



R. Wade Litchfield  
 Senior Attorney  
 Florida Authorized House Counsel  
 Florida Power & Light Company  
 700 Universe Boulevard  
 Juno Beach, FL 33408-0420  
 (561) 691-7135 (Facsimile)

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Writer's Direct Dial:  
 (561) 691-7101

October 25, 2002

**VIA HAND DELIVERY**

Ms. Blanca S. Bayó, Director  
 Division of the Commission Clerk and  
 Administrative Services  
 Florida Public Service Commission  
 Betty Easley Conference Center, Room 110  
 2540 Shumard Oak Boulevard  
 Tallahassee, Florida 32399-0850

**Re: Florida Power & Light Company's Request for Confidential Classification of  
 Certain Material Provided in Connection with the Monthly Fuel Filings  
Docket No. 020001-EI**

Dear Ms. Bayó:

I enclose and hand you herewith for filing in the above-referenced matter, the original and five (5) copies of Florida Power & Light Company's ("FPL") Request for Confidential Classification. The original includes Attachments A, B, and C. The five copies include only Attachments B and C.

Attachment A contains the confidential information that is the subject of FPL's Request for Confidential Classification. Attachment A is submitted for filing in a separate, sealed folder or carton marked "**ATTACHMENT A – CONFIDENTIAL**". Attachment B is an edited version of Attachment A, in which the information FPL asserts is confidential has been blocked out. Attachment C contains FPL's justification for its request for confidential classification.

In accordance with Rule 25-22.006(3)(d), FPL requests confidential treatment of the information in Attachment A pending disposition of FPL's request for Confidential Classification.

Also included herewith is a computer diskette containing FPL's Request for Confidential Classification and Attachment C, in Microsoft Word. Please contact me should you or your Staff have any questions regarding this filing.

Sincerely,

R. Wade Litchfield

RWL/ec  
 Enclosures  
 cc: Service List (w/out Attachment A)

Doc/423 Fuel Filing/August 2002

an FPL Group company

RECEIVED & FILED

FPSC-BUREAU OF RECORDS

*Request*  
 DOCUMENT NUMBER-DATE

11706 OCT 25 08

FPSC-COMMISSION CLERK

*Confidential*  
 DOCUMENT NUMBER-DATE

11707 OCT 25 08

FPSC-COMMISSION CLERK

**BEFORE THE  
FLORIDA PUBLIC SERVICE COMMISSION**

In re: Fuel and Purchased Power	)	DOCKET NO. 020001-EI
Cost Recovery Clause and Generating	)	
Performance Incentive Factor	)	FILED: October 25, 2002

**REQUEST FOR CONFIDENTIAL CLASSIFICATION**

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 on Florida Public Service Commission (“FPSC” or “Commission”) Forms 423-1(a), 423-2, 423-2(a) and 423-2(b) submitted in Docket No. 020001-EI. 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, Suite 810  
Tallahassee, FL 32301-1859  
Tel.: (850) 521-3900  
Fax: (850) 521-3939

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

2. The following attachments are included herewith and made a part hereof:
  - a. Attachment A includes the complete and unedited version of FPL's August 2002 Form 423-1(a) and St. Johns River Power Park's (SJRPP) August 2002 Forms 423-2, 423-2(a) and 423-2(b) which contain certain information that FPL asserts should be accorded confidential treatment. The information in Attachment A for which FPL seeks confidential classification has been highlighted. Attachment A is submitted separately in a sealed envelope marked "**CONFIDENTIAL.**"
  - b. Attachment B is the edited version of Attachment A. All information that FPL asserts is entitled to confidential treatment has been blocked out in Attachment B.
  - c. Attachment C identifies information for which confidential treatment is sought and, with regard to each item or type of information, contains a brief statement that explains the need for confidentiality and refers to the specific statutory basis or bases for the request.

3. Pursuant to section 366.093, FPL seeks confidential protection for the information highlighted in Attachment A. 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.

