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Natalie F. Smith
Attorney
Florida Power & Light Company
700 Universe Boulevard
Juno Beach, FL 33408-0420
(561) 691-7207
(561) 691-7135 (Facsimile)

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02111-EI

COMMISSION
CLERK

October 18, 2004

VIA OVERNIGHT MAIL

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

**Re: Florida Power & Light Company's First Request for Extension of Confidential
Classification Granted by Order No. PSC-03-0511-CFO-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") First Request for Extension of Confidential Classification Granted by PSC Order No. 03-0511-CFO-EI. Exhibits A, and B from the previous filing subject to PSC Order No. 03-0511-CFO-EI are incorporated herein by reference.

Exhibit C is a revised Table of Justification and Exhibit D contains the Affidavits in support of FPL's First Request for Extension of Confidential Classification. Also included herewith is a computer diskette containing FPL's First Request and the Table of Justification in Word format. Please contact me should you or your Staff have any questions regarding this filing.

Sincerely,

Natalie F. Smith

- CMP _____
- COM _____
- CTR _____
- ECR _____
- GCL _____ NFS:ec
- OPC _____ Enclosures
- MMS _____
- RCA _____
- SCR _____
- SEC 1
- OTH Marguerite

RECEIVED & FILED

FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE

11161 OCT 18 04

FPSC-COMMISSION CLERK

**BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION**

In the Matter of Florida Power & Light Company's)
First Request for Extension of Confidential) DOCKET NO. _____
Classification Granted by)
Order No. PSC-03-0511-CFO-EI) FILED: October 18, 2004
In Docket No. 021111-EI)

**FIRST REQUEST FOR EXTENSION
OF CONFIDENTIAL CLASSIFICATION
GRANTED BY ORDER NO. PSC-03-0511-CFO-EI**

NOW, BEFORE THE COMMISSION, through undersigned counsel, comes Florida Power & Light Company ("FPL") and, pursuant to rule 25-22.006 of the Florida Administrative Code and section 366.093 of the Florida Statutes, hereby submits its First Request for Extension of Confidential Classification Granted by Order No PSC-03-0511-CFO-EI of the Florida Public Service Commission ("FPSC" or "Commission"), issued in Docket No. 021111-EI in connection with the 2002 Revenue Refund Audit Control No. 02-174-4-1 (the "Audit"). In support of its First Request, FPL states as follows:

1. Petitioner's name and address are:

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
Florida Power & Light Company
Vice President
215 South Monroe Street
Suite 810
Tallahassee, Florida 32301-1859

R. Wade Litchfield, Esq.
Senior Attorney
Florida Authorized House Counsel
Natalie F. Smith, Esq.
Florida Power & Light Company
700 Universe Boulevard
Juno Beach, Florida 33408
Telephone: 561-691-7101

2. On October 29, 2002, FPL filed with the Commission its Request for Confidential Classification of certain materials obtained during the Audit. FPL's initial filing consisted of the Request for Confidential Classification and highlighted confidential working papers, as well as affidavits in support of the Request. On January 23, 2003, FPL filed a revised Request that included a redacted copy of the working papers for public inspection and a final justification table listing by page and line the information for which confidential classification was sought.

3. By Order No. PSC-03-0511-CFO-EI, issued April 17, 2003, the Commission granted FPL's request.

4. The period of confidential treatment granted by the Commission will soon expire. The information that was the subject of FPL's October 29, 2002, Request warrants continued treatment as proprietary and confidential business information with the meaning of Section 366.093. Accordingly, FPL hereby submits its First Request for Extension of Confidential Classification.

5. FPL incorporates herein by reference the highlighted copy of the working papers from its October 29, 2002, filing. FPL further incorporates herein by reference the redacted copy of the working papers and the final justification table from its January 23, 2003, Revised Request.

6. Included herewith and made a part hereof is Exhibit C. Exhibit C consists of a justification table listing by page and line the information for which an extension of confidential classification is sought with the name of the affiant. Also, included herewith and made a part hereof is Exhibit D. Exhibit D consists of the Affidavits of David Bromley, H. Antonio Cuba, Ken Getchell, George Mass, and Carmen Perez, which Affidavits shall replace those initially filed on October 29, 2002.

