



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)

RECEIVED-PPSC

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COMMISSION  
CLERK

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

September 20, 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

**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.

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

CTR \_\_\_\_\_ Also included herewith is a computer diskette containing FPL's Request for Confidential  
ECR 1 Classification and Attachment C, in Word. Please contact me should you or your Staff have any  
GCL 1 questions regarding this filing.

OPC \_\_\_\_\_  
MMS \_\_\_\_\_  
RCA \_\_\_\_\_  
RECEIVED & FILED  
*Sh*  
FPSC-BUREAU OF RECORDS

Sincerely,  
  
R. Wade Litchfield

SCR \_\_\_\_\_ RWL/ec  
SEC 1 Enclosures  
OTH 1 cc: Service List (w/out Attachment A)  
1 cc: records  
Doc/423 Fuel Filing/June 2004

DOCUMENT NUMBER-DATE

10124 SEP 20 04

FPSC-COMMISSION CLERK

**BEFORE THE  
FLORIDA PUBLIC SERVICE COMMISSION**

In re: Fuel and Purchased Power	)	DOCKET NO. 040001-EI
Cost Recovery Clause and Generating	)	
Performance Incentive Factor	)	FILED: September 20, 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 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) 521-3910  
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 June 2004 Form 423-1(a) and St. Johns River Power Park's (SJRPP) June 2004 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.

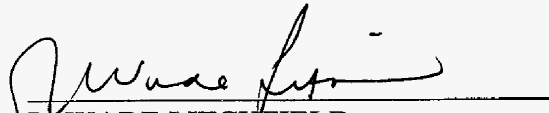
3. Pursuant to section 366.093, FPL seeks confidential protection for the information highlighted in Attachment A. FPL submits that such information is proprietary confidential business information within the meaning of section 366.093(3). Pursuant to section 366.093, such materials are entitled to confidential 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 20<sup>th</sup> day of September, 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

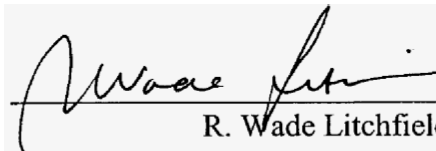
James A. McGee, Esq.  
Florida Power Corporation  
P.O. Box 14042  
St. Petersburg, Florida 33733

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



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

FPSC FORM NO. 423-1 (a)

1. REPORTING MONTH: JUN YEAR: 2004

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: *[Signature]*

5. DATE COMPLETED: 09/01/2004

**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 (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	PMR	CONOCO	PALM BEACH	06/28/2004	F06	143554								0.0000			32.2319
2	PPE	CONOCO	PORT EVERGLADES	06/18/2004	F06	139968								0.0000			32.0882
3	PCC	FAMM	PORT CANAVERAL	06/09/2004	F06	96560								0.0000			32.5835
4	PRV	FAMM	RIVIERA	06/01/2004	F06	97390								0.0000			32.4140
5	PRV	FAMM	RIVIERA	06/10/2004	F06	72354								0.0000			32.2190
6	PTF	FAMM	FISHER ISLAND	06/23/2004	F06	155421								0.0000			31.5679
7	PMT	GLENCORE	PORT MANATEE	06/09/2004	F06	131127								0.0000			30.5237
8	PCC	SEMPRA	PORT CANAVERAL	06/24/2004	F06	148449								0.0000			32.2255
9	PMR	SEMPRA	PALM BEACH	06/04/2004	F06	128883								0.0000			32.5979
10	PMR	SEMPRA	PALM BEACH	06/08/2004	F06	24677								0.0000			31.7569
11	PRV	SEMPRA	RIVIERA	06/08/2004	F06	120319								0.0000			31.5110
12	PCC	SHELL	PORT CANAVERAL	06/17/2004	F06	61487								0.0000			31.8375
13	PMR	SHELL	PALM BEACH	06/03/2004	F06	110196								0.0000			31.4689
14	PMR	SHELL	PALM BEACH	06/24/2004	F06	109881								0.0000			33.0879
15	PMR	SHELL	PALM BEACH	06/30/2004	F06	110604								0.0000			31.4689
16	PTF	SHELL	FISHER ISLAND	06/06/2004	F06	109761								0.0000			31.7639
17	PTF	SHELL	FISHER ISLAND	06/14/2004	F06	49785								0.0000			31.7639
18	PTF	SHELL	FISHER ISLAND	06/15/2004	F06	48565								0.0000			32.0639
19	PMR	GLENCORE	PALM BEACH	06/22/2004	F06	58790								0.0000			32.5819
20	PMT	GLENCORE	PORT MANATEE	06/17/2004	F06	269494								0.0000			29.8247
21	PRV	GLENCORE	RIVIERA	06/22/2004	F06	89802								0.0000			32.3360
22	PMT	WPI	PORT MANATEE	06/03/2004	F06	303855								0.0000			30.3787
23	PMT	WPI	PORT MANATEE	06/29/2004	F06	309188								0.0000			28.8497
24	PPE	WPI	PORT EVERGLADES	06/04/2004	F06	287751								0.0000			30.1372
25	PMR	PORT		06/14/2004	F02	881								0.0000			48.3000
26	PMR	PORT		06/23/2004	F03	9521								0.0000			48.9023