4. The statutory bases and support for FPL's assertion of confidentiality with regard to specific items or types of information are set forth in Attachment C. The information for which confidential classification is sought is intended to be and is treated by FPL as confidential and, to the best of FPL's knowledge and belief, has not been publicly disclosed.

5. Upon a finding by the Commission that the material in Attachment 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 until the end of the minimum protective period allowed for by law, or as otherwise extended by the Commission. Further, the materials 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, including those set forth in the supporting materials included herewith, Florida Power & Light Company respectfully requests that its Request for 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

## CERTIFICATE OF SERVICE

I, **THE UNDERSIGNED COUNSEL, HEREBY CERTIFY** that a copy of Florida Power & Light Company's Request for Confidential Classification, without Attachment A, has been served via first class mail, postage prepaid to the parties listed below, this 25<sup>th</sup> day of October, 2002:

Wm. Cochran Keating, IV, Esq.  
Division of Legal Services  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, Florida 32399-0850

Lee L. Willis, Esq.  
James D. Beasley, Esq.  
Ausley & McMullen  
Attorneys for TECO  
P.O. Box 391  
Tallahassee, Florida 32302

Robert Vandiver, Esq.  
Jack Shreve, Esq.  
Office of Public Counsel  
111 West Madison Street  
Room 812  
Tallahassee, Florida 32399

James A. McGee, Esq.  
Florida Power Corporation  
P.O. Box 14042  
St. Petersburg, Florida 33733

Norman H. Horton, Esq.  
Floyd R. Self, Esq.  
Messer, Caparello & Self  
Attorneys for FPUC  
P.O. Box 1876  
Tallahassee, Florida 32302-1876

Joseph A. McGlothlin, Esq.  
Vicki Gordon Kaufman, Esq.  
McWhirter, Reeves, McGlothlin,  
Davidson, et al.  
Attorneys for FIPUG  
117 South Gadsden Street  
Tallahassee, Florida 32301

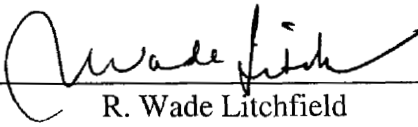
John W. McWhirter, Jr., Esq.  
McWhirter, Reeves, McGlothlin,  
Davidson, et al.  
Attorneys for FIPUG  
P.O. Box 3350  
Tampa, Florida 33602

Jeffrey A. Stone, Esq.  
Russell A. Badders, Esq.  
Beggs & Lane  
Attorneys for Gulf Power  
P.O. Box 12950  
Pensacola, Florida 32591-2950

Mr. George Bachman  
Florida Public Utilities Co.  
P.O. Box 3395  
West Palm Beach, Florida 33402

Ms. Angela Llewellyn  
Regulatory Specialist  
Regulatory & Business Specialist  
Tampa Electric Co.  
P.O. Box 111  
Tampa, Florida 33601

Susan D. Ritenour  
Richard McMillan  
Gulf Power Company  
One Energy Place  
Pensacola, FL 32520-0780

  
R. Wade Litchfield

**ATTACHMENT “A”**

**FPL’S FPSC FORM 423-1(a)**

**SJRPP’S FPSC FORMS**

**423-2**

**423-2 (a)**

**423-2 (b)**

**CONFIDENTIAL**  
**FILED UNDER SEPARATE COVER**

# **ATTACHMENT “B”**

**EDITED VERSION  
FPL’S FPSC FORM 423-1(a)  
SJRPP’S FPSC FORMS  
423-2  
423-2 (a)  
423-2 (b)**



# DUPLICATED COPY

MONTHLY REPORT OF COST AND QUALITY OF FUEL OIL FOR ELECTRIC PLANTS  
DETAIL OF INVOICE AND TRANSPORTATION CHARGES

FPSC FORM NO. 423-1 (a)