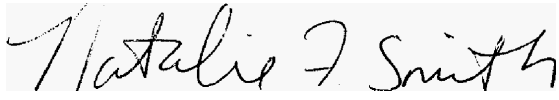
7. FPL submits that such information is proprietary confidential business information within the meaning of section 366.093(3). Pursuant to section 366.093, such materials are entitled to confidential treatment and are exempt from the disclosure provisions of the public records law. Thus, once the Commission 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.

8. The statutory bases for FPL's assertion of confidentiality with regard to each document or portion thereof are set forth in the justification table under the column titled "FLORIDA STATUTE 366.093(3)." The letters (a) through (e) 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. The justification table identifies the affiant attesting to the basis for FPL's assertion of confidentiality with regard to each document or portion thereof. The materials at issue contain information that is or is related to internal audit reports, customer account information, contract pricing information, and employee personnel information unrelated to compensation, duties, qualifications or responsibilities.

9. As reflected by the renewed affidavits submitted as Exhibit D, nothing has changed since the issuance of Order No. PSC 03-0511-CFO-EI to render the information stale or public such that continued confidential treatment would not be appropriate. Accordingly, FPL requests that the information be accorded confidential classification for an additional eighteen month period. FPL further requests that the information be returned to FPL as soon as it 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.

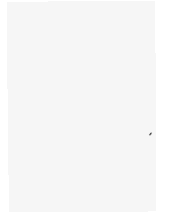
Respectfully submitted,

A handwritten signature in cursive script that reads "Natalie F. Smith". The signature is written in black ink on a light-colored background.

Natalie F. Smith, Esq.
Attorney for Florida Power & Light Company
700 Universe Boulevard
Juno Beach, Florida 33408-0420
Tel: (561) 691-7207
Fax: (561) 691-7135

EXHIBIT “C”

TABLE OF JUSTIFICATION



AMENDED EXHIBIT C
(revised 10/18/04)

COMPANY: Florida Power & Light Company
TITLE: List of Confidential Workpapers
AUDIT: FPL., Revenue Refund Audit
 from April 15, 2001– April 14, 2002
AUDIT CONTROL NO: 02-174-4-1

Workpaper No.	Description	No. of Pages	Conf Y/N	Line No/Col No.	Florida Statute 366.093(3) Subsection	Affiant
1	Report	3	Y	p.8, line 5; p.9, Col. A, lines 6, 11, 16, 21, 26, 31; Col. B, C, D, lines 4-7; Col. B, C, D, lines 9-12; Col. B, C, D, lines 14-17; Col. B, C, D, lines 19-22; Col. B, C, D, lines 24-27; Col. B, C, D, lines 29-33.	(e)	T. Cuba
41-3/1-1/1	Payment Coupon	1	N	All		
41-3/1-1/2	Payment Coupon	3	N	All		
41-3/1-1/3	Payment Coupon	3	N	All		
41-3/1-1/4	Payment Coupon	1	N	All		
41-3/1-1/5	Payment Coupon	3	N	All		
41-3/1-1/6	Payment Coupon	1	N	All		
41-3/1-1/7	Payment Coupon	1	Y	p.1, line 2; line 4; Col. A, B, line 6; lines 10-13; lines 17-22; line 24.	(d),(e)	K. Getchell
41-3/1-1/8	Payment Coupon	1	Y	p.1, line 2; line 4; Col. A, B, line 6; lines 10-14; lines 18-24; line 26.	(d),(e)	K. Getchell
41-3/1-1/9	Payment Coupon	1	Y	p.1, line 2; line 4; Col. A, B, line 6; lines 10-12; lines 16-21; line 23.	(d),(e)	K. Getchell
41-3/1-1/10	Payment Coupon	1	Y	p.1, line 2; line 4; Col. A, B, line 6; lines 10-13; lines 17-22; line 24.	(d),(e)	K. Getchell
41-3/1-1/11	Payment Coupon	1	Y	p.1, line 2; line 4; Col. A, B, line 6; lines 10-12; lines 16-21; line 23.	(d),(e)	K. Getchell