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: JUN YEAR: 2004

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

2. REPORTING COMPANY: FLORIDA POWER LIGHT COMPANY

4. SIGNATURE OF OFFICIAL SUBMITTING REPORT: 

5. DATE COMPLETED: 09/01/2004

(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)
27	PMR	PORT		06/24/2004	F03	5102								0.0000			48.9465
28	PMR	PORT		06/30/2004	F03	1232								0.0000			48.8600
29	PPE	AMERIGAS		06/03/2004	PRO	6	53.1900	319	0	319	53.1900	0.0000	53.1900	0.0000	0.0000	0.0000	53.1900
30	PTF	AMERIGAS		06/11/2004	PRO	5	53.7900	269	0	269	53.7900	0.0000	53.7900	0.0000	0.0000	0.0000	53.7900
31	PRV	FERRELL		06/01/2004	PRO	4	49.9900	200	0	200	49.9900	0.0000	49.9900	0.0000	0.0000	0.0000	49.9900
32	PRV	FERRELL		06/04/2004	PRO	4	49.9900	200	0	200	49.9900	0.0000	49.9900	0.0000	0.0000	0.0000	49.9900
33	PRV	FERRELL		06/07/2004	PRO	4	49.9900	200	0	200	49.9900	0.0000	49.9900	0.0000	0.0000	0.0000	49.9900
34	PRV	FERRELL		06/11/2004	PRO	5	49.2300	246	0	246	49.2300	0.0000	49.2300	0.0000	0.0000	0.0000	49.2300
35	PRV	FERRELL		06/14/2004	PRO	2	49.8100	100	0	100	49.8100	0.0000	49.8100	0.0000	0.0000	0.0000	49.8100
36	PRV	FERRELL		06/17/2004	PRO	3	49.9600	150	0	150	49.9600	0.0000	49.9600	0.0000	0.0000	0.0000	49.9600
37	PRV	FERRELL		06/21/2004	PRO	5	50.5900	253	0	253	50.5900	0.0000	50.5900	0.0000	0.0000	0.0000	50.5900
38	PRV	FERRELL		06/23/2004	PRO	2	50.0900	100	0	100	50.0900	0.0000	50.0900	0.0000	0.0000	0.0000	50.0900
39	PRV	FERRELL		06/28/2004	PRO	4	50.0900	200	0	200	50.0900	0.0000	50.0900	0.0000	0.0000	0.0000	50.0900
40	PMR	INDIANTOWN		06/08/2004	PRO	10	44.1000	441	0	441	44.1000	0.0000	44.1000	0.0000	0.0000	0.0000	44.1000
41	PMT	SUBURBAN		06/07/2004	PRO	15	48.6300	729	0	729	48.6300	0.0000	48.6300	0.0000	0.0000	0.0000	48.6300