1. REPORTING MONTH: AUG YEAR: 2002  
2. REPORTING COMPANY: FLORIDA POWER LIGHT COMPANY

3. NAME, TITLE TELEPHONE NUMBER OF CONTACT PERSON CONCERNING DATA  
SUBMITTED ON THIS FORM: RITA MCLELLAN, REGULATORY AFFAIRS, (305) 552 - 4069  
4. SIGNATURE OF OFFICIAL SUBMITTING REPORT: *Rita Mclellan*  
5. DATE COMPLETED: 10/15/2002

(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)	(I)	(J)	(K)	(L)	(M)	(N)	(O)	(P)	(Q)	(R)
LINE NO.	PLANT	SUPPLIER	DELIVERY LOCATION	DELIVERY DATE	TYPE OIL	VOLUME (BBL)	INVOICE PRICE (\$/BBL)	INVOICE AMOUNT (\$)	DISCOUNT (\$)	NET AMOUNT (\$)	NET PRICE (\$/BBL)	QUALITY ADJUST. (\$/BBL)	EFFECTIVE PUR PRICE (\$/BBL)	TRANSP TO TERM (\$/BBL)	ADDITIONAL TRANS CHGS (\$/BBL)	OTHER CHGS (\$/BBL)	DELIVERED PRICE (\$/BBL)
1	MANATEE	EL PASO	PORT MANATEE	08/11/200	F06	146756											26.1767
2	MANATEE	EL PASO	PORT MANATEE	08/18/200	F06	133216											25.6847
3	MANATEE	EL PASO	PORT MANATEE	08/24/200	F06	132977											25.6847
4	PT. EVERGLADES	EL PASO	PORT EVERGLADES	08/02/200	F06	117083											26.2852
5	PT. EVERGLADES	EL PASO	PORT EVERGLADES	08/20/200	F06	145960											25.6332
6	RIVIERA	EL PASO	RIVIERA	08/01/200	F06	96498											23.4600
7	RIVIERA	EL PASO	RIVIERA	08/13/200	F06	116518											26.2830
8	RIVIERA	EL PASO	RIVIERA	08/29/200	F06	113501											26.1830
9	TURKEY POINT	EL PASO	FISHER ISLAND	08/22/200	F06	116406											26.7739
10	PT. EVERGLADES	PETROBRAS	PORT EVERGLADES	08/15/200	F06	311442											17.0442
11	CAPE CANAVERAL	VITOL	PORT CANAVERAL	08/01/200	F06	108483											26.0175
12	CAPE CANAVERAL	VITOL	PORT CANAVERAL	08/20/200	F06	105488											25.9175
13	CAPE CANAVERAL	VITOL	PORT CANAVERAL	08/28/200	F06	180744											25.9175
14	MARTIN	VITOL	PALM BEACH	08/07/200	F06	125131											27.0689
15	PT. EVERGLADES	VITOL	PORT EVERGLADES	08/29/200	F06	159194											25.6052
16	SANFORD	VITOL	JACKSONVILLE	08/03/200	F06	63266											26.7281
17	SANFORD	VITOL	JACKSONVILLE	08/19/200	F06	62875											26.6281
18	TURKEY POINT	VITOL	FISHER ISLAND	08/13/200	F06	155352											26.1439
19	MARTIN	VPDM	PALM BEACH	08/11/200	F06	122319											25.7009
20	MARTIN	VPDM	PALM BEACH	08/21/200	F06	148311											25.7009
21	RIVIERA	VPDM	RIVIERA	08/11/200	F06	19985											25.4550
22	MANATEE	EL PASO	PORT MANATEE	08/17/200	F06	106761											25.6847
23	MANATEE	GLENORE	PORT MANATEE	08/20/200	F06	299475											25.7107
24	MANATEE	GLENORE	PORT MANATEE	08/31/200	F06	308525											26.1107
25	PT. EVERGLADES	AMERIGAS		08/09/200	PRO	14	40.0400	561	0	561	40.0400	0.0000	40.0400	0.0000	0.0000	0.0000	40.0400
26	PT. EVERGLADES	AMERIGAS		08/15/200	PRO	16	40.5300	648	0	648	40.5300	0.0000	40.5300	0.0000	0.0000	0.0000	40.5300
27	PT. EVERGLADES	AMERIGAS		08/20/200	PRO	16	40.5300	648	0	648	40.5300	0.0000	40.5300	0.0000	0.0000	0.0000	40.5300
28	TURKEY POINT	AMERIGAS		08/15/200	PRO	7	41.6300	291	0	291	41.6300	0.0000	41.6300	0.0000	0.0000	0.0000	41.6300
29	PT. EVERGLADES	FERRELL		08/29/200	PRO	7	38.7100	271	0	271	38.7100	0.0000	38.7100	0.0000	0.0000	0.0000	38.7100
30	RIVIERA	FERRELL GAS		08/02/200	PRO	19	36.7200	698	0	698	36.7200	0.0000	36.7200	0.0000	0.0000	0.0000	36.7200