Workpaper No.	Description	No. of Pages	Conf Y/N	Line No/Col No.	Florida Statute 366.093(3) Subsection	Affiant
41-8/3-1	Answer to Document Request No. 41	12	Y	p.5, lines 3-6; p.6, lines 3-6; p.7, lines 3-6; p.10, lines 3-6; p.11, lines 3-6; p.12, lines 3-6.	(d),(e)	George Mass
41-9/1-6	Sample Account 451	10	N	All		
41-9/5-1	Sample Account 451	2	Y	p.1, lines 16-17; lines 26-27; p.2, lines 2-3; lines 12-13; lines 15-16; lines 18-19.	(d),(e)	K. Getchell
41-10/1	Sample Testing Account 454	47	Y	p. 1, Col. E, line 14; Col. E, line 27; Col. E, line 38; Col. E, line 39; p. 16, Col. E, line 21; Col. E, line 22; Col. E, line 35; Col. E, line 36; p. 18, Col. E, line 9; Col. E, line 31; Col. E, line 32; p. 19, Col. E, line 40; p. 27, Col. E, line 27; p. 29, Col. E, line 6; Col. E, line 8; Col. E, line 12; p. 42, Col. E, line 32.	(d),(e)	T. Cuba
41-10/1-1	Response to Document Req. No. 10	1	Y	p.1, Col. C, line 2; Col. C, line 5; Col. C, line 8; Col. C, line 11; Col. C, line 14; line 15; Col. C, line 16; Col. C, line 19; Col. C, line 22; Col. C, line 25; Col. C, line 29.	(d),(e)	D. Bromley
41-10/1-1/1	Response to Document Req. No. 10	2	Y	p.1, line 1; line 6; line 10; line 14; line 18; line 22; line 26; line 30; line 34; line 38.	(d),(e)	D. Bromley
41-10/1-1/1-1	Response to Document Req. No. 10	3	Y	p.1, line 2; line 4; Col. A, B, line 6; lines 10-13; lines 17-22; line 24; p.2, line 2; line 4; Col. A, B, line 6; lines 10-13; lines 17-22; line 24; p.3, line 2; line 4; Col. A, B, line 6; lines 10-13; lines 17-22; line 24.	(d),(e)	D. Bromley
41-10/3	Account 454 Sample	1	N	All		
41-11	Physical Distribution Center	4	Y	All	(c)	T. Cuba

Workpaper No.	Description	No. of Pages	Conf Y/N	Line No/Col No.	Florida Statute 366.093(3) Subsection	Affiant
41-11/5	Sample Testing Account 450	25	Y	p. 2, Col. E, lines 11-15; p. 21, Col. E, lines 21-22:	(d),(e)	T. Cuba
41-11/9	Cash Voucher	2	N	All		
41-11/9-1	Sample Testing Account 456	1	Y	p. 1, Col. B, lines 7-10; Col. B, lines 16-19.	(d),(e)	K. Getchell
41-11/9-1/1	Cash Voucher	4	N			
43-2 p.2	Refund Calculation	1	Y	Col. D, E, lines 7-20.	(e)	C. Perez
44 p. 1&2	Fibernet Revenues	2	Y	p. 1, lines 8 & 11; p. 2, Col. D, E, lines 8-20.	(e)	C. Perez
44-1	Fibernet Revenues	16	Y	All	(e)	C. Perez
44-1/1	Fibernet Income Statement	13	Y	All	(e)	C. Perez
44-1/2	Fibernet Revenues	3	Y	All	(e)	C. Perez
44-2	Fibernet Revenues	1	Y	Col. A, lines 9, 14, 19, 24, 29, 34; Col. B, C, D, lines 7-10; Col. B, C, D, lines 12-15; Col. B, C, D, lines 17-20; Col. B, C, D, lines 22-25; Col. B, C, D, lines 27-30; Col. B, C, D, lines 32-36; Col. B, lines 39-43.	(e)	C. Perez

