



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

011321-E1

February 25, 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-03-0972-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-02-0058-CFO-EI, as amended by PSC-02-0058A-CFO-EI, and extended by PSC-03-0972-CFO-EI issued August 28, 2003. Revised Exhibit C consists of a Second Revised Justification Table and the new Exhibit D consists of the Affidavits of Carmen M. Perez and 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. Thank you for your attention to this matter.

Sincerely,

A handwritten signature in black ink that reads "Natalie F. Smith".

Natalie F. Smith

NFS:ec  
Enclosures

an FPL Group company

DOCUMENT NUMBER-DATE

01968 FEB 25 05

FPC-03-COMMISSION CLERK

**BEFORE THE  
FLORIDA PUBLIC SERVICE COMMISSION**

In the matter of Florida Power & Light Company's )  
Second Request for Extension of Confidential )  
Classification Granted by )  
Order No. PSC-03-0972-CFO-EI )  
In Docket No. 011321-EI )

DOCKET NO. 011321-EI

FILED: February 25, 2005

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**SECOND REQUEST FOR EXTENSION  
OF CONFIDENTIAL CLASSIFICATION  
GRANTED BY ORDER NO. PSC-03-0972-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 Florida Public Service Commission ("PSC" or "Commission") Order No. PSC-02-0058-CFO-EI, as amended by Order No. PSC-02-0058A-CFO-EI and extended by Order No. PSC-03-0972-CFO-EI, issued August 28, 2003 in Docket No. 011321-EI in connection with certain materials obtained pursuant to Audit Control No. 01-067-4-1 (Audit Control No. 01-067-4-1) (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 September 27, 2001, FPL filed with the Commission a formal request for confidential classification of material obtained during Audit No. 01-067-4-1. By Order No. PSC-02-0058-CFO-EI, issued January 7, 2002, and amended by Order No. PSC-02-0058A-CFO-EI, issued January 31, 2002, the documents set forth in the Company's request were granted confidential classification for a period of 18 months. FPL's initial filing consisted of the Request for Confidential Classification and Exhibits A through D.

3. On June 24, 2003, FPL filed with the Commission its First Request for Extension of Confidential Classification of certain materials obtained during the Audit. By Order No. PSC-03-0972-CFO-EI, issued August 28, 2003, the Commission granted FPL's First Request for Extension.

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 September 27, 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 September 27, 2001 filing.

7. Included herewith and made a part hereof is a Second Revised Exhibit C, Justification Table, List of Confidential Workpapers, which substitutes the Exhibit C initially filed September 27, 2001 and Revised Exhibit C filed June 24, 2003. Also included herewith and made a part hereof is a Second Revised Exhibit D which substitutes the affidavits of Carmen M. Perez and Robert Onsgard for those of Sol Stamm and Rick DelCuetto in support of continued confidential classification for the information that previously was afforded confidential classification.

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 and Carmen M. Perez. 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. This information includes FPL FiberNet's pricing and cost information. These documents contain information the disclosure of which would give an unfair advantage to FPL FiberNet's competitors and would impair the efforts of FPL FiberNet to enter into contracts on favorable terms.

10. As reflected by the renewed affidavits submitted as Exhibit D, nothing has changed since the issuance of Order No. PSC 03-0972-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 Second Request for Extension of Confidential Classification be granted.

Respectfully submitted,



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

**EXHIBIT C**

**SECOND REVISED JUSTIFICATION TABLE – February 25, 2005**

**COMPANY:**  
**TITLE:**  
**AUDIT:**  
**PERIOD ENDING:**  
**AUDIT CONTROL NO:**

Florida Power & Light Company  
 List of Confidential Workpapers  
 Fibernet Allocation Methodology  
 Estimated December 31, 2001  
 01-067-4-1

Workpaper No.	Description	No. of Pages	Confidential Yes / No	Line No. / Col. No.	Florida Statute 366.093(3) Subsection	Affiant
1	Audit Report	11	Y	p.1, line 22 p.1, Col. B, lines 13-20 & 24-26 p.2, Col. B, lines 14, 16, 26, 28 & 30 p.3, Col. B, lines 11, 13, 15, 27-29, 31, 33 & 35 p.5, lines 3, 8-10 p.5, Col B, lines 12-21 p.6, Col B, lines 8-10 & 14 p.7, line 6 p.8, lines 9-10 p.8, Col B, lines 14, 17 & 19 p.8, Col C, lines 14, 17 & 21 p.9, Col A, lines 15, 21 & 32 p.9, Col B, lines 8-9, 14-16, 18, 21, 22, 27-29, 32, 33 & 35 p.9, Col C, lines 8-9, 14-16, 18, 21, 22, 27-29, 32 & 36 p.10, Col B, lines 9-17, 19-21, 23-27, 29, 30, 32 & 34 p.10, Col C, lines 9-17, 19-21, 23-27, 29, 30, 32 & 34 p.11, Col A, line 11 p.11, Col B, lines 8-10, 14 & 16-18 p.11, Col C, lines 8 & 12-15	(e)	C. Perez
5	Notes from Meeting with Company	3	Y	p.1, line 11 p.2, lines 3, 12, 18, 23 & 37 p.3, lines 1 & 3	(e)	C. Perez
9	Notes from Internal Audit Report	5	Y	All	(b)	R. Onsgard
9-1	Info from Internal Audit Report	1	Y	Lines 10-14	(b)	R. Onsgard
9-1 / 1	Info from Internal Audit Report	1	Y	Lines 4-8	(b)	R. Onsgard
9-1 / 2	Info from Internal Audit Report	1	N	All	(e)	B. Rufat
9-1 / 2-1	Info from Internal Audit Report	1	N	All	(e)	B. Rufat