MONTHLY REPORT OF COST AND QUALITY OF FUEL OIL FOR ELECTRIC PLANTS  
 DETAIL OF INVOICE AND TRANSPORTATION CHARGES

PSC FORM NO. 423-1 (a)

1. REPORTING MONTH: AUG YEAR: 2002  
 2. REPORTING COMPANY: FLORIDA POWER LIGHT COMPANY

3. NAME, TITLE, TELEPHONE NUMBER OF CONTACT PERSON CONCERNING DATA  
 SUBMITTED ON THIS FORM: RITA MCLELLAN, REGULATORY AFFAIRS, (305) 552 - 4069  
 4. SIGNATURE OF OFFICIAL SUBMITTING REPORT: *Rita Mclellan*  
 5. DATE COMPLETED: 10/15/2002

(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)	(I)	(J)	(K)	(L)	(M)	(N)	(O)	(P)	(Q)	(R)
LINE NO.	PLANT	SUPPLIER	DELIVERY LOCATION	DELIVERY DATE	TYPE OIL	VOLUME (BBL)	INVOICE PRICE (\$/BBL)	INVOICE AMOUNT (\$)	DISCOUNT (\$)	NET AMOUNT (\$)	NET PRICE (\$/BBL)	QUALITY ADJUST. (\$/BBL)	EFFECTIVE PUR PRICE (\$/BBL)	TRANSP TO TERM (\$/BBL)	ADDITIONAL TRANS CHGS (\$/BBL)	OTHER CHGS (\$/BBL)	DELIVERED PRICE (\$/BBL)
31	RIVIERA	FERRELL GAS		08/06/2002	PRO	4	36.5100	146	0	146	36.5100	0.0000	36.5100	0.0000	0.0000	0.0000	36.5100
32	RIVIERA	FERRELL GAS		08/09/2002	PRO	2	36.6300	73	0	73	36.6300	0.0000	36.6300	0.0000	0.0000	0.0000	36.6300
33	RIVIERA	FERRELL GAS		08/13/2002	PRO	2	36.6300	73	0	73	36.6300	0.0000	36.6300	0.0000	0.0000	0.0000	36.6300
34	RIVIERA	FERRELL GAS		08/16/2002	PRO	3	37.5100	113	0	113	37.5100	0.0000	37.5100	0.0000	0.0000	0.0000	37.5100
35	RIVIERA	FERRELL GAS		08/20/2002	PRO	2	37.7500	76	0	76	37.7500	0.0000	37.7500	0.0000	0.0000	0.0000	37.7500
36	RIVIERA	FERRELL GAS		08/23/2002	PRO	4	38.1500	153	0	153	38.1500	0.0000	38.1500	0.0000	0.0000	0.0000	38.1500
37	RIVIERA	FERRELL GAS		08/27/2002	PRO	7	38.1500	267	0	267	38.1500	0.0000	38.1500	0.0000	0.0000	0.0000	38.1500
38	RIVIERA	FERRELL GAS		08/30/2002	PRO	2	38.7500	78	0	78	38.7500	0.0000	38.7500	0.0000	0.0000	0.0000	38.7500
39	SANFORD	SUBURBAN		08/30/2002	PRO	6	37.6100	226	0	226	37.6100	0.0000	37.6100	0.0000	0.0000	0.0000	37.6100
40	MANATEE	SUBURBAN		08/07/2002	PRO	8	37.9600	304	0	304	37.9600	0.0000	37.9600	0.0000	0.0000	0.0000	37.9600
41	CAPE CANAVERAL	SUBURBAN		08/20/2002	PRO	7	37.6500	264	0	264	37.6500	0.0000	37.6500	0.0000	0.0000	0.0000	37.6500
42	MANATEE	SUBURBAN		08/02/2002	PRO	9	37.9900	342	0	342	37.9900	0.0000	37.9900	0.0000	0.0000	0.0000	37.9900
43	MANATEE	SUBURBAN		08/14/2002	PRO	7	37.6000	263	0	263	37.6000	0.0000	37.6000	0.0000	0.0000	0.0000	37.6000
44	MANATEE	SUBURBAN		08/22/2002	PRO	4	37.8900	152	0	152	37.8900	0.0000	37.8900	0.0000	0.0000	0.0000	37.8900

