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Public Service Commission

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COMMISSION CLERK

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

DATE: August 2, 2005

TO: Katherine E. Fleming, Senior Attorney, Office of the General Counsel

FROM: James E. McRoy, Utility Systems/Communications Engineer, Division of Economic Regulation

RE: Docket No. 050045-EI, Petition for rate increase by Florida Power & Light Company.

Handwritten initials: JEM, TB, RL

On July 29, 2005, Florida Power & Light (FPL) filed a Request for Confidential Classification for information contained in Document No. 07240-05 in William L. Yeager's Rebuttal Testimony Exhibit No. WLY-10. The document in question contains purchasing information between FPL and General Electric (GE) on a combustion turbine unit dated August 15, 2003.

FPL asserts that Document No. 07240-05 contains proprietary, confidential business information, as defined in Section 366.093(3), Florida Statutes. Specifically, the information includes contractual data, such as pricing and other contractual terms, negotiated between the parties.

Staff concurs with FPL's request to grant confidential status to Document No. 07