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Public Service Commission

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DATE: April 12, 2004

TO: Kay B. Flynn, Chief of Records and Hearing Services, Division of the Commission Clerk & Administrative Services

FROM: Division of Auditing & Safety (Freeman, Vandiver) *F* *AV*

RE: Regarding Docket 040001, Fuel and Purchased Power Recovery Clause, Declassification of Document 07528-03, Response to an Audit and Declassification of Document 09908-03, Modified Staff Disclosure No.1 Concerning the Audit Entitled "Florida Power & Light Security and Hedging Base Costs for the Year Ended December 31, 2002, Audit Control No. 02-340-4-1

On June 23, 2003, at the audit exit conference for the audit entitled "Florida Power & Light Security and Hedging Base Costs for the Year Ended December 2002", Audit Control No. 02-340-4-1, FPL requested that portions of the staff audit report be held in a temporary confidential status pursuant to the provisions of Rule 25-22.006(3)(a)2., Florida Administrative Code (FAC).

On August 15, 2003, FPL filed a response to this "2002 Security and Hedging Cost" audit. In addition, pursuant to Rule 25-22.006, FAC, and Section 366.093, Florida Statutes, FPL requested that their response be granted a confidential classification. The FPL filing contained a copy with the sensitive information highlighted (document 07528-03) and a public copy with the sensitive information redacted (document 07529-03).

On October 10, 2003, PSC staff filed a modified Audit Disclosure No. 1 from the "2002 Security and Hedging Cost" audit. Staff's filing contained a copy with the sensitive information highlighted (document 09908-03). The public redacted copy of Audit Disclosure No. 1 was provided along with the testimony of Kathy L. Welch, Exhibit KLW-1 (document 09877-03).

Documents 07528-03 and 09908-03 are currently held by the Bureau of Records and Hearing Services as confidential pending disposition of FPL's requests for confidentiality.

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Declassification Recommendation Memorandum

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On October 30, 2003, FPL withdrew its request for confidential protection for the audit response, withdrew its request for confidential protection for Audit Disclosure No. 1, and filed a public copy of Audit Disclosure No. 1, see document 10739-03.

Since FPL no longer requests that its response to the "2002 Security and Hedging Cost" audit be held as confidential, please declassify document 07528-03, and place this document in the public files.

Also, since FPL no longer requests that Audit Disclosure No. 1 be held as confidential, please declassify document 09908-03 and return document 09908-03 to the Auditing and Safety Division for retention in the Division's general files.

CC: Office of General Counsel (Rodan, Keating)
Division of Auditing and Safety (Welch)