

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Review of the retail rates of )  
Florida Power & Light ) Docket No. 001148-EI  
Company. ) Dated: November 19, 2001  
\_\_\_\_\_ )

**FLORIDA POWER & LIGHT COMPANY'S NOTICE OF  
INTENT TO SEEK CONFIDENTIAL CLASSIFICATION**

Pursuant to Section 366.093, Florida Statutes and Rule 25-22.006, Florida Administrative Code, Florida Power & Light Company ("FPL") hereby files this Notice of Intent to Seek Confidential Classification of certain information documents and information responsive to Staff's Fifth Request for Production of Documents ("Staff's Requests"), and states:

Staff's Requests Nos. 17 and 22 seek discovery of confidential, proprietary business information of FPL. (A copy of Staff's Requests is attached.) Accordingly FPL hereby gives notice of its intent to seek confidential classification with respect to its responses pursuant to Rule 25-22.006(3)(a), Florida Administrative Code.

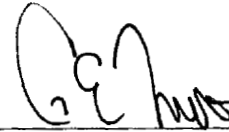
Contemporaneously herewith, FPL is submitting its response to Staff's Fifth Request for Production of Documents.

Respectfully submitted this 19th day of November 2001.

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

Steel Hector & Davis LLP  
Attorneys for Florida Power & Light  
Company  
200 South Biscayne Boulevard  
Suite 4000  
Miami, Florida 33131-2398  
Telephone: 305-577-2939

By: \_\_\_\_\_



Gabriel E. Nieto  
Florida Bar No. 147559

**CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that a true and correct copy of the foregoing has been furnished by facsimile(\*) or United States Mail this 19<sup>th</sup> day of November, 2001, to the following:

Robert V. Elias, Esq.\*  
Legal Division  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Room 370  
Tallahassee, FL 32399-0850

Florida Industrial Power Users Group  
c/o John McWhirter, Jr., Esq.  
McWhirter Reeves  
400 North Tampa Street, Suite 2450  
Tampa, FL 33601-3350

Thomas A. Cloud, Esq.  
Gray, Harris & Robinson, P.A.  
301 East Pine Street, Suite 1400  
Orlando, Florida 32801

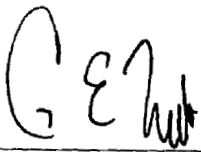
J. Roger Howe, Esq.  
Office of Public Counsel  
c/o Florida Legislature  
111 W. Madison Street  
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Tallahassee, Florida 32399-1400

Michael B. Twomey, Esq.  
Post Office Box 5256  
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Andrews & Kurth Law Firm  
Mark Sundback/Kenneth Wiseman  
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Greenberg Traurig, P.A.  
101 East College Avenue  
Post Office Drawer 1838  
Tallahassee, Florida 32302

By:   
\_\_\_\_\_  
Gabriel E. Nieto

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Review of Florida Power & Light Company's proposed merger with Entergy Corporation, the formation of a Florida transmission company ("Florida transco"), and their effect on FPL's retail rates.

DOCKET NO. 001148-EI

FILED: OCTOBER 15, 2001

RECEIVED

OCT 16 2001

*U.S. Mail*  
STEEL HECTOR & DAVIS

STAFF'S FIFTH REQUEST FOR PRODUCTION OF  
DOCUMENTS TO FLORIDA POWER & LIGHT COMPANY (NOS. 17 - 22)

Pursuant to Rule 25-22.034, Florida Administrative Code, and Rule 1.350, Florida Rules of Civil Procedure, the Staff of the Florida Public Service Commission, by and through its undersigned attorney, hereby serves the following Request for Production of Documents upon Florida Power & Light Company ("FPL").

Please produce the following documents at the Florida Public Service Commission, 2540 Shumard Oak Boulevard, Gerald L. Gunter Building, Tallahassee, Florida 32399-0850, no later than thirty days after service of this request for the purpose of inspection and copying:

DEFINITION

As used herein, the word "documents" shall mean the original and any non-identical copies of any writing or record, including but not limited to a book, pamphlet, periodical, letter,

memorandum, telegram, report, study, interoffice or intraoffice memorandum, memorandum reflecting an oral communication, handwritten or other notes, working paper, draft, application, permit, chart, paper, graph, survey, index, tape, disc, data sheet or data processing card, computer printout, or any other written, recorded, transcribed, filed or graphic matter, however produced or reproduced.

DOCUMENTS REQUESTED

17. Please provide all reports or reviews for FPL and FPL Group, Inc., prepared by or for investment banking firms since January 1, 2000.
18. Please provide all reports or analyses for FPL and FPL Group, Inc., prepared by or for Standard & Poor's since January 1, 2000.
19. Please provide all documentation from Standard & Poor's which recommends FPL maintain an actual equity ratio above a particular level (or actual debt ratio below a particular level) in order to maintain the utility's AA- credit rating.

STAFF'S FIFTH REQUEST FOR PRODUCTION OF DOCUMENTS  
TO FLORIDA POWER & LIGHT COMPANY (NOS. 17-22)  
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20. Please provide all reports or analyses for FPL and FPL Group, Inc., prepared by or for Moody's Investor Services since January 1, 2000.
21. Please provide all documentation from Moody's Investor Services which recommends FPL maintain an actual equity ratio above a particular level (or actual debt ratio below a particular level) in order to maintain the utility's Aa3 credit rating.
22. Please provide all reports, reviews, and analyses prepared by or for FPL and FPL Group, Inc., since January 1, 1999, on the subject of equity ratio, debt ratio, capital structure, cost of capital, return on equity, or cost of debt.

*Wm. Cochran Keating IV*

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WM. COCHRAN KEATING IV  
Staff Counsel  
FLORIDA PUBLIC SERVICE COMMISSION  
2540 Shumard Oak Blvd.  
Tallahassee, Florida 32399-0850  
(850) 413-6193

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Review of Florida Power & Light Company's proposed merger with Entergy Corporation, the formation of a Florida transmission company ("Florida transco"), and their effect on FPL's retail rates.

DOCKET NO. 001148-EI

FILED: OCTOBER 15, 2001

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the original and one copy of STAFF'S FIFTH REQUEST FOR PRODUCTION OF DOCUMENTS TO FLORIDA POWER & LIGHT COMPANY (NOS. 17-22) has been served by U. S. Mail to Matthew M. Childs, Steel, Hector & Davis, 215 South Monroe Street, Suite 601, Tallahassee, Florida, 32301-1804, on behalf of Florida Power & Light Company, and that a true and correct copy thereof has been furnished to the following by U. S. Mail this 15<sup>th</sup> day of October 2001:

Andrews & Kurth Law Firm  
Mark Sundback/Kenneth Wiseman  
1701 Pennsylvania Ave, N.W.  
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Florida Industrial Power Users  
Group  
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Tampa, FL 33601-3350

McWhirter Reeves Law Firm  
Vicki Kaufman/Joe McGlothlin  
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Tallahassee, FL 32301

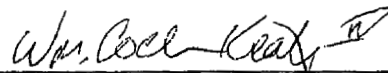
CERTIFICATE OF SERVICE  
DOCKET NO. 001148-EI  
PAGE 2

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