

ORIGINAL



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)

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

January 9, 2004

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

COMMISSION
CLERK

JAN -9 PM 2:22

RECEIVED FPSC

**Re: Florida Power & Light Company's Request for Confidential Classification of
Certain Material Provided in Connection with the Monthly Fuel Filings
Docket No. 040001-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 WordPerfect. Please contact me should you or your Staff have any questions regarding this filing.

AUS _____
CAF _____
CMP _____
COM _____
CTR _____
ECR
GCL
OPC _____
MMS _____
SEC
OTH *Le.com records*

RECEIVED & FILED

FPSC-BUREAU OF RECORDS

Sincerely,

R. Wade Litchfield

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

DOCUMENT NUMBER-DATE

00407 JAN-9 04

FPSC-COMMISSION CLERK

**BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION**

In re: Fuel and Purchased Power)
Cost Recovery Clause and Generating)
Performance Incentive Factor)
_____)

DOCKET NO. 040001-EI

FILED: January 9, 2004

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. 040001-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 relate d 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) 521-3910
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 October 2003 Form 423-1(a) and St. Johns River Power Park's (SJRPP) October 2003 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.

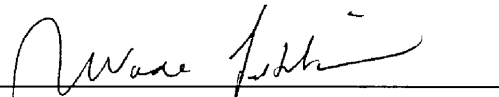
3. Pursuant to section 366.093, FPL seeks confidential protection for the information highlighted in Attachment A. FPL submits that such information is proprietary confidential business information within the meaning of section 366.093(3). Pursuant to section 366.093, such materials are entitled to confidential 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 9th day of January, 2004:

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.
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
400 North Tampa Street, Suite 2450
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

Paul Lewis, Jr./Bonnie Davis
Progress Energy Florida, Inc.
106 East College Avenue
Suite 800
Tallahassee, FL 32301-7740

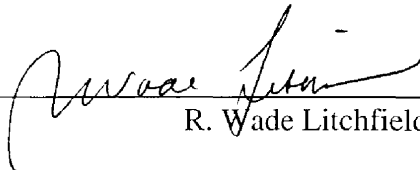
Florida Retail Federation
John Rogers, Esq.
227 South Adams Street
Tallahassee, FL 32301

Greenberg, Traurig Law Firm
Ronald LaFace/Seann M. Frazier
101 E. College Ave.
Tallahassee, FL 32301

Mr. James J. Presswood, Jr.
Southern Alliance for Clean Energy
427 Moreland Ave., NE, Suite 100
Atlanta, GA 30307

Michael B. Twomey, Esq.
Post Office Box 5256
Tallahassee, FL 32314-5256

Mr. Robert Scheffel Wright
Mr. John T. LaVia III
Landers & Parsons, P.A.
Post Office Box 271
Tallahassee, FL 32302


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)**

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

EDITED COPY

FPSC FORM NO. 423-1 (a)

1. REPORTING MONTH: OCT YEAR: 2003

2. REPORTING COMPANY: FLORIDA POWER LIGHT COMPANY

3. NAME, TITLE TELEPHONE NUMBER OF CONTACT PERSON CONCERNING DATA
 SUBMITTED ON THIS FORM: KORY DUBIN, REGULATORY AFFAIRS, (305) 552-4910.

4. SIGNATURE OF OFFICIAL SUBMITTING REPORT: *Kory Dubin*

5. DATE COMPLETED: 12/16/2003

(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	PMT	BAKA ENERGY	PORT MANATEE	10/05/2003	F06	119153											0.0000
2	PMT	BAKA ENERGY	PORT MANATEE	10/16/2003	F06	119574											0.0000
3	PMT	BAKA ENERGY	PORT MANATEE	10/25/2003	F06	119243											0.0000
4	PCC	FAMM	PORT CANAVERAL	10/17/2003	F06	107940											0.0000
5	PCC	FAMM	PORT CANAVERAL	10/28/2003	F06	110131											0.0000
6	PMT	FAMM	PORT MANATEE	10/04/2003	F06	168343											0.0000
7	PSN	FAMM	JACKSONVILLE	10/19/2003	F06	62240											0.0000
8	PTF	FAMM	FISHER ISLAND	10/22/2003	F06	107207											0.0000
9	PRV	GLENCORE	RIVIERA	10/10/2003	F06	148494											0.0000
10	PRV	GLENCORE	RIVIERA	10/23/2003	F06	147638											0.0000
11	PRV	GLENCORE	RIVIERA	10/28/2003	F06	141254											0.0000
12	PMT	SEMPRA	PORT MANATEE	10/07/2003	F06	266327											0.0000
13	PMT	VITOL	PORT MANATEE	10/01/2003	F06	110131											0.0000
14	PMR	VPEM	PALM BEACH	10/07/2003	F06	147823											0.0000
15	PMR	VPEM	PALM BEACH	10/18/2003	F06	147852											0.0000
16	PMR	VPEM	PALM BEACH	10/29/2003	F06	148333											0.0000
17	PPE	BP	PORT EVERGLADES	10/14/2003	F06	323173											0.0000
18	PPE	BP	PORT EVERGLADES	10/28/2003	F06	329364											0.0000
19	PCC	SHELL	PORT CANAVERAL	10/20/2003	F06	109332											0.0000
20	PRV	SHELL	RIVIERA	10/11/2003	F06	111854											0.0000
21	PTF	SHELL	FISHER ISLAND	10/31/2003	F06	110588											0.0000
22	PMT	VITOL	PORT MANATEE	10/23/2003	F06	110117											0.0000
23	PMT	VITOL	PORT MANATEE	10/31/2003	F06	110334											0.0000
24	PCC	VITOL	PORT CANAVERAL	10/11/2003	F06	61228											0.0000
25	PMT	VPC	PORT MANATEE	10/09/2003	F06	300264											0.0000
26	PPE	WPI	PORT EVERGLADES	10/08/2003	F06	155009											0.0000

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: OCT YEAR. 2003

2. REPORTING COMPANY: FLORIDA POWER LIGHT COMPANY

3. NAME, TITLE, TELEPHONE NUMBER OF CONTACT PERSON CONCERNING DATA
 SUBMITTED ON THIS FORM: KORY DUBIN, REGULATORY AFFAIRS, (305) 552-4910.