**EXHIBIT C**  
**SECOND REVISED JUSTIFICATION TABLE – February 25, 2005**

**COMPANY:**  
**TITLE:**  
**AUDIT:**  
**PERIOD ENDING:**  
**AUDIT CONTROL NO:**

**Florida Power & Light Company**  
**List of Confidential Workpapers**  
**Fibernet Allocation Methodology**  
**Estimated December 31, 2001**  
**01-067-4-1**

43	Summary of Findings	8	Y	p.1, line 21-22  p.1, Col. B, lines 13-20 & 23-25 p.2, line 13, 21 & 32 p.2, Col. A, lines 15 & 29 p.2, Col. B, lines 14-16 & 25-30 p.3, line 17, 25, & 35 p.3, Col. A, lines 12, 14, & 32 p.3, Col. B, lines 11-15 & 27-33 p.5, lines 3, 8-10 p.5, Col B, lines 12-21 p.6, Col B, lines 8-11 & 14 p.7, lines 3-6 p.8, lines 9-10 p.8, Col B, lines 14, 17 & 19 p.8, Col C, lines 14, 17 & 21	(e)	C. Perez
43-1	Calculation on Estimated 2001 Charges	4	Y	p.1, Col A, lines 9,16,24,27,41 & 42 p.1, Col B, lines 46-50 p.1, Col C, lines 4-5, 7-10, 12-17, 19-34, 36-44 & 48-49 p.2, Col A, lines 11, 17-18, 23-24, 34, 36 & 38 p.2, Col B, lines 10-11, 14-18, 20-24, 27-37 p.2, Col C, lines 10-11, 14-18, 20-24, 27-34 & 38 p.3, Col B, lines 11-19, 21-29 & 31-36 p.4, Col A, line 13 p.4, Col B, lines 10-13, 16 & 18-20 p.4, Col C, lines 10, & 13-17	(e)	C. Perez
43-2	Support for Asset Accounts	1	Y	p.1, Col A, lines 13, 17 & 18 p.1, Col B, lines 3-11, 13-15, 17-20 & 22-26	(e)	C. Perez
43-2 / 1	Printout of All Property Records	19	Y	Pages 1-18, Cols A & B, lines 1-46 p. 19, Cols A & B, lines 1-15	(e)	C. Perez
43-2 / 2	Printout of Pre 96 Electronics Asset	4	Y	p.1, Cols A & B, lines 1-46 Pages 2 & 3, Cols A & B, lines 1-47 p.3, Cols A & B, lines 1-6	(e)	C. Perez
43 -3	Calculation of Fiber	1	Y	p.1, Col A, lines 8, 10, 12, & 13	(e)	C. Perez

**EXHIBIT C**  
**SECOND REVISED JUSTIFICATION TABLE – February 25, 2005**

**COMPANY:**  
**TITLE:**  
**AUDIT:**  
**PERIOD ENDING:**  
**AUDIT CONTROL NO:**

**Florida Power & Light Company**  
**List of Confidential Workpapers**  
**Fibernet Allocation Methodology**  
**Estimated December 31, 2001**  
**01-067-4-1**

	Miles			p.1, Col B, lines 1-8, 10, & 12-13		
43-3 / 1	Support for Fiber Miles	8	Y	p.1, Cols A, B, C & D, lines 1-40 p.2, Cols A, B, C & D, lines 1-49 p.3, Cols A, B, C & D, lines 1-45 p.4, Cols A, B, C & D, lines 1-50 p.5, Cols A, B, C & D, lines 1-46 p.6, Cols A, B, C & D, lines 1-48 p.7, Cols A, B, C & D, lines 1-49 p.8, Cols A, B, C & D, lines 1-27	(e)	C. Perez
43-3 / 2	Support for Fiber Miles	4	Y	p.1, Cols A, B, C & D, lines 1-51  p.2, Cols A, B, C & D, lines 1-49 p.3, Cols A, B, C & D, lines 1-46 p.4, Cols A, B, C & D, lines 1-44	(e)	C. Perez
43-3 / 3	Support for Fiber Miles	1	Y	p.1, Cols A, B, C & D, lines 1-53	(e)	C. Perez
43-3 / 4	Support for Fiber Miles	1	Y	p.1, Cols A, B, C & D, lines 1-47	(e)	C. Perez
43-4	Printout of Pre 96 Fiber Assets	8	Y	p.1, Col A, lines 1-15 Pages 2-7, Cols A & B, lines 1-46 p.8, Cols A & B, lines 1-29	(e)	C. Perez
43-4 / 1	Printout of Post 95 Fiber Assets	4	Y	p.1, Cols A & B, lines 1-46 p.2, Cols A & B, lines 1-48 p.3, Cols A & B, lines 1-47 p.4, Cols A & B, lines 1-31	(e)	C. Perez
43-5	Printout of Post 95 Electronic Assets	5	Y	p.1, Cols A & B, lines 1-46 p.2, Cols A & B, lines 1-47 p.3, Cols A & B, lines 1-47 p.4, Cols A & B, lines 1-47 p.4, Col C, 1 & 9 p.5, Col A, line 30 p.5, Col B, lines 1-28 p.5, Col C, lines 1-29 p.5, Col D, line 27	(e)	C. Perez
43-6	Support for DS3 Calculations	19	Y	p.1, lines 6-9, & 18-21 p.2, Cols A-O, lines 2-3 p.3, Cols A-P, lines 3-4 p.4, Cols A-Q, lines 3-5 p.5, Cols A-J, lines 3-5 p.6, Cols A-P, lines 3-4 p.7, Cols A-P, lines 3-4	(e)	C. Perez

**EXHIBIT C**

**SECOND REVISED JUSTIFICATION TABLE – February 25, 2005**

**COMPANY:**

**Florida Power & Light Company**

**TITLE:**

**List of Confidential Workpapers**

**AUDIT:**

**Fibernet Allocation Methodology**

**PERIOD ENDING:**

**Estimated December 31, 2001**

**AUDIT CONTROL NO:**

**01-067-4-1**

p.8, Cols A-P, lines 3-5  
 p.9, Cols A-Q, lines 3-4  
 p.10, Cols A-M, lines 3-5  
 p.11, Cols A-M, lines 3-5  
 p.12, Cols A-M, lines 3-5  
 p.13, Cols A-I, lines 3-5  
 p.14, Cols A-G, lines 3-5  
 p.15, Cols A-J, lines 3-5  
 p.16, Cols A-N, lines 3-4  
 p.17, Cols A-F, lines 3-5  
 p.18, Cols A-G, lines 2-3  
 p.19, Cols A-H, lines 3-5

43-6 / 1	Support for DS3 Calculations	3	Y	All	(e)	J. Perez
43-10	Billing to FPL for 2001	1	Y	p.1, lines 2-4 & 6-8	(e)	J. Perez
43-10 / 1	First Quarter Billing to FPL	6	Y	p.1, Col B, lines 10-12 p.1, lines 12, 14 & 22 p.2, lines 1-22 p.3, lines 1-3 p.4, Col A, lines 5-16 p.5, Col A, line 12 p.5, Col B, lines 5-11, 16, & 25-26 p.5, Col C, lines 3, 5, 8-9, 11, 17-24, & 26 p.5., Col D, lines 3, 5-11, 16, 19, 22 & 24-25 p.6, lines 7, 11 & 12	(e)	J. Perez
43-10 / 2	Second Quarter Billing to FPL	5	Y	p.1, lines 1-4 p.2, lines 1-23 p.3, Col A, lines 6-16, & 20-21 p.4, Col A, lines 5-11, 15, & 24-25 p.4, Col B, lines 3, 5, 8-9, 11, 16-23 & 25 p.4, Col C, lines 3, 5-11, 15, 18, 21, & 23-24 p.4, Col D, lines 15, 18, 21, 23 & 24 p.4, Col E, line 18 p.5, lines 11 & 12	(e)	J. Perez
43-11	Info re Return on Investment	7	Y	p.1, line 25	(e)	C. Perez

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-03-0972-CFO-EI )  
 In Docket No. 011321-EI ) FILED: February 25, 2005

STATE OF FLORIDA )  
 )  
 COUNTY OF MIAMI-DADE ) **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 as Controller. 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, and C of FPL's Request for Confidential Classification of materials pursuant to Audit No. 01-067-4-1 filed on September 27, 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. 01-067-4-1. Certain 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. Other documents I have reviewed that continue to remain proprietary confidential business information include interests, the disclosure of which would impair the competitive business of the provider of the information. Nothing has changed since the issuance of Order No. PSC-03-0972-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.

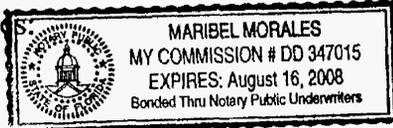
3. Affiant says nothing further.

  
 \_\_\_\_\_  
 Carmen M. Perez

**SWORN TO AND SUBSCRIBED** before me this 16 day of February 2005, 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 \_\_\_\_\_



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-03-0972-CFO-EI )
In Docket No. 011321-EI ) FILED: February 25, 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, and C of FPL's Request for Confidential Classification of materials pursuant to Audit No. 01-067-4-1 filed on September 27, 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. 01-067-4-1. 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-03-0972-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.

3. Affiant says nothing further.

[Handwritten signature of Robert Onsgard]
Robert Onsgard

SWORN TO AND SUBSCRIBED before me this 21 day of February 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.

[Handwritten signature of Debra Ann Dominguez]
Notary Public, State of Florida

My Commission Expires: April 20, 2008

