



FPL

Writer's Direct Dial
(305) 552-4657

April 19, 2004

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

VIA HAND DELIVERY

040001-EI

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APR 19 PM 4:15
COMMISSION
CLERK

**Re: Florida Power & Light Company's
First Request for Extension of Confidential Classification Granted
By Order No. PSC-02-1438-CFO-EI of Certain Materials Obtained
Pursuant to Audit No. 02-056-4-2**

Dear Ms. Bayó:

I enclose and hand you herewith for filing in the above-referenced matter, the original and two (2) copies of Florida Power & Light Company's ("FPL") First Request for Extension of Confidential Classification Granted by FPSC Order No. PSC-02-1438-CFO-EI.

Included is a computer diskette containing the electronic version of FPL's First Request for Extension in Word format and the Revised Justification Table in Word format.

Pursuant to rule 25-22.006(9)(c) of the Florida Administrative Code, FPL requests confidential treatment of the information identified in Order No. PSC-02-1438-CFO-EI pending disposition of FPL's First Request for Extension of Confidential Classification.

Finally, enclosed is an additional copy of FPL's First Request for Extension of Confidential Classification. Please stamp file this additional copy and return to FPL at your convenience.

Please do not hesitate to contact me at (305) 552-4657 should you or your Staff have any questions regarding this filing.

Thanking you for your attention to this matter, I remain,

Sincerely,

Robert E. Stone
Attorney

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On
FPSC-BUREAU OF RECORDS

(FOR 07735-02)
08169-02)

DOCUMENT NUMBER-DATE

04643 APR 19 04

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records Enclosures

2. On August 5, 2002, FPL filed with the Commission its Request for Confidential Classification of certain materials obtained during the Audit. FPL's initial filing consists of the Request for Confidential Classification and Exhibits A through D. FPL adopts and incorporates by reference its August 5, 2002 request, including Exhibits A, B, C and D.

3. By Order No. PSC-02-1438-CFO-EI dated October 21, 2002, the Commission granted FPL's request.

4. The period of confidential treatment granted by the Commission will soon expire. All highlighted information that was the subject of FPL's August 5, 2002 Request warrants continued treatment as proprietary and confidential business information with the meaning of section 366.093. Attached as Exhibit C hereto is a table containing a line-by-line and page-by-page identification of the information for which continued confidential treatment is sought, and, with regard to each document or portion thereof, reference to the specific statutory basis or bases for the claim of confidentiality and to the affidavits in support of the requested classification. Exhibit C is sometimes referred to hereinafter as the "Revised Justification Table."

5. Included herewith and made a part hereof is Exhibit D. Exhibit D consists of the Affidavits of Robert Onsgard, Gerard J. Yupp and Osvaldo J. Lom, which Affidavits shall supplement the Exhibit D previously filed August 5, 2002.

6. 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.

7. The statutory bases for FPL's assertion of confidentiality with regard to each document or portion thereof are set forth in the Revised Justification Table under the column titled "FLORIDA STATUTE 366.093(3) Subsection." The letters (a) through (f) refer to subsections of section 366.093(3), as applicable. Support for FPL's First Request for Extension of Confidential Classification of the referenced material is provided through the Affidavits of Robert Onsgard, Gerard J. Yupp and Osvaldo J. Lom. The Revised Justification Table identifies the basis for FPL's assertion of confidentiality with regard to each document or portion thereof.

8. FPL submits that all of the highlighted information in Exhibit A continues to be proprietary confidential business information within the meaning of section 366.093(3). Some of the documents or materials relate to competitive interests, the disclosure of which may impair the competitive business of the provider of the information. Some of the data included in Exhibit A contain information including contracts, contract prices and other contract-related information. Disclosure of this information may impair FPL's competitive business interests and ability to contract on favorable terms. Some of the data in Exhibit A are internal company procedures which FPL considers to be

confidential proprietary business information. Some of the data in Exhibit A contain or constitute information relating to competitive interests, the disclosure of which may impair the competitive business of the provider of the information. In addition, some of the data included in Exhibit A constitute vendor-specific information including contract prices and other contract-related information. Disclosure of this information may impair FPL's competitive business interests and ability to contract on favorable terms. Finally, the highlighted information also contains internal audit controls or reports or information relating to same. Such information is entitled to protection under section 366.093(3)(b). Support for FPL's request is provided through the Affidavits included as Exhibit D. The statutory bases for FPL's assertion of confidentiality with regard to each document or portion thereof are set forth in the Revised Justification Table.

