



ORIGINAL

050099-E7

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

RECEIVED-FPSC  
FEB -3 PM 4:03

COMMISSION  
CLERK

February 3, 2005

**VIA HAND DELIVERY**

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

**Re: Florida Power & Light Company's Second Request for Extension of  
Confidential Classification Granted by Order No. PSC-03-0892-CFO-EI**

Dear Ms. Bayò:

I enclose and hand you herewith for filing in the above-referenced matter, an original and two (2) copies of Florida Power & Light Company's ("FPL") Second Request for Extension of Confidential Classification Granted by Order No. PSC-03-0892-CFO-EI. Revised Exhibit C consists of a Second Revised Justification Table and the new Exhibit D consists of the Affidavit of Robert Onsgard in support of FPL's Second Request for Extension of Confidential Classification.

Also included is a computer diskette containing the electronic version of FPL's Second Request for Extension in Word format. Pursuant to Rule 25-22.006(3)(d) of the Florida Administrative Code, FPL requests confidential treatment of the documents in Exhibit A, pending disposition of FPL's Second Request for Extension of Confidential Classification.

Please do not hesitate to contact me should you or your Staff have any questions regarding this filing. Thanking you for your attention to this matter, I remain,

Sincerely,

Natalie F. Smith

- GMP \_\_\_\_\_
- COM \_\_\_\_\_
- CTR \_\_\_\_\_
- ECR 1
- GCL 1
- OFC \_\_\_\_\_
- MMS \_\_\_\_\_
- RCA 1 NFS:ec
- SCR \_\_\_\_\_
- SEC 1
- OTH 1 conf records

an FPL Group company

RECEIVED & FILED  
*SH*  
FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE

01277 FEB -3 05

FPSC-COMMISSION CLERK

*Handwritten mark*

**BEFORE THE  
FLORIDA PUBLIC SERVICE COMMISSION**

In the matter of Florida Power & Light Company's )  
Second Request for Extension of Confidential ) DOCKET NO. \_\_\_\_\_  
Classification Granted by )  
Order No. PSC-03-0892-CFO-EI )  
In Docket No. 011403-EI ) FILED: February 3, 2005

---

**SECOND REQUEST FOR EXTENSION  
OF CONFIDENTIAL CLASSIFICATION  
GRANTED BY ORDER NO. PSC-03-0892-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 Second Request for Extension of Confidential Classification Granted by Order No PSC-03-0892-CFO-EI of the Florida Public Service Commission ("FPSC" or "Commission"), issued in Docket No. 011403-EI in connection with certain materials obtained pursuant to Audit Control No. 01-073-4-1 (Audit Control No. 01-073-4-1) (the "Audit"). In support of its 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  
(850) 521-3900  
(850) 521-3939

R. Wade Litchfield, Senior Attorney  
Natalie F. Smith, Attorney  
Florida Power & Light Company  
700 Universe Boulevard  
Juno Beach, Florida 33408-0420  
(561) 691-7101  
(561) 691-7135 Facsimile

2. On May 30, 2003, FPL filed with the Commission its First Request for Extension of Confidential Classification of certain materials obtained during the Audit (“First Request”). FPL’s initial filing consists of the Request for Confidential Classification and Exhibits A through D.

3. By Order No. PSC-03-0892-CFO-EI, issued August 4, 2003, the Commission granted FPL’s First Request.

4. The period of confidential treatment granted by the Commission will soon expire.

5. Some of the information that was the subject of FPL’s October 29, 2001, Request and FPL’s First Request for Extension warrants continued treatment as proprietary and confidential business information with the meaning of Section 366.093. Accordingly, FPL hereby submits its Second Request for Extension of Confidential Classification.

6. FPL incorporates herein by reference Exhibits A and B from its October 29, 2001 filing. Included herewith and made a part hereof is the Second Revised Exhibit C, Justification Table, List of Confidential Workpapers, which shall replace Exhibit C initially filed October 29, 2001, and Revised Exhibit C filed May 30, 2003.

7. Also included herewith and made a part hereof is Exhibit D. Exhibit D consists of the Affidavit of Robert Onsgard which Affidavit shall replace Exhibit D previously filed October 29, 2001 and May 30, 2003.

8. 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.

9. 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 Second Request for Extension of Confidential Classification of the referenced material is provided through the affidavit of Robert Onsgard. 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.

10. As reflected by the renewed affidavit submitted as Exhibit D, nothing has changed since the issuance of Order No. PSC 03-0892-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 affidavit included herewith or incorporated herein by reference, Florida

Power & Light Company respectfully requests that its Second Request for Extension of Confidential Classification be granted.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Natalie Smith", is written over a light gray rectangular background.