**MONTHLY REPORT OF COST AND QUALITY OF COAL FOR ELECTRIC PLANTS  
ORIGIN, TONNAGE, DELIVERED PRICE AND AS RECEIVED QUALITY**

**EDITED COPY**

1. Report For Month/Yr: **August 2002**

4. Name, Title & Telephone Number of Contact Person Concerning Data Submitted on this Form: **Ken Buckway, 813-62-49**

2. Reporting Company: **Florida Power & Light**

5. Signature of Official Submitting Report:

*Ken Buckway*

3. Plant Name: **St. Johns River Power Park (SJRPP)**

6. Date Completed: **September 13, 2002**

Line No.	Supplier Name	Mine Location	Purchase Type	Transportation Mode	Tons	Effective Purchase Price (\$/Ton)	Total Trans Cost (\$/Ton)	FOB Plant Price (\$/Ton)	As Received Coal Quality			
									Sulfur Content (%)	Btu Content (%)	Ash Content (%)	Moisture Content (%)
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)	(k)	(l)	(m)
1	Arch Coal Sales	08,KY,119	LTC	UR	10,071			43.15	1.39	12,568	9.98	6.11
2	Arch Coal Sales	08,KY,195	LTC	UR	5,783			43.36	1.18	12,548	10.49	5.75
3	Cerrejon Coal Corp.	45,IM,999	LTC	OC	35,532			35.56	0.58	11,801	7.45	11.08
4	DTE Clover, LLC	08,KY,095	LTC	UR	22,131			39.22	1.40	12,392	10.52	6.58
5	Koch Carbon Inc.	,VENEZUEL	S	OC	11,379			13.31	4.22	14,420	0.45	6.12
6	TCP Petcoke Corporation	,IM,	S	OC	11,419			13.14	4.35	14,381	1.01	5.56
7	TCP Petcoke Corporation	,TX,	LTC	OC	6,726			14.98	6.91	14,348	0.15	5.95

