	Construction Work in Progress - Electric	a-b	1-42	Discloses the cost to build specific types of facilities and is a window to strategic planning by disclosing new capital investments.
219	Accumulated Provision for Depreciation of Electric Utility Plant	b-e	2-16, 18-26	Contains provision balances by plant function and account which aids competitors by disclosing, in conjunction with the data on pages 204-207, net plant investment by function.
228-229	Allowances	b-m b-l	2-28, 30-35, 37-39, 41-46 1,29,36,40	Discloses emission allowances strategy to competitors. Contracts between buyers/sellers of emission allowances are confidential.
304	Sales of Electricity by Rate Schedules	a-f	1-42	Aids competitors by providing competitive level of detail. Discloses sales quantities and prices by customer class and rate schedule.
310-311	Sales for Resale	a-k	1-14	Provides highly competitive information by listing names of customer (column a), actual demand (columns e and f), megawatt hours sold (column g), and revenue (columns h, i, and j). Knowledge of this data can be used by competitors to calculate a utility's average rate for sales for resale. Competitors can develop marketing strategies to invade the public utilities' markets since buyers' names are provided on these pages. Utilities that must file this data are put at a competitive disadvantage in the wholesale electricity markets since not all electricity providers are required to make this information public.

Page	Title	Column	Line	Comments
320-323	Electric Operation and Maintenance Expenses	b-c	4-168	Detailed cost data by account and functions, particularly production, reveal sensitive data to competitors. Using the data provided on these pages, it is possible to determine the efficiency of a company's generation, transmission and distribution operations, maintenance activities, and administrative activities. This data puts reporting companies at a competitive disadvantage with companies that are not required to report such data. This data can also be used to a reporting company's disadvantage in the case of an organized labor movement or a hostile takeover attempt.
326-327	Purchased Power	a-m	1-14	Reveals sensitive contract and pricing information. The information includes the vendors (column a), megawatt hours purchased (columns g and h), and the costs (columns j, k, l and m). Knowledge of this data reveals sensitive contract and pricing information for the power purchased which may impact future negotiating strategies. This data should be viewed as proprietary information since knowledge of the data can be used by competitors, especially the electricity providers that are not required to make public this same detailed level of information, to gain a competitive advantage.
328-330	Transmission of Electricity for Others	a-n	1-17	Extremely detailed data by customer and rate. The information provided includes the energy provider (column b), energy receiver (column c), megawatt hours transported, (columns i and j), and the revenues received (columns k, l, m, and n). Such information supplies competitors with the data needed, along with purchased power costs, to calculate delivered cost to gain a competitive advantage.

Page	Title	Column	Line	Comments
332	Transmission of Electricity by Others	a-g	1-16, TOTAL	Supplies competitors with rate information by provider, which may impact negotiation of future agreements. The information on this page includes the name of the company providing the transmission service (column a), megawatt hours received (column b) and delivered (column c), and the cost paid (columns d, e, f and g). Such information supplies competitors with the data needed, along with purchased power costs, to calculate a delivered cost of power to gain a competitive advantage.
336-337	Depreciation and Authorization of Electric Plant	pg. 336 b-e pg.337 a-g	Pg. 336 (A)1-11, (B) ALL 1-50	Provides insights on depreciation practices not provided by non-filing companies and contains extremely detailed information about individual power plants and accounts.
352-353	Research, Development and Demonstration Activities	a-g	1-38	Provides insight into future strategic plans and current problem areas. This information could be used against a reporting company when competing against non-reporting companies in a situation that requires expertise and investment in new technologies or equipment.
354-355	Distribution of Salaries and Wages	pg. 354 b c & d pg.355 b-d	Pg. 354 3-25 25 Pg.355 62-96	Salaries and wages by function provides details on a cost component to competitors. With the data found on these pages, it is possible to determine the average salary of the company's work force, by function and in total. Data such as this puts reporting companies at a severe competitive disadvantage in competing against companies that are not required to report such information.

Page	Title	Column	Line	Comments
401	Electric Energy Account and Monthly Peaks and Outputs	pg. 401a b pg. 401b a-e	1-28 29-41	Discloses monthly operating data and sources and disposition of energy. Provides sensitive information regarding efficiency of generating plants.
402-403	Steam-Electric Generating Plant Statistics (Large Plants)	b-f	1-34, 37-43	Extremely sensitive and detailed operating cost and operating statistics by plant. Very useful to competitors in determining how plants operate at the margin. Fuel and other costs give competitors a clear picture of operations and efficiencies.
422-423	Transmission Line Statistics	a-p	1-36	Discloses capacities and locations of individual transmission lines. Provides insight into transmission capabilities.
424-425	Transmission Lines Added During Year	a-o	1-44	Reveals current expansion plans and costs to build individual transmission lines. Provides insight into transmission capabilities.
426-427	Substations	a-k	1-40	Reveals capacities and locations of individual substations to competition. Reveals business plans to competitors by disclosing the location and capacity of new substations and increases in the capacity of existing substations.
430	Environmental Protection Facilities	b-f	1-9	Discloses amounts invested in pollution control equipment and plans for pollution control. Discloses business plans to competitors as additions and retirements to environmental facilities are made.
431	Environmental Protection Expenses	b-c	1-11	These production costs should be confidential. Lines 6 and 7 require disclosure of fuel related costs, particularly the cost of environmentally clean fuels and replacement power costs.