---

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

**REVISED JUSTIFICATION TABLE – 2/3/05**

**EXHIBIT C**

**COMPANY:** Florida Power & Light Company  
**TITLE:** List of Confidential Workpapers  
**AUDIT:** Surveillance Audit  
**AUDIT CONTROL NO:** 01-073-4-1

FLORIDA  
 STATUTE  
 366.093(3)  
 Subsection:          **AFFIANT**

<u>WKPAPER NO.</u>	<u>DESCRIPTION</u>	<u>NO. OF PAGES</u>	<u>CONF. Y/N</u>	<u>LINE NO./ COL. NO.</u>	<u>FLORIDA STATUTE 366.093(3) Subsection:</u>	<u>AFFIANT</u>
8-1	Committee Notes	7	N	Page 3 Lines 1-5	(e)	Dennis P. Coyle
9A	Summary Int & External Audit	3	Y	Page 1 All Page 2 All	(b)	Robert Onsgard
9-1	Internal Audit Notes	9	Y	All	(b)	Robert Onsgard
9-2	Internal Audit Notes	2	Y	All	(b)	Robert Onsgard
9-3	Internal Audit Notes	5	Y	All	(b)	Robert Onsgard
9-4	Internal Audit Notes	3	Y	All	(b)	Robert Onsgard
9-5	Internal Audit Notes	3	Y	All	(b)	Robert Onsgard
9-7	Internal Audit Notes	5	Y	All	(b)	Robert Onsgard
9-8	Internal Audit Notes	2	Y	All	(b)	Robert Onsgard
9-9	Internal Audit Notes	3	Y	All	(b)	Robert Onsgard
9-10	Internal Audit Notes	3	Y	All	(b)	Robert Onsgard
9-11	Internal Audit Notes	1	Y	All	(b)	Robert Onsgard
9-12	Internal Audit Notes	2	Y	All	(b)	Robert Onsgard

9-13	Internal Audit Notes	1	Y	All	(b)	Robert Onsgard
9-14	Internal Audit Notes	1	Y	All	(b)	Robert Onsgard
9-15	Internal Audit Notes	5	Y	All	(b)	Robert Onsgard
9-16	Internal Audit Notes	1	Y Y	All	(b)	Robert Onsgard
9-17	Internal Audit Notes	2	Y	All	(b)	Robert Onsgard
9-18	Internal Audit Notes	2	Y	All	(b)	Robert Onsgard
9-19	Internal Audit Notes	1	Y	All	(b)	Robert Onsgard
9-20	Internal Audit Notes	5	Y	All	(b)	Robert Onsgard
9-21	Internal Audit Notes	1	Y	All	(b)	Robert Onsgard
9-22	Internal Audit Notes	4	Y	All	(b)	Robert Onsgard
9-23	Internal Audit Notes	1	Y	All	(b)	Robert Onsgard
9-24	Internal Audit Notes	2	Y	All	(b)	Robert Onsgard
9-25	Internal Audit Notes	1	Y	Lines 1 - 11	(b)	Robert Onsgard
10	Audit Reports	3	Y	Page 3 Lines 9-15	(b)	Robert Onsgard
59	Reconciliation	3	Y	Page 1 Lines 20-28 Page 2 All Page 3 Lines 9-19	(b) (b) (b)	Robert Onsgard

BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION

In the matter of Florida Power & Light Company's )
Second Request for Extension of Confidential ) DOCKET NO.
Classification Granted by )
Order No. PSC-03-0892-CFO-EI )
In Docket No. 011403-EI ) FILED: February 3, 2005

STATE OF FLORIDA )
) AFFIDAVIT OF ROBERT ONSGARD
COUNTY OF MIAMI-DADE )

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. My business address is 9250 West Flagler
Street, Miami, Florida, 33174. I have personal knowledge of the matters stated in this affidavit.

2. I have reviewed Exhibits A, B, C and D of FPL's Request for Confidential
Classification of materials pursuant to Audit No. 01-073-4-1 filed on October 29, 2001 ("FPL's
Request for Confidential Classification"). 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 of Materials Provided Pursuant to Audit No. 01-
073-4-1. 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. Nothing has changed since the
issuance of Order No. PSC-03-0892-CFO-EI to render the information stale or public such that
continued confidential treatment would not be appropriate. To the best of my knowledge, FPL
has maintained the confidentiality of these documents and materials.

Affiant says nothing further.

Robert Onsgard
Robert Onsgard

SWORN TO AND SUBSCRIBED before me this 25 day of January 2005, by
Robert Onsgard, who is personally known to me or who has produced (type
of identification) as identification and who did take an oath.

Debra Ann Dominguez
Notary Public, State of Florida

My Commission Expires: April 20, 2008