EXHIBIT “D”

AFFIDAVITS

EXHIBIT D

**BEFORE THE FLORIDA
PUBLIC SERVICE COMMISSION**

In the Matter of Florida Power & Light Company's)
First Request for Extension of Confidential) DOCKET NO. _____
Classification Granted by)
Order No. PSC-03-0511-CFO-EI) FILED: October 18, 2004
In Docket No. 021111-EI)

STATE OF FLORIDA)
) AFFIDAVIT OF DAVID BROMLEY
MIAMI-DADE COUNTY)

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

1. My name is David Bromley. I am currently employed by Florida Power & Light Company ("FPL") as Manager, Regulatory Strategy. I have personal knowledge of the matters stated in this affidavit.

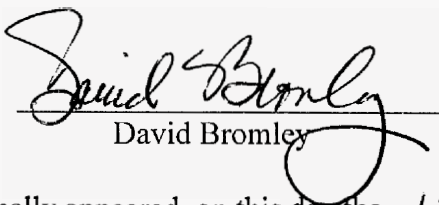
2. With respect to Exhibit C, I have reviewed the documents and information for which I am listed as Affiant which are included in Exhibit A to FPL's Request for Confidential Classification. Such documents or materials that I have reviewed and which, in whole or in part, are asserted by FPL to be proprietary confidential business information, contain or constitute customer-specific account information with respect to non-governmental customers. Indeed, FPL has a corporate policy not to disclose customer specific information. This policy includes, but is not limited to: customer names, addresses, telephone numbers, account numbers, rates, billing determinants (kW and kWh usage), conservation savings in kW, kWh and bills. FPL treats such information as confidential and does not disclose it, except as required by law, to entities or persons other than the customer without the permission of the customer.

3. FPL's policy is premised upon customers' right to privacy and the potential that the disclosure of customer specific information may harm some customers' competitive interests or disclose their trade secrets. FPL's customers have affirmed to FPL their interest in having this information maintained confidential. For many of these customers, electric usage is an important part of their production or operating costs. Thus, the disclosure of rate or contract information, as well as consumption levels or patterns, could provide competitors with commercially sensitive information that would afford such competitors an unfair advantage. For others, non-disclosure of

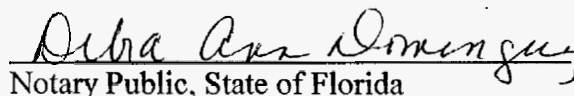
the information is simply a matter of privacy. While it may be that the disclosure of such information may be more sensitive for some customers than for others, FPL has not sought to make a case-by-case determination as to the level of sensitivity or potential harm with respect to disclosing a particular customer's information; rather, in deference to its customers, as a matter of policy, and in the interest of customer privacy, FPL has not disclosed to third parties specific rate and contract information for non-governmental customers unless required by law or unless the customer consents to such disclosure. This policy is important from both a practical and theoretical standpoint. Customers want the assurance that their information is protected to the same extent as any other customer's. Also, practically speaking, it would be a difficult and perhaps impossible task to make a case-by-case determination as to what level of protection each customer's data may merit.

4. No significant changes have occurred since the issuance of Order No. PSC 03-0511-CFO-EI to render the information stale or public such that continued confidential treatment would not be appropriate. Accordingly, the information referred to in this affidavit should continue to be maintained as confidential for an additional period of not less than eighteen months. In addition, these materials should be returned to FPL as soon as the information is no longer necessary for the Commission to conduct its business so that FPL can continue to maintain the confidentiality of these documents.

5. Affiant says nothing further.


David Bromley

Before me, the undersigned authority personally appeared, on this day the 13 day of October, 2004, David Bromley, who is personally known to me or who has produced _____ (type of identification) as identification and who did take an oath.