9. The material for which FPL seeks continued confidential classification is intended to be and is treated by FPL as private and has not been disclosed. Nothing has changed since the issuance of Order No. PSC-02-1438-CFO-EI to render the information stale or public such that continued confidential treatment would not be appropriate.

10. Accordingly, FPL requests that the information identified in the Revised Justification Table and highlighted in Exhibit A to the August 5, 2002 Request for Confidential Classification and referenced in Order No. PSC-02-1438-CFO-EI be accorded confidential classification for an additional eighteen month period. FPL further requests that the information 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, as more fully set forth in the supporting materials and affidavits included herewith or incorporated herein by reference, Florida Power & Light Company respectfully requests that its First Request for Extension of Confidential Classification be granted.

Dated: April 19, 2004

Respectfully submitted,



Robert E. Stone
Attorney for
Florida Power & Light Company
P.O. Box 029100 LAW/GO
Miami, Florida 33102-9100
Phone: (305) 552-4657
Facsimile: (305) 552-4153
Email: bob_stone@fpl.com

EXHIBIT C (Revised Justification Table – April 9, 2004)

COMPANY: Florida Power & Light Company
TITLE: List of Confidential Workpapers
AUDIT: FPL., Fuel Adjustment Cost Recovery Clause Audit from Jan. 1– Dec. 31, 2001
AUDIT CONTROL NO: 02-056-4-2

Workpaper No.	Description	No. of Pages	Conf Y/N	Line No/Col No.	Florida Statute 366.093(3) Subsection	Affiant
9	Internal Audits	10	Y	p.1-10, all	(b)	R. Onsgard
9-1	List of Internal Audits	4	Y	p.1, Col. C, lines 1-51; p.2, Col. C, lines 52-99; p.3, Col. C, lines 1-5; p.4, Col. C, lines 1-23	(b)	R. Onsgard
43-2	Average Unit Cost	33	N			
43-2/1	Program for Average Unit Cost	18	N			
43-4	Sample Account 151	4	N			
43-4/1	Sample Account 151	17	N			
43-4/1-1	Sample Account 151	3	N Y Y	p.1; p.2, Col. D, lines 4, 7; p.3, Col. D, line 6	(d) (e)	G. Yupp
43-5A	Summary of Nuclear Fuel Expenses	1	N			
43-5B	Summary of Nuclear Fuel Expenses	1	N			

Workpaper No.	Description	No. of Pages	Conf Y/N	Line No/Col No.	Florida Statute 366.093(3) Subsection	Affiant
43-5	Sample of Nuclear Fuel Expenses	2	N			
43-5/1	Program of Nuclear Fuel Expenses	4	N			
43-5/1-1	Backup for the Nuclear Fuel Expenses	3	N			
43-5/1-2	Backup for the Nuclear Fuel Expenses	3	N			
43-5/1-3	Backup for the Nuclear Fuel Expenses	3	N			
43-5/1-4	Backup for the Nuclear Fuel Expenses	3	N			
43-5/1-5	Backup for the Nuclear Fuel Expenses	3	N			
43-5/1-6	Backup for the Nuclear Fuel Expenses	3	N			
43-6	Sample of Fuel Expenses	6	N N Y Y Y	p.1 p.2 p.3, Col. C, lines 3,10,22; p.4, Col. C, lines 1,9,32; p.5, Col. C, lines 2,4,7,11,13,20; p.6, Col. C, lines 18,23,40	(d) (e)	G. Yupp
43-6/1-2	Sample of Fuel Expenses	1	N			
45-1/1	Worksheet Southern Company	1	N			
45-1/1-1	Worksheet UPS Energy Transaction	1	Y	p.1, all	(d) (e)	O. Lom