4. SIGNATURE OF OFFICIAL SUBMITTING REPORT: *Sergio J. ...*

5. DATE COMPLETED: 12/16/2003

EDITED COPY

(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 (BBLs)	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)
27	PTF	WPI	FISHER ISLAND	10/09/2003	F06	165480								0.0000			
28	PMR	PORT		10/21/2003	F03	9891								0.0000			
29	PPE	AMERIGAS		10/09/2003	PRO	10	46.8100	468	0	468	46.8100	0.0000	46.8100	0.0000	0.0000	0.0000	46.8100
30	PPE	AMERIGAS		10/22/2003	PRO	4	46.8100	187	0	187	46.8100	0.0000	46.8100	0.0000	0.0000	0.0000	46.8100
31	PTF	AMERIGAS		10/14/2003	PRO	7	46.2400	324	0	324	46.2400	0.0000	46.2400	0.0000	0.0000	0.0000	46.2400
32	PRV	FERRELL		10/03/2003	PRO	1	44.6000	45	0	45	44.6000	0.0000	44.6000	0.0000	0.0000	0.0000	44.6000
33	PRV	FERRELL		10/07/2003	PRO	2	44.8400	90	0	90	44.8400	0.0000	44.8400	0.0000	0.0000	0.0000	44.8400
34	PRV	FERRELL		10/10/2003	PRO	4	46.4300	186	0	186	46.4300	0.0000	46.4300	0.0000	0.0000	0.0000	46.4300
35	PRV	FERRELL		10/14/2003	PRO	4	51.3000	205	0	205	51.3000	0.0000	51.3000	0.0000	0.0000	0.0000	51.3000
36	PRV	FERRELL		10/17/2003	PRO	3	46.3300	139	0	139	46.3300	0.0000	46.3300	0.0000	0.0000	0.0000	46.3300
37	PRV	FERRELL		10/21/2003	PRO	3	45.1700	136	0	136	45.1700	0.0000	45.1700	0.0000	0.0000	0.0000	45.1700
38	PRV	FERRELL		10/24/2003	PRO	3	45.2500	136	0	136	45.2500	0.0000	45.2500	0.0000	0.0000	0.0000	45.2500
39	PRV	FERRELL		10/28/2003	PRO	3	45.0800	135	0	135	45.0800	0.0000	45.0800	0.0000	0.0000	0.0000	45.0800
40	PRV	FERRELL		10/31/2003	PRO	3	44.4200	133	0	133	44.4200	0.0000	44.4200	0.0000	0.0000	0.0000	44.4200
41	PMR	INDIANTOWN		10/27/2003	PRO	14	14.5700	204	0	204	14.5700	0.0000	14.5700	0.0000	0.0000	0.0000	14.5700
42	PCC	SUBURBAN		10/03/2003	PRO	6	45.5200	273	0	273	45.5200	0.0000	45.5200	0.0000	0.0000	0.0000	45.5200
43	PMT	SUBURBAN		10/31/2003	PRO	17	43.8900	746	0	746	43.8900	0.0000	43.8900	0.0000	0.0000	0.0000	43.8900

Justification for Confidentiality of October 2003 Report:

<u>FORM</u>	<u>LINE(S)</u>	<u>COLUMN</u>	<u>RATIONALE</u>
423-1(a)	1 - 28	H	(1)
423-1(a)	1 - 28	I	(2)
423-1(a)	1 - 28	J	(2), (3)
423-1(a)	1 - 28	K	(2)
423-1(a)	1 - 28	L	(2)
423-1(a)	1 - 28	M	(2), (4)
423-1(a)	1 - 28	N	(2), (5)
423-1(a)	1 - 28	P	(6), (7), (8)
423-1(a)	1 - 28	Q	(6), (7), (8)

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 October 2003 Report:

<u>FORM</u>	<u>LINES</u>	<u>COLUMNS</u>	<u>RATIONALE</u>
423-2	1-2	G, H	(1)
423-2	1-2	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 October 2003 Report:

<u>FORM</u>	<u>LINE(S)</u>	<u>COLUMN</u>	<u>RATIONALE</u>
423-2(a)	1-2	F	(1)
423-2(a)	1-2	H	(1)
423-2(a)	1-2	J	(1)
423-2(a)	1-2	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 October 2003 Report:

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

Attachment C
Docket No. 040001-EI
October 2003

Date of Declassification:

FORM	<u>LINE(S)</u>	<u>COLUMN</u>
423-1(a)	1-3	H - N, P & Q
423-1(a)	4-8	H - N, P & Q
423-1(a)	9-11	H - N, P & Q
423-1(a)	12	H - N, P & Q
423-1(a)	13	H-N, P & Q
423-1(a)	14-16	H-N, P & Q
423-1(a)	17-28	H-N, P & Q
423-2	1-2	G, H
423-2(a)	1-2	F, H, & J, L
423-2(b)	1-2	G, I, P

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