

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Energy conservation cost recovery clause.

DOCKET NO. 000002-EG  
 ORDER NO. PSC-00-1569-CFO-EG  
 ISSUED: August 31, 2000

ORDER GRANTING CONFIDENTIAL CLASSIFICATION OF CERTAIN MATERIAL  
 OBTAINED DURING THE ENERGY CONSERVATION COST RECOVERY CLAUSE  
 AUDIT OF FLORIDA POWER & LIGHT COMPANY  
 (DOCUMENT NOS. 08718-00 & 09551-00)

Pursuant to Rule 25-22.006, Florida Administrative Code, and Section 366.093, Florida Statutes, Florida Power & Light Company (FPL) requests confidential classification of certain material obtained during the Energy Conservation Cost Recovery Audit (Audit). The information for which FPL wishes confidential treatment is contained in Document Nos. 08718-00 and 09551-00.

FPL requests that the information contained in the following table be granted confidential classification pursuant to Section 366.093(3)(d) and (e), Florida Statutes, as proprietary confidential business information which is owned or controlled by the company, in which the disclosure of such information would impair the company's business operation or cause harm to the ratepayers.

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44-13/2-1	2	Col. A-B, Line 1
44-13/2-1/1	1	Col. A, Line 1-2; Col. B, Line 2
44-13/2-1/1	2	Col. A, Lines 1-2; Col. B, Lines 1-4
44-13/2-2	1	Col. A, Lines 1-12
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44-13/3-1	1	Col. A, Lines 1-2; Col. B, Lines 1-3
44-13/3-1/1	1	Col. A, Lines 1-3; Col. B, Line 2

44-13/3-1/1	3	Col. A, Lines 1-4
44-13/3-2	1	Col. A, Lines 1-2; Col. B, Lines 1-3
44-13/3-3	1	Col. A, Lines 1-2; Col. B, Lines 1-3
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FPL asserts that the information described in the table above contains sensitive information consisting of customer-specific account information for non-governmental customers. FPL further contends that FPL's policy is not to reveal customer information unless required to do so by law or unless a customer authorizes its release. According to FPL, "FPL Customer Information" includes, but is not limited to: customer names, addresses, telephone numbers, account numbers, rates, billing determinants (kW and kWh Usage), conservation savings in kW, and bills. FPL maintains that it is important to FPL customers to keep customer information private for reasons that include, keeping sensitive competitive business information from competitors and retaining their privacy.

Upon review it appears that the information discussed above is proprietary, confidential business information. As requested, the material for which FPL requests confidential classification shall be granted confidential classification for a period of eighteen months from the date of the issuance of this Order. Based on the foregoing, FPL's request for confidential treatment of Document Nos. 08718-00 and 09551-00 is granted.

FPL also requests that the confidential information be returned to FPL when the information is no longer needed by the Commission. However, audit workpapers are retained by the Commission and not returned to the parties. If FPL wishes continued protection for these documents, it may petition for continued protection at the expiration of the confidential period, if appropriate.

Based on the foregoing, it is

ORDERED by Commissioner Lila A. Jaber, as Prehearing Officer, that the information described in Florida Power & Light Company's

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request for confidential classification of certain material obtained during the energy conservation cost recovery clause audit, Document Nos. 08718-00 and 09551-00, is granted confidential classification. It is further

ORDERED that the information described within the body of this Order shall be granted confidential classification for a period of 18 months from the date of this Order. It is further

ORDERED that this Order will be the only notification by the Commission to the parties concerning the expiration of the confidentiality time period.

By ORDER of Commissioner Lila A. Jaber as Prehearing Officer, this 31st Day of August, 2000.



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LILA A. JABER  
Commissioner and Prehearing Officer

( S E A L )

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NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

Any party adversely affected by this order, which is preliminary, procedural or intermediate in nature, may request: (1) reconsideration within 10 days pursuant to Rule 25-22.0376, Florida Administrative Code, if issued by a Prehearing Officer; (2) reconsideration within 15 days pursuant to Rule 25-22.060, Florida Administrative Code, if issued by the Commission; or (3) judicial review by the Florida Supreme Court, in the case of an electric, gas or telephone utility, or the First District Court of Appeal, in the case of a water or wastewater utility. A motion for reconsideration shall be filed with the Director, Division of Records and Reporting, in the form prescribed by Rule 25-22.060, Florida Administrative Code. Judicial review of a preliminary, procedural or intermediate ruling or order is available if review of the final action will not provide an adequate remedy. Such review may be requested from the appropriate court, as described above, pursuant to Rule 9.100, Florida Rules of Appellate Procedure.