Notary Public, State of Florida

DEBRA ANN DOMINGUEZ
Print Name of Notary

My Commission Expires: April 20, 2008



Debra Ann Dominguez
Commission # DD312184
Expires: April 20, 2008
Aaron Notary 1-800-350-5161

EXHIBIT D

**BEFORE THE FLORIDA
PUBLIC SERVICE COMMISSION**

In the Matter of Florida Power & Light Company's)
First Request for Extension of Confidential) DOCKET NO. _____
Classification Granted by)
Order No. PSC-03-0511-CFO-EI) FILED: October 18, 2004
In Docket No. 021111-EI)

STATE OF FLORIDA)
) AFFIDAVIT OF H. ANTONIO CUBA
PALM BEACH COUNTY)

BEFORE ME, the undersigned authority, personally appeared H. Antonio Cuba, who, being first duly sworn, deposes and says:

1. My name is H. Antonio Cuba. I am currently employed by Florida Power & Light Company ("FPL") as Director of Regulatory and Tax Accounting. I have personal knowledge of the matters stated in this affidavit.

2. With respect to Exhibit C, I have reviewed the documents and information for which I am listed as Affiant which are included in Exhibit A to FPL's Request for Confidential Classification. Such documents or materials that I have reviewed and which, in whole or in part, are asserted by FPL to be proprietary confidential business information include, but are not limited to: security measures, systems, or procedures and contain or constitute customer-specific account information with respect to non-governmental customers. Indeed, FPL has a corporate policy not to disclose customer specific information. This policy includes, but is not limited to: customer names, addresses, telephone numbers, account numbers, rates, billing determinants (kW and kWh usage), conservation savings in kW, kWh and bills. FPL treats such information as confidential and does not disclose it, except as required by law, to entities or persons other than the customer without the permission of the customer. Additionally, some of the documents and information in Exhibit A contains FPL business plans and strategies which FPL considers to be confidential proprietary business information, the disclosure of which would impair the competitive business of FPL.

3. FPL's policy is premised upon customers' right to privacy and the potential that the disclosure of customer specific information may harm some customers' competitive interests or disclose their trade secrets. FPL's customers have affirmed to FPL their interest in having this information maintained confidential. For many of these customers, electric usage is an important

part of their production or operating costs. Thus, the disclosure of rate or contract information, as well as consumption levels or patterns, could provide competitors with commercially sensitive information that would afford such competitors an unfair advantage. For others, non-disclosure of the information is simply a matter of privacy. While it may be that the disclosure of such information may be more sensitive for some customers than for others, FPL has not sought to make a case-by-case determination as to the level of sensitivity or potential harm with respect to disclosing a particular customer's information; rather, in deference to its customers, as a matter of policy, and in the interest of customer privacy, FPL has not disclosed to third parties specific rate and contract information for non-governmental customers unless required by law or unless the customer consents to such disclosure. This policy is important from both a practical and theoretical standpoint. Customers want the assurance that their information is protected to the same extent as any other customer's. Also, practically speaking, it would be a difficult and perhaps impossible task to make a case-by-case determination as to what level of protection each customer's data may merit.


4. No significant changes have occurred since the issuance of Order No. PSC 03-0511-CFO-EI to render the information stale or public such that continued confidential treatment would not be appropriate. Accordingly, the information referred to in this affidavit should continue to be maintained as confidential for an additional period of not less than eighteen months. In addition, these materials should be returned to FPL as soon as the information is no longer necessary for the Commission to conduct its business so that FPL can continue to maintain the confidentiality of these documents.

5. Affiant says nothing further.




H. Antonio Cuba

Before me, the undersigned authority personally appeared, on this day the 13th day of October, 2004, H. Antonio Cuba, who is personally known to me or who has produced _____ (type of identification) as identification and who did take an oath.



Notary Public, State of Florida

NELSON RODRIGUEZ
Print Name of Notary



Nelson Rodriguez
MY COMMISSION # DD074396 EXPIRES
November 26, 2005
BONDED THRU TROY FAIN INSURANCE, INC

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) DOCKET NO. _____
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STATE OF FLORIDA)
) AFFIDAVIT OF KEN GETCHELL
MIAMI-DADE COUNTY)

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

1. My name is Ken Getchell. I am currently employed by Florida Power & Light Company ("FPL") as Budget and Regulatory Support Manager. I have personal knowledge of the matters stated in this affidavit.