**NOTES: 1) SJRPP reported coal volumes represents FPL's 20% share of total receipts.**

MONTHLY REPORT OF COST AND QUALITY OF COAL FOR ELECTRIC PLANTS  
 DETAIL OF INVOICE PURCHASE PRICE

**EDITED COPY**

1. Report For Month/Yr: **August 2002**

4. Name, Title & Telephone Number of Contact  
 Person Concerning Data Submitted on this Form:

2. Reporting Company: **Florida Power & Light**

5. Signature of Official Submitting Report:

*Ken Brockway*

3. Plant Name: **St. Johns River Power Park (SJRPP)**

6. Date Completed:

**September 13, 2002**

Line No.	Supplier Name	Mine Location	Purchase Type	Tons	FOB Mine Price (\$/Ton)	Short Haul & Loading Charge	Original Invoice Price (\$/Ton)	Retro-active Price Increases (\$/Ton)	Base Price (\$/Ton)	Quality Adjustments (\$/Ton)	Effective Purchase Price (\$/Ton)
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)	(k)	(l)
1	Arch Coal Sales	08,KY,119	LTC	10,071		0.00		0.00		0.00	
2	Arch Coal Sales	08,KY,195	LTC	5,783		0.00		0.00		0.00	
3	Cerrejon Coal Corp.	45,IM,999	LTC	35,532		0.00		0.00		0.00	
4	DTE Clover, LLC	08,KY,095	LTC	22,131		0.00		0.00		0.00	
5	Koch Carbon Inc.	,VENEZUEL	S	11,379		0.00		0.00		0.00	
6	TCP Petcoke Corporation	,IM,	S	11,419		0.00		0.00		0.00	
7	TCP Petcoke Corporation	,TX,	LTC	6,726		0.00		0.00		0.00	

MONTHLY REPORT OF COST AND QUALITY OF COAL FOR ELECTRIC PLANTS  
 DETAIL OF TRANSPORTATION CHARGES

**EDITED COPY**

1. Report For Month/Yr: **August 2002**

4. Name, Title & Telephone Number of Contact Person Concerning Data Submitted on this Form: **Korel M. Dubin (305-552-4910)**

2. Reporting Company: **Florida Power & Light**

5. Signature of Official Submitting Report:

*Ken Brookway*

3. Plant Name: **St. Johns River Power Park (SJRPP)**

6. Date Completed: **September 13, 2002**

Line No.	Supplier Name	Mine Location	Shipping Point	Transportation Mode	Tons	Effective Purchase Price (\$/Ton)	Short Haul & Loading Charge (\$/Ton)	Rail Charges		Waterborne Charges				Total Transport Charges (\$/Ton)	FOB Plant Price (\$/Ton)	
								Rail Rate (\$/Ton)	Other Rail Charges (\$/Ton)	River Barge Rate (\$/Ton)	Trans-loading Rate (\$/Ton)	Ocean Barge Rate (\$/Ton)	Other Water Charges (\$/Ton)			Related Charges (\$/Ton)
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)	(k)	(l)	(m)	(n)	(o)	(p)	(q)
1	Arch Coal Sales	08,KY,195	APEX MINE	UR	5,783		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		43.36
2	Arch Coal Sales	08,KY,119	KY MAY	UR	10,071		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		43.15
3	Cerrejon Coal Corp.	45,IM,999	EL CERREJON	OC	35,532		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		35.56
4	DTE Clover, LLC	08,KY,095	CLOVER DTE	UR	22,131		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		39.22
5	Koch Carbon Inc.	VENEZUELA	KOCH CARBON-	OC	11,379		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		13.31
6	TCP Petcoke Corporation	,TX,	TCP-DOMESTIC	OC	6,726		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		14.98
7	TCP Petcoke Corporation	,IM,	TCP-LAGOVEN	OC	11,419		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		13.14

NOTES: 1) SJRPP reported coal volumes represents FPL's 20% share of total receipts.

**ATTACHMENT C**

**Docket No. 020001-EI  
August 2002**

**Justification for Confidentiality of August 2002 Report:**

<u>FORM</u>	<u>LINE(S)</u>	<u>COLUMN</u>	<u>RATIONALE</u>
423-1(a)	1 - 24	H	(1)
423-1(a)	1 - 24	I	(2)
423-1(a)	1 - 24	J	(2), (3)
423-1(a)	1 - 24	K	(2)
423-1(a)	1 - 24	L	(2)
423-1(a)	1 - 24	M	(2), (4)
423-1(a)	1 - 24	N	(2), (5)
423-1(a)	1 - 24	P	(6), (7), (8)
423-1(a)	1 - 24	Q	(6), (7), (8)

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**Rationale for confidentiality:**

- (1) This information is contractual information which, if made public, "would impair the efforts of [FPL] to contract for goods or services on favorable terms." Section 366.093(3)(d), Fla. Stat. The information delineates the price per barrel FPL has paid for fuel oil for specific shipments from specific suppliers. This information would allow suppliers to compare an individual supplier's price with the market quote for that date of delivery and thereby determine the contract pricing formula between FPL and that supplier.