Workpaper No.	Description	No. of Pages	Conf Y/N	Line No/Col No.	Florida Statute 366.093(3) Subsection	Affiant
45-1/1-1/1	Invoice	1	Y	p.1, all	(d) (e)	O. Lom
45-1/1-2	Invoice	1	Y	p.1, Col. A,B,C, lines 14-36; Col. A,B lines 39-47	(d) (e)	O. Lom
46	Summary of Gas Conservation Report	3	N			
46-1	Reconciliation of Schedule A3, A4 to the Natural Gas Conservation Report	1	Y	p.1, Col. A, lines 6-29, 32-34	(d) (e)	G. Yupp
46-1/1	Fuel Requisition	1	N			
47	Summary of QF	1	N			
47-1/1	Worksheet on QF	1	N			
47-1/1-1	Daily Energy Payment Schedule	1	Y	p.1, lines 2,3; Col. A,B,C, lines 4-35; lines 36-38	(d) (e)	O. Lom
47-1/1-2	Billing Statement	1	N			
47-1/1-3	Daily Energy Payment Schedule	1	Y	p.1, lines 2-4; Col. A,B,C, lines 5-36; Col. D, lines 36-39; lines 38-40	(d) (e)	O. Lom
47-2	Worksheet on QF	1	N			
47-2/1	Daily Energy Payment Schedule	1	Y	p.1, lines 2,3; Col. A,B,C, lines 4-33; Col. B,C, lines 34-35; lines 36-38	(d) (e)	O. Lom

Workpaper No.	Description	No. of Pages	Conf Y/N	Line No/Col No.	Florida Statute 366.093(3) Subsection	Affiant
47-2/2	Billing Statement	1	Y	p. 1, line 5; line 7; Col. A,B,C, lines 8,9; Col. A,C, lines 10-12	(d) (e)	O. Lom
47-2/2-1	Daily Energy Payment Summary	1	Y	p. 1, lines 2-3; Col. A,B,C, lines 4-37; lines 38-40	(d) (e)	O. Lom
47-2/2-1/1	Billing Statement	1	N			
47-2/3	Daily Energy Payment Summary	1	Y	p. 1, lines 2-3; Col. A,B,C,D lines 4-37; lines 38-40	(d) (e)	O. Lom
47-4	Bid Bend 4 Unit Energy Cost	1	N			
49B	Process for Recording Gains on Non-Broker Sales	1	N			
49C	Process for Recording Gains on Non-Broker Sales	3	Y	p. 1-3, all	(d) (e)	G. Yupp
49-1/1	Estimates Sales Summaries	2	N			
49-1/1-1	Invoice	3	Y N N	p. 1, line 2; line 4, Col. A,B, line 5; Col. B, line 9; lines 10-13, line 16A; lines 17-20; line 21, line 23; Col. A,C,D, lines 25-30; Col. D, line 31 p.2 p.3	(d) (e)	G. Yupp
49-1/2	Lambda Report	2	Y	p. 1, Col. B-J, lines 3-6; p. 2, Col. B-N, lines 5-10	(d) (e)	G. Yupp

Workpaper No.	Description	No. of Pages	Conf Y/N	Line No/Col No.	Florida Statute 366.093(3) Subsection	Affiant
49-1/2-1	Deal Tickets	8	Y	p.1, lines 4,6,8, lines 9-20A; Col. B-E, lines 8-23; lines 24-26, lines 28, 30 p.2, line 4, Lines 8-20A; Col. B-E, lines 8-23; lines 24-27A, line 30 p. 3, Col. A-E, lines 2-30 p.4, Col. A-E, lines 2-33; Col. I, lines 4,9,13,15,17,19,21 p.5, Col. A-E, lines 2-35; Col. G,H, lines 7,11,18,24,28,32 p.6, Col. A-E, lines 2-33; Col. H,I, lines 11,20,22,23,25,26 p.7, Col. A-E, lines 2-35; Col. H, line 17; Col. H,I, lines 19,20,21,23; Col. I, lines 24-25; Col. I, line 26; Col. H,I, line 32; Col. H,I, line 34; Col. I, lines 33,35; p.8, Col A-E, lines 2-35; Col. H, lines 8,13 Col. I, lines 17-19; Col. H, line 20; Col. I, line 21; Col. I, lines 23-25; Col. H, line 27; Col. H, line 32	(d) (e)	G. Yupp
50-1/1	Fuel Requisition	7	N			
50-1/2	Fuel Requisition	2	N			
50-1/3	Fuel Requisition	2	N			