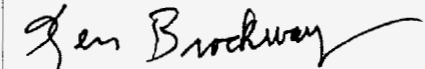
**MONTHLY REPORT OF COST AND QUALITY OF COAL FOR ELECTRIC PLANTS  
ORIGIN, TONNAGE, DELIVERED PRICE AND AS RECEIVED QUALITY**

1. Report For Month/Yr: **June 2004**

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:



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

6. Date Completed: **July 8, 2004**

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	Coal Marketing Company	45,IM,999	LTC	OC	29,401			39.87	0.65	11,831	7.16	11.19
2	DTE Clover, LLC	08,KY,095	LTC	UR	9,094			49.54	1.15	12,697	8.70	6.47
3	Oxbow Carbon & Minerals Inc.	,TX,	S	OC	6,259			22.96	6.65	13,925	0.39	7.47
4	RAG Energy	45,IM,999	S	OC	11,820			35.83	0.69	12,864	6.61	7.22
5	TCP Petcoke Corporation	,TX,	LTC	OC	6,182			36.10	6.03	13,997	0.37	7.88

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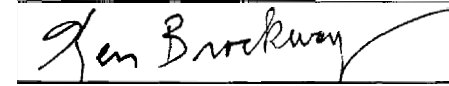
**MONTHLY REPORT OF COST AND QUALITY OF COAL FOR ELECTRIC PLANTS  
DETAIL OF INVOICE PURCHASE PRICE**

1. Report For Month/Yr: **June 2004**

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:



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

6. Date Completed: **July 8, 2004**

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	Coal Marketing Company	45,IM,999	LTC	29,401		0.00		0.00		0.00	
2	DTE Clover, LLC	08,KY,095	LTC	9,094		0.00		0.00		0.00	
3	Oxbow Carbon & Minerals Inc.	,TX,	S	6,259		0.00		0.00		0.00	
4	RAG Energy	45,IM,999	S	11,820		0.00		0.00		0.00	
5	TCP Petcoke Corporation	,TX,	LTC	6,182		0.00		0.00		0.00	

**EDITED COPY**

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

1. Report For Month/Yr: **June 2004**

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:



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

6. Date Completed: **July 8, 2004**

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	Coal Marketing Company	45,IM,999	EL CERREJON	OC	29,401		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		39.87
2	DTE Clover, LLC	08,KY,095	CLOVER DTE	UR	9,094		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		49.54
3	Oxbow Carbon & Minerals Inc	,TX,	VALERO	OC	6,259		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		22.96
4	RAG Energy	45,IM,999	GUASARE	OC	11,820		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		35.83
5	TCP Petcoke Corporation	,TX,	TCP-DOMESTIC	OC	6,182		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		36.10

**EDITED COPY**

**ATTACHMENT C**

**Docket No. 040001-EI  
June 2004**

**Justification for Confidentiality of June 2004 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.

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**Justification for Confidentiality of June 2004 Report:**

<u>FORM</u>	<u>LINES</u>	<u>COLUMNS</u>	<u>RATIONALE</u>
423-2	1-5	G, H	(1)
423-2	1-5	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 June 2004 Report:**

<u>FORM</u>	<u>LINE(S)</u>	<u>COLUMN</u>	<u>RATIONALE</u>
423-2(a)	1-5	F	(1)
423-2(a)	1-5	H	(1)
423-2(a)	1-5	J	(1)

423-2(a)                      1-5                                      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 June 2004 Report:**

FORM	LINE(S)	COLUMN	RATIONALE
423-2(b)	1-5	G	(1)
423-2(b)	1-5	I	(2)
423-2(b)	1-5	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:**

<b>FORM</b>	<b><u>LINE(S)</u></b>	<b><u>COLUMN</u></b>
423-1(a)	1-2	H-N, P & Q
423-1(a)	3 – 6	H-N, P & Q
423-1(a)	7	H-N, P & Q
423-1(a)	8 – 11	H-N, P & Q
423-1(a)	12 – 18	H-N, P & Q
423-1(a)	19 – 21	H-N, P & Q
423-1(a)	22 – 28	H-N, P & Q
423-2	1 – 5	G, H
423-2(a)	1 – 5	F, H, & J, L
423-2(b)	1 – 5	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.