Contract pricing formulas generally contain two components, which are: (1) a markup in the market quoted price for that day; and (2) a transportation charge for delivery at an FPL chosen port of delivery. Discounts and quality adjustment components of fuel price contract formulas are discussed in paragraphs 3 and 4. Disclosure of the invoice price would allow suppliers to determine the contract price formula of their competitors. The knowledge of others' prices (*i.e.*, contract formulas) among fuel oil suppliers is reasonably likely to cause

the suppliers to converge on a target price, or to follow a price leader, effectively eliminating any opportunity for a major buyer like FPL to obtain price concessions from any one supplier. The end result is reasonably likely to be increased fuel oil prices and therefore increased electric rates.

- (2) The contract data found in Columns I through N are an algebraic function of Column H. That is, the publication of these Columns together, or independently, could allow a supplier to derive the invoice price of oil.
- (3) If FPL fuel contracts provide for an early payment incentive in the form of a discount from the invoice price, the existence and amount of such discount is confidential for the reasons stated in paragraph (1) relative to price concessions.
- (4) For fuel that does not meet contract requirements, FPL may reject the shipment, or accept the shipment and apply a quality adjustment. This is, in effect, a pricing term which is as important as the price itself and is therefore confidential for the reasons stated in paragraph (1) relative to price concessions.
- (5) Column N is as important as H from a confidentiality standpoint because of the relatively few times that there are quality or discount adjustments. That is, Column N will equal Column H most of the time. Consequently, Column N needs to be protected for the same reasons as set forth in paragraph (1).
- (6) Column R is used to mask the delivered price of fuel such that the invoice or effective price of fuel cannot be determined. Columns P and Q are algebraic variables of Column R. Consequently, disclosure of Columns P and Q would allow a supplier to calculate the invoice or effective purchase price of oil (Columns H and N) by subtracting these columnar variables from Column R.
- (7) Terminaling and transportation services in Florida tend to have the same, if not more severe, oligopolistic attributes of fuel oil suppliers. Due to the small demand in Florida for both of these services, market entry is difficult. In instances in which FPL has attempted to determine the level of interest in bidding either or both of these services, FPL has found only a very few qualified parties with such an interest. Consequently, disclosure of these contract data is reasonably likely to result in increased prices for terminaling and transportation services.

Petroleum inspection services also have the market characteristics of an oligopoly. Due to the limited number of fuel terminal operations, there are correspondingly few requirements for fuel inspection services. In FPL's last bidding process for petroleum inspection services, only six qualified bidders were found for FPL's bid solicitations. Consequently, disclosure of these contract data is reasonably likely to result in increased prices for petroleum inspection services.

**Justification for Confidentiality of August 2002 Report:**

<u>FORM</u>	<u>LINES</u>	<u>COLUMNS</u>	<u>RATIONALE</u>
423-2	1-7	G, H	(1)
423-2	1-7	H	(2)

**Rationale for Confidentiality:**

- (1) Disclosure of the effective purchase price "would impair the efforts of [JEA, acting on its own behalf and as agent for FPL] to contract for goods or services [at the St. Johns River Power Park (SJRPP)] on favorable terms." Section 366.093(3)(d), Fla. Stat. The data informs other potential coal suppliers as to the price SJRPP is paying for coal. Disclosure of this information, which is particularly sensitive given SJRPP's reliance on long term contracts with fixed price provisions or short term spot transactions, could adversely affect FPL's interests in subsequent solicitations for coal and/or in negotiating coal supply agreements. JEA maintains this information as confidential pursuant to section 163.01(15)(m), Fla. Stat. Additionally, providing the purchase price would enable one to ascertain the total transportation charges in Column H by subtracting the effective purchase price from the delivered price at the transfer facility, shown in Column I.
- (2) Disclosure of the total transportation cost "would impair the efforts of [JEA acting on its own behalf and as agent for FPL] to contract for goods or services [at SJRPP] on favorable terms." Section 366.093(3)(d), Fla Stat. Moreover, the service provider itself typically designates the transportation costs in the contract as confidential. JEA maintains this information as confidential pursuant to section 163.01(15)(m), Fla. Stat. Further, disclosure of this information would enable potential coal suppliers to calculate Column G which FPL seeks to protect by subtracting Column H from Column I.