Workpaper No.	Description	No. of Pages	Conf Y/N	Line No/Col No.	Florida Statute 366.093(3) Subsection	Affiant
50-1/3-1	SJRPP Inventory Analysis	4	N			
50-1/3-1/1	Coal Analysis	1	N			
50-1/3-1/1-1	Coal Analysis	1	N			
50-1/3-1/2	SJRPP Fuel Inventory Analysis Coal	1	N			
50-1/3-2	SJRPP Inventory Adjustment	1	N			
50-1/4	Scherer #4 Fuel Requisition	2	N			
50-1/5	Scherer #4 Fuel Requisition	4	N			

EXHIBIT D

**BEFORE THE FLORIDA
PUBLIC SERVICE COMMISSION**

In the matter of Florida Power &)
Light Company's First Request for)
Extension of Confidential Classification)
Granted by Order No. PSC-02-1438-CFO-EI)
Of Certain Materials Obtained Pursuant to)
Audit No. 02-056-4-2)

Docket No.: _____

Filed _____

STATE OF FLORIDA)
MIAMI-DADE COUNTY)

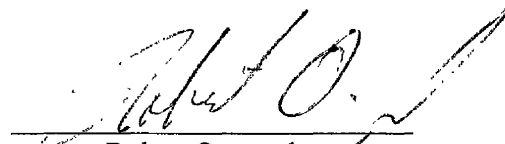
AFFIDAVIT OF ROBERT ONSGARD

BEFORE ME, the undersigned authority, personally appeared Robert Onsgard, who, being first duly sworn, deposes and says:

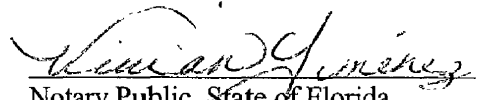
1. My name is Robert Onsgard. I am currently employed by Florida Power & Light Company (FPL) as Manager, Internal Auditing. I have personal knowledge of the matters stated in this affidavit.

2. I have reviewed Exhibits A and B of FPL's Request for Confidential Classification of Materials Provided Pursuant to Audit No. 02-056-4-2 filed on August 5, 2002 ("FPL's Request for Confidential Classification"). I have also reviewed Exhibit C (the Revised Justification Table) to FPL's First Request for Extension of Confidential Classification Granted by Order No. PSC-02-1438-CFO-EI of Certain Materials Obtained Pursuant to Audit No. 02-056-4-2. With respect to Exhibit C, I have reviewed the documents and information for which I am listed as Affiant and which are included in Exhibit A to FPL's Request for Confidential Classification. Documents or materials that I have reviewed and which are asserted by FPL to be proprietary confidential business information contain or constitute internal auditing controls and reports of internal auditors or information relating to same. To the best of my knowledge, FPL has maintained the confidentiality of these documents and materials. The documents or materials continue to be proprietary confidential business information and should be accorded confidential classification by the Commission for an additional eighteen months.

3. Affiant says nothing further.


Robert Onsgard

SWORN TO AND SUBSCRIBED before me this 13th day of April, 2004, by Robert Onsgard, who is personally known to me or who has produced personally known (type of identification) as identification.


Notary Public, State of Florida
Vivian Jimenez
Print Name of Notary

My Commission Expires:

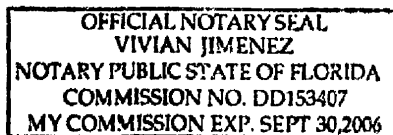


EXHIBIT D

**BEFORE THE FLORIDA
PUBLIC SERVICE COMMISSION**

In the matter of Florida Power &)
Light Company's First Request for)
Extension of Confidential Classification)
Granted by Order No. PSC-02-1438-CFO-EI)
Of Certain Materials Obtained Pursuant to)
Audit No. 02-056-4-2)

Docket No.: _____

Filed _____

STATE OF FLORIDA)
)
PALM BEACH COUNTY)

AFFIDAVIT OF GERARD J. YUPP

BEFORE ME, the undersigned authority, personally appeared Gerard J. Yupp, who, being first duly sworn, deposes and says:

1. My name is Gerard J. Yupp. I am currently employed by Florida Power & Light Company (FPL), Energy Marketing and Trading (EMT) Division, as Manager of Regulated Wholesale Power Trading. I have personal knowledge of the matters stated in this affidavit.