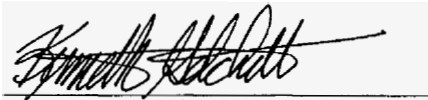
2. With respect to Exhibit C, I have reviewed the documents and information for which I am listed as Affiant which are included in Exhibit A to FPL's Request for Confidential Classification. Such documents or materials that I have reviewed and which, in whole or in part, are asserted by FPL to be proprietary confidential business information, contain or constitute customer-specific account information with respect to non-governmental customers. Indeed, FPL has a corporate policy not to disclose customer specific information. This policy includes, but is not limited to: customer names, addresses, telephone numbers, account numbers, rates, billing determinants (kW and kWh usage), conservation savings in kW, kWh and bills. FPL treats such information as confidential and does not disclose it, except as required by law, to entities or persons other than the customer without the permission of the customer.

3. FPL's policy is premised upon customers' right to privacy and the potential that the disclosure of customer specific information may harm some customers' competitive interests or disclose their trade secrets. FPL's customers have affirmed to FPL their interest in having this information maintained confidential. For many of these customers, electric usage is an important part of their production or operating costs. Thus, the disclosure of rate or contract information, as well as consumption levels or patterns, could provide competitors with commercially sensitive information that would afford such competitors an unfair advantage. For others, non-disclosure of

the information is simply a matter of privacy. While it may be that the disclosure of such information may be more sensitive for some customers than for others, FPL has not sought to make a case-by-case determination as to the level of sensitivity or potential harm with respect to disclosing a particular customer's information; rather, in deference to its customers, as a matter of policy, and in the interest of customer privacy, FPL has not disclosed to third parties specific rate and contract information for non-governmental customers unless required by law or unless the customer consents to such disclosure. This policy is important from both a practical and theoretical standpoint. Customers want the assurance that their information is protected to the same extent as any other customer's. Also, practically speaking, it would be a difficult and perhaps impossible task to make a case-by-case determination as to what level of protection each customer's data may merit.

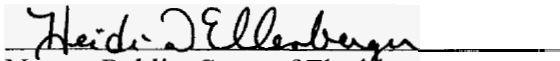
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5. Affiant says nothing further.



Ken Getchell

Before me, the undersigned authority personally appeared, on this day the 13th day of October, 2004, Ken Getchell, who is personally known to me or who has produced _____ (type of identification) as identification and who did take an oath.


Notary Public, State of Florida

HEIDI D ELLENBERGER
Print Name of Notary

My Commission Expires:

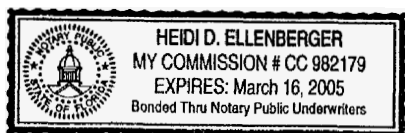


EXHIBIT D

**BEFORE THE FLORIDA
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In Docket No. 021111-EI)
_____)

DOCKET NO. _____

FILED: October 18, 2004

STATE OF FLORIDA)
MIAMI-DADE COUNTY)

AFFIDAVIT OF GEORGE MASS

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

1. My name is George Mass. I am currently employed by Florida Power & Light Company ("FPL") as Customer Bill Accounting Manager. I have personal knowledge of the matters stated in this affidavit.

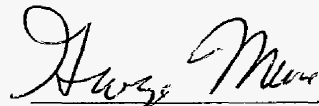
2. With respect to Exhibit C, I have reviewed the documents and information for which I am listed as Affiant which are included in Exhibit A to FPL's Request for Confidential Classification. Such documents or materials that I have reviewed and which, in whole or in part, are asserted by FPL to be proprietary confidential business information, contain or constitute customer-specific account information with respect to non-governmental customers. Indeed, FPL has a corporate policy not to disclose customer specific information. This policy includes, but is not limited to: customer names, addresses, telephone numbers, account numbers, rates, billing determinants (kW and kWh usage), conservation savings in kW, kWh and bills. FPL treats such information as confidential and does not disclose it, except as required by law, to entities or persons other than the customer without the permission of the customer.

