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ORIGINAL

July 20, 2001

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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

010002-EG

Re: Florida Power & Light Company's First Request for Extension of Confidential Classification Granted by Order No. PSC-00-0194-CFO-EG

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") First Request for Extension of Confidential Classification Granted by FPSC Order No. PSC-00-0194-CFO-EG. Exhibits A, B and C from the previous filing subject to Order No. PSC-00-0194-CFO-EG are incorporated herein by reference.

Exhibit D contains the affidavit of Richard Thomas in support of FPL's First Request for Extension of Confidential Classification. FPL will supplement Exhibit D with the additional affidavits of Dennis Brandt and Susan K. Gampfer on or before July 25, 2001. Also included is a computer diskette containing the electronic version of FPL's First Request for Extension in Microsoft Word format.

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

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,

R. Wade Litchfield

- APP _____
- CAF _____
- CMP _____
- COM _____
- CTR _____
- ECR _____
- LEG _____
- CPC _____
- PAI _____
- RGO _____
- SEC _____
- SER _____
- OTH _____

Enclosures

FPL/FPSC/Energy CCR Audit #98-173-4-1

an FPL Group company

DOCUMENT NUMBER-DATE

08848 JUL 20 01

FPSC-COMMISSION CLERK

**BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION**

In the Matter of Florida Power & Light Company's)	
First Request for Extension of Confidential)	DOCKET NO. <u>010002-EG</u>
Classification Granted by)	
Order No. PSC-00-0194-CFO-EG)	FILED: July 23, 2001
In Docket No. 000002-EG)	

**FIRST REQUEST FOR EXTENSION OF CONFIDENTIAL CLASSIFICATION
GRANTED BY ORDER NO. PSC-00-0194-CFO-EG**

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 submits its First Request for Extension of Confidential Classification Granted by Order No PSC-00-0194-CFO-EG of the Florida Public Service Commission ("FPSC" or "Commission"), issued in Docket No. 000002-EG in connection with the Energy Conservation Cost Recovery Audit (Audit Control No. 98-173-4-1) (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
Florida Power & Light Company
Vice President
215 South Monroe Street
Suite 810
Tallahassee, Florida 32301-1859
(850) 224-7595

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

DOCUMENT NUMBER-DATE
08848 JUL 20 01
FPSC-COMMISSION CLERK

2. On November 10, 1998, FPL filed with the Commission its Request for Confidential Classification of certain materials obtained during the Audit. FPL's initial filing consists of the Request for Confidential Classification and Exhibits A through E.

3. By Order No. PSC-00-0194-CFO-EG, issued January 26, 2000, the Commission granted FPL's request.

4. The period of confidential treatment granted by the Commission will soon expire. The information that was the subject of FPL's November 10, 1998 Request warrants continued treatment as proprietary and confidential business information with the meaning of Section 366.093. Accordingly, FPL hereby submits its First Request for Extension of Confidential Classification.

5. FPL incorporates herein by reference Exhibits A, B and C from its November 10, 1998 filing.

6. Included herewith and made a part hereof is Exhibit D. Exhibit D consists of the Affidavits of Dennis Brandt, Susan K. Gampfer, and Richard Thomas which Affidavits shall replace Exhibits D previously filed November 10, 1998.¹

7. FPL submits that such information is proprietary confidential business information within the meaning of section 366.093(3). 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.

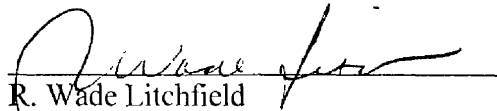
¹ The affidavits of Mr. Brandt and Ms. Gampfer will be filed on or before July 25, 2001.

8. 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 (e) refer to subsections of section 366.093(3), as applicable. Support for FPL's First Request for Extension of Confidential Classification of the referenced material is provided through the affidavits of Dennis Brandt, Susan K. Gampfer, and Richard Thomas. The Justification Table identifies the affiant attesting to the basis for FPL's assertion of confidentiality with regard to each document or portion thereof. The materials at issue contain information that is or is related to internal audit reports, customer account information, contract pricing information, and employee personnel information unrelated to compensation, duties, qualifications or responsibilities.

9. As reflected by the renewed affidavits submitted as Exhibit D, nothing has changed since the issuance of Order no. PSC 00-0194-CFO-EG to render the information stale or public such that continued confidential treatment would not be appropriate. Accordingly, FPL requests that the information be accorded confidential classification for an additional eighteen month period. FPL further requests that the information be returned to FPL as soon as it 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 or incorporated herein by reference, Florida Power & Light Company respectfully requests that its First Request for Extension of Confidential Classification be granted.

Respectfully submitted,



R. Wade Litchfield
Florida Authorized House Counsel
Attorney for Florida Power & Light Company
700 Universe Boulevard
Juno Beach, Florida 33408-0420
Tel: (561) 691-7101
Fax: (561) 691-7135

BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION

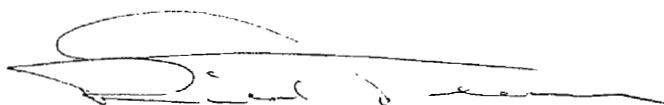
STATE OF FLORIDA)
)
COUNTY OF MIAMI-DADE) **AFFIDAVIT OF RICHARD THOMAS**

BEFORE ME, the undersigned authority, personally appeared Richard Thomas who, being first duly sworn, deposes and says:

1. My name is Richard Thomas. I am currently employed by Florida Power & Light Company ("FPL"). My title is Manager, Payroll. I have personal knowledge of the matters stated in this affidavit.

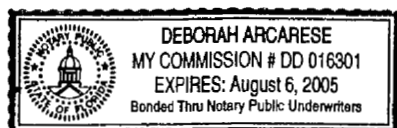
2. With respect to Exhibit C, I have reviewed the documents and information for which I am listed as Affiant and which are included in Exhibit A to FPL's Request for Confidential Classification. Such documents or materials that I have reviewed and which in whole or in part are asserted by FPL to be proprietary confidential business information, as noted on Exhibit C, contain employee personnel information unrelated to compensation, duties, qualifications, or responsibilities. In particular, the information in question consists of employee social security numbers. FPL has maintained the confidentiality of this information and does not disclose such information to third parties unless required by law or without the consent of the employee.

3. Affiant says nothing further.



Richard Thomas

SWORN TO AND SUBSCRIBED before me this 18th day of July, 2001, by Richard Thomas, who is personally known to me or who has produced _____ (type of identification) as identification and who did take an oath.



Deborah Arcarese
Notary Public, State of Florida

my commission expires: 8/6/2005