2. I have reviewed Exhibits A and B of FPL's Request for Confidential Classification of Materials Provided Pursuant to Audit No. 02-056-4-2 filed on August 5, 2002 ("FPL's Request for Confidential Classification"). I have also reviewed Exhibit C (the Revised Justification Table) to FPL's First Request for Extension of Confidential Classification Granted by Order No. PSC-02-1438-CFO-EI of Certain Materials Obtained Pursuant to Audit No. 02-056-4-2. With respect to Exhibit C, I have reviewed the documents and information for which I am listed as Affiant and which are included in Exhibit A to FPL's Request for Confidential Classification. The documents or materials that I have reviewed are asserted by FPL to be proprietary confidential business information. Some of the documents or materials relate to competitive interests, the disclosure of which may impair the competitive business of the provider of the information. Some of the data included in Exhibit A contain information including contracts, contract prices and other contract-related information. Disclosure of this information may impair FPL's competitive business interests and ability to contract on favorable terms. Finally, some of the data in Exhibit A are internal company procedures which FPL considers to be confidential proprietary business information. To the best of my knowledge, FPL has maintained the confidentiality of these documents and materials. The documents or materials continue to be proprietary confidential business information and should be accorded confidential classification by the Commission for an additional eighteen months.

3. Affiant says nothing further.

Gerard J. Yupp
Gerard J. Yupp

SWORN TO AND SUBSCRIBED before me this 12th day of April, 2004, by Gerard J. Yupp, who is personally known to me or who has produced personally known (type of identification) as identification.

Marie B. Lopez
Notary Public, State of Florida
Marie B. Lopez
Print Name of Notary

My Commission Expires:

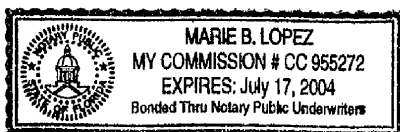


EXHIBIT D

**BEFORE THE FLORIDA
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In the matter of Florida Power &
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Extension of Confidential Classification
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Of Certain Materials Obtained Pursuant to
Audit No. 02-056-4-2)

Docket No.: _____
Filed _____

STATE OF FLORIDA)
MIAMI-DADE COUNTY)

AFFIDAVIT OF OSVALDO J. LOM

BEFORE ME, the undersigned authority, personally appeared Osvaldo J. Lom, who, being first duly sworn, deposes and says:

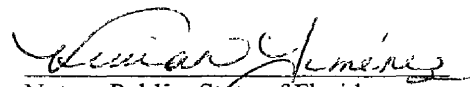
1. My name is Osvaldo J. Lom. I am currently employed by Florida Power & Light Company (FPL) as Supervisor of Purchased Power Contracts. I have personal knowledge of the matters stated in this affidavit.

2. I have reviewed Exhibits A and B of FPL's Request for Confidential Classification of Materials Provided Pursuant to Audit No. 02-056-4-2 filed on August 5, 2002 ("FPL's Request for Confidential Classification"). I have also reviewed Exhibit C (the Revised Justification Table) to FPL's First Request for Extension of Confidential Classification Granted by Order No. PSC-02-1438-CFO-EI of Certain Materials Obtained Pursuant to Audit No. 02-056-4-2. With respect to Exhibit C, I have reviewed the documents and information for which I am listed as Affiant and which are included in Exhibit A to FPL's Request for Confidential Classification. Documents or materials that I have reviewed and which are asserted by FPL to be proprietary confidential business information contain or constitute information relating to competitive interests, the disclosure of which may impair the competitive business of the provider of the information. In addition, some of the data included in Exhibit A constitute vendor-specific information including contract prices and other contract-related information. Disclosure of this information may impair FPL's competitive business interests and ability to contract on favorable terms. To the best of my knowledge, FPL has maintained the confidentiality of these documents and materials. The documents or materials continue to be proprietary confidential business information and should be accorded confidential classification by the Commission for an additional eighteen months.

3. Affiant says nothing further.


Osvaldo J. Lom

SWORN TO AND SUBSCRIBED before me this 16th day of April, 2004, by Osvaldo J. Lom, who is personally known to me or who has produced _____ (type of identification) as identification.


Notary Public, State of Florida
Vivian Jimenez

My Commission Expires:

Print Name of Notary