**Justification for Confidentiality of August 2002 Report:**

<u>FORM</u>	<u>LINE(S)</u>	<u>COLUMN</u>	<u>RATIONALE</u>
423-2(a)	1-7	F	(1)
423-2(a)	1-7	H	(1)
423-2(a)	1-7	J	(1)
423-2(a)	1-7	L	(2)



**Rationale for Confidentiality:**

- (1) The information presented in these columns are algebraic derivations of the information in column L that FPL seeks to protect.
- (2) Disclosure of the effective purchase price "would impair the efforts of [JEA, acting on its own behalf and as agent for FPL] to contract for goods or services [at the St. Johns River Power Park (SJRPP)] on favorable terms." Section 366.093(3)(d), Fla. Stat. The data informs other potential coal suppliers as to the price SJRPP is paying for coal. Disclosure of this information could adversely affect FPL's interests in subsequent solicitations for coal and/or in negotiating coal supply agreements. JEA maintains this information as confidential pursuant to section 163.01(15)(m), Fla. Stat. Additionally, providing the purchase price would enable one to ascertain the total transportation charges in Column H on Form 423-2, which FPL seeks to protect, by subtracting the effective purchase price from the delivered price at the transfer facility shown in Column I on Form 423-2.

**Justification for Confidentiality of August 2002 Report:**

FORM	LINE(S)	COLUMN	RATIONALE
423-2(b)	1-7	G	(1)
423-2(b)	1-7	I	(2)
423-2(b)	1-7	P	(2)

**Rationale for Confidentiality:**

- (1) Disclosure of the effective purchase price "would impair the efforts of [JEA, acting on its own behalf and as agent for FPL] to contract for goods or services [at the St. Johns River Power Park (SJRPP)] on favorable terms." Section 366.093(3)(d), Fla. Stat. The data informs other potential coal suppliers as to the price SJRPP is paying for coal. Disclosure of this information, which is particularly sensitive given SJRPP's reliance on long term contracts with fixed price provisions or short term spot transactions, could adversely affect FPL's interests in subsequent solicitations for coal and/or in negotiating coal supply agreements. JEA maintains this information as confidential pursuant to section 163.01(15)(m), Fla. Stat. Additionally, providing the purchase price would enable one to ascertain the total transportation charges in Column P, which FPL seeks to protect, by subtracting the effective purchase price from the delivered price at the transfer facility shown in Column Q.

- (2) Disclosure of the total transportation cost "would impair the efforts of [JEA acting on its own behalf and as agent for FPL] to contract for goods or services [at SJRPP] on favorable terms." Section 366.093(3)(d), Fla Stat. Moreover, the service provider itself typically designates the transportation costs in the contract as confidential. JEA maintains this information as confidential pursuant to section 163.01(15)(m), Fla. Stat. Further, disclosure of this information would enable potential coal suppliers to calculate Column G which FPL seeks to protect, by subtracting Column P from Column Q.

**Date of Declassification:**

<u>FORM</u>	<u>LINE(S)</u>	<u>COLUMN</u>
423-1(a)	1-9	H - N, P & Q
423-1(a)	10	H - N, P & Q
423-1(a)	11-21	H - N, P & Q
423-1(a)	22-24	H - N, P & Q
423-2	1-7	G, H
423-2(a)	1-7	F, H, & J, L
423-2(b)	1-7	G, I, P

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FPL requests that the confidential information identified above not be disclosed for a period of eighteen (18) months.