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August 26, 2002

Blanca S. Bayó
Director, Commission Clerk and Administrative Services
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850


Re: Docket No. 011605-EI

Dear Ms. Bayó:

I am enclosing for filing in the above docket the original and seven (7) copies of Florida Power & Light Company's Request for Confidential Classification of Answer to Interrogatory No. 59 from Staff's Fourth Set of Interrogatories, together with a diskette containing the electronic version of same. The enclosed diskette is HD density, the operating system is Windows 2000, and the word processing software in which the documents appear is Word 2000.

If there are any questions regarding this transmittal, please contact me at 305-577-2939.

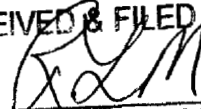
Very truly yours,


for John T. Butler, P.A.

Enclosure

cc: Counsel for Parties of Record (w/enclosure)

RECEIVED & FILED


FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE

09000 AUG 26 2002

FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

**In re: Review of investor-owned) Docket No. 011605-EI
electric utilities' risk management) Dated: August 26, 2002
policies and procedures.)**

**FLORIDA POWER AND LIGHT COMPANY'S REQUEST FOR
CONFIDENTIAL CLASSIFICATION OF ANSWER TO INTERROGATORY NO. 59
FROM STAFF'S FOURTH SET OF INTERROGATORIES**

Florida Power & Light Company ("FPL"), pursuant to Rule 25-22.006, F.A.C., and Section 366.093, Florida Statutes, requests confidential classification of its answer to Interrogatory No. 29 from Staff's Fourth Set of Interrogatories. In support of its Request, FPL states as follows:

1. FPL provided its answers to Staff's Fourth Set of Interrogatories on August 5, 2002. Contemporaneously, FPL filed a Notice of Intent to Seek Confidential Classification of the answer to Interrogatory No. 59. Rule 25-22.006, F.A.C. provides that, unless good cause is shown for delay, a party that has filed a notice of intent must then file a request for confidential classification of the information covered by the notice of intent within 21 days. This Request is being filed within 21 days of FPL's filing of its Notice of Intent on August 5, 2002, and is intended to request confidential classification of the answer to Interrogatory No. 59 consistent with Rule 25-22.006.

2. The following exhibits are included with this Request:

a. Exhibit A consists of a copy of the answer to Interrogatory No. 59, in which all information that FPL asserts is entitled to confidential treatment has been highlighted. Exhibit A is submitted separately in a sealed folder marked "CONFIDENTIAL."

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

b. Exhibit B consists of two copies of the answer to Interrogatory No. 59 in which all information that FPL asserts is entitled to confidential treatment has been redacted.

4. FPL seeks confidential protection for the information highlighted in Exhibit A. The highlighted information is confidential because it comprises trade secrets of FPL, which allow FPL to conduct its fuel procurement on favorable terms for FPL and its customers. The disclosure of that trade-secret information would provide other participants in the fuel markets insight into FPL's fuel-procurement practices that would allow them to anticipate FPL's procurement decisions and/or impair FPL's ability to negotiate, to the detriment of FPL and its customers. *See* § 366.093(3)(a), Fla. Stat (2001). The answer to Interrogatory No. 59 is less than a page long and FPL's confidentiality claim applies to the entire answer, so no purpose would be served by providing a line-by-line and page-by-page "justification table" for FPL's confidentiality claim, as is ordinarily done pursuant to Rule 25-22.006(4)(a), F.A.C.

5. FPL submits that the highlighted information is proprietary confidential business information within the meaning of Section 366.093(3). Pursuant to Section 366.093, such information is entitled to confidential treatment and is exempt from the disclosure provisions of the public records law.

6. The material in Exhibit A for which FPL seeks confidential classification is intended to be and is treated by FPL as private, and its confidentiality has been maintained.

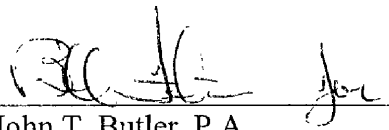
7. Upon a finding by the Commission that the material in Exhibit A for which FPL seeks confidential treatment is proprietary confidential business information within the meaning of Section 366.093(3), pursuant to Section 366.093(4) such materials should not be declassified

for 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, FPL respectfully requests that its Request for Confidential Classification of the Answer to Interrogatory No. 59 from Staff's Fourth Set of Interrogatories be granted.
Respectfully submitted,

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By: 
John T. Butler, P.A.

Fla. Bar No. 283479

CERTIFICATE OF SERVICE
Docket No. 011605-EI

I certify that a copy of the foregoing was served by hand delivery (*) or United States mail on this 26th day of August, 2002, to the following persons:

Susan D. Ritenour
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By: 
John T. Butler, P.A.

Exhibit A

“Confidential”

Exhibit B

CONFIDENTIAL

Florida Power & Light Company
Staff's Fourth Set of Interrogatories
Docket No. 011605-EI
Question No. 59

Q. For each of the last five years, please identify the net credit or charge to fuel clause associated with FPL's financial hedging transactions.

A.

[REDACTED]