3. FPL's policy is premised upon customers' right to privacy and the potential that the disclosure of customer specific information may harm some customers' competitive interests or disclose their trade secrets. FPL's customers have affirmed to FPL their interest in having this information maintained confidential. For many of these customers, electric usage is an important part of their production or operating costs. Thus, the disclosure of rate or contract information, as well as consumption levels or patterns, could provide competitors with commercially sensitive information that would afford such competitors an unfair advantage. For others, non-disclosure of the information is simply a matter of privacy. While it may be that the disclosure of such

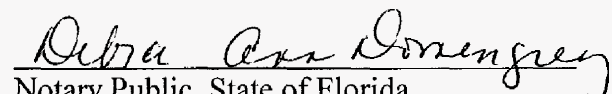
information may be more sensitive for some customers than for others, FPL has not sought to make a case-by-case determination as to the level of sensitivity or potential harm with respect to disclosing a particular customer's information; rather, in deference to its customers, as a matter of policy, and in the interest of customer privacy, FPL has not disclosed to third parties specific rate and contract information for non-governmental customers unless required by law or unless the customer consents to such disclosure. This policy is important from both a practical and theoretical standpoint. Customers want the assurance that their information is protected to the same extent as any other customer's. Also, practically speaking, it would be a difficult and perhaps impossible task to make a case-by-case determination as to what level of protection each customer's data may merit.

4. No significant changes have occurred since the issuance of Order No. PSC 03-0511-CFO-EI to render the information stale or public such that continued confidential treatment would not be appropriate. Accordingly, the information referred to in this affidavit should continue to be maintained as confidential for an additional period of not less than eighteen months. In addition, these materials should be returned to FPL as soon as the information is no longer necessary for the Commission to conduct its business so that FPL can continue to maintain the confidentiality of these documents.

5. Affiant says nothing further.


George Mass

Before me, the undersigned authority personally appeared, on this day the 13 day of October, 2004, George Mass, who is personally known to me or who has produced
_____ (type of identification) as identification and who did take an oath.


Notary Public, State of Florida

DEBRA ANN DOMINGUEZ
Print Name of Notary

My Commission Expires: April 20, 2008



Debra Ann Dominguez
Commission # DD312184
Expires: April 20, 2008
Aron Notary 1-800-350-5161

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-03-0511-CFO-EI)
In Docket No. 021111-EI)
_____)

DOCKET NO. _____

FILED: October 18, 2004

STATE OF FLORIDA)
)
MIAMI-DADE COUNTY)

AFFIDAVIT OF CARMEN M. PEREZ

BEFORE ME, the undersigned authority, personally appeared Carmen M. Perez, who, being first duly sworn, deposes and says:

1. My name is Carmen M. Perez. I am currently employed by FPL FiberNet, LLC ("FiberNet") as Controller. I have personal knowledge of the matters stated in this affidavit.

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 include FiberNet's financial projections, operating results, contract and pricing information, and cost data. This information, if made public, would afford FiberNet's competitors an unfair advantage over FiberNet and would impair FiberNet's efforts to enter into contracts on commercially favorable terms. To the best of my knowledge, FPL has maintained the confidentiality of these documents and materials.


3. No significant changes have occurred since the issuance of Order No. PSC 03-0511-CFO-EI to render the information stale or public such that continued confidential treatment would not be appropriate. Accordingly, the information referred to in this affidavit should continue to be maintained as confidential for an additional period of not less than eighteen months. In addition, these materials should be returned to FPL as soon as the information is no longer necessary for the Commission to conduct its business so that FPL can continue to maintain the confidentiality of these documents.

4. Affiant says nothing further.



Carmen M. Perez

SWORN TO AND SUBSCRIBED before me this 13 day of October, 2004, by Carmen M. Perez, who is personally known to me or who has produced _____ (type of identification) as identification and who did take an oath.



Notary Public, State of Florida

My Commission Expires:

