

ORIGINAL

State of Florida



Public Service Commission

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RECEIVED-FPSC

05 MAR 11 AM 10:03

COMMISSION CLERK

-M-E-M-O-R-A-N-D-U-M-

**DATE:** March 10, 2005

**TO:** Cochran Keating, Office of the General Counsel  
Katherine Fleming, Office of the General Counsel

**FROM:** John Slemkewicz, Division of Economic Regulation JS

**RE:** Docket No. 041291-EI, Florida Power & Light Company – Motion for Temporary Protective Order

Technical staff received the attached regarding data subject to a Motion for Temporary Protective Order. The documents were delivered to the Office of Public Counsel by FPL. However, the documents have not been filed with the Division of the Commission Clerk and Administrative Services. Therefore, they can't be reviewed and technical staff is unable to render any opinion on the confidentiality of the data.

This appears to be a motion that should be addressed by the legal staff.

CMP \_\_\_\_\_

COM \_\_\_\_\_

CTR \_\_\_\_\_

ECR \_\_\_\_\_

GCL \_\_\_\_\_

OPC \_\_\_\_\_

cc: CCA – Bureau of Records and Hearing Services

MMS \_\_\_\_\_

Marshall Willis

RCA \_\_\_\_\_

Karla Barnes

SCR \_\_\_\_\_

SEC 1

OTH Lockard

DOCUMENT NUMBER-DATE

02430 MAR 11 03

FPSC-COMMISSION CLERK

STATE OF FLORIDA

COMMISSIONERS:  
BRAULIO L. BAEZ, CHAIRMAN  
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DIVISION OF THE COMMISSION CLERK &  
ADMINISTRATIVE SERVICES  
BLANCA S. BAYÓ  
DIRECTOR  
(850) 413-6770 (CLERK)  
(850) 413-6330 (ADMIN)

Public Service Commission

M-E-M-O-R-A-N-D-U-M

DATE: February 28, 2005

TO: \_\_\_\_\_ OFFICE OF THE GENERAL COUNSEL  
\_\_\_\_\_ DIVISION OF COMPETITIVE MARKETS & ENFORCEMENT  
XX \_\_\_\_\_ DIVISION OF ECONOMIC REGULATION  
\_\_\_\_\_ DIVISION OF REGULATORY COMPLIANCE  
\_\_\_\_\_ & CONSUMER ASSISTANCE

FROM: DIVISION OF THE COMMISSION CLERK AND ADMINISTRATIVE SERVICES

RE: CONFIDENTIALITY OF CERTAIN INFORMATION

DOCUMENT NO(s): No DN filed with CCA

DESCRIPTION: FPL (Smith) – Updated response to OPC’s 1<sup>st</sup> request for PODs  
(No. 1).

SOURCE: Florida Power & Light Company

DOCKET NO(S): 041291-EI

The above material was received with a filing of a Motion for temporary protective order. Please prepare a recommendation for the attorney assigned to the case by completing the section below and forwarding a copy of this memorandum, together with a brief memorandum supporting your recommendation, to the attorney. Copies of your recommendation should also be provided to the Division of the Commission Clerk and Administrative Services, Bureau of Records and Hearing Services, and to the Office of General Counsel.

**Please read each of the following and check if applicable.**

- The document(s) is (are), in fact, what the utility asserts it (them) to be.
- The utility has provided enough details to perform a reasoned analysis of its request.
- The material has been received incident to an inquiry.
- The material is confidential business information because it includes:
  - (a) Trade secrets;
  - (b) Internal auditing controls and reports of internal auditors;
  - (c) Security measures, systems, or procedures;
  - (d) Information concerning bids or other contractual data, the disclosure of which would impair the efforts of the company to contract for services on favorable terms;
  - (e) Employee personnel information unrelated to compensation, duties, qualifications, or responsibilities;
  - (f) Tax returns or tax-related information;
  - (g) Information relating to competitive interests, the disclosure of which would impair the competitive business of the provider of information.
- The material appears to be confidential in nature and harm to the company or its ratepayers will result from public disclosure.
- The material appears not to be confidential in nature.
- The material is a periodic or recurring filing and each filing contains confidential information.

Response prepared by:

J. Stenkewitz

Date:

3-10-05

cc:

<input checked="" type="checkbox"/> GCL	<input type="checkbox"/> FLL
<input type="checkbox"/> CMP	<input checked="" type="checkbox"/> CCA
<input type="checkbox"/> ECR	<input type="checkbox"/> RCA
<input type="checkbox"/> MMS	

NO DOCUMENTS  
PROVIDED FOR  
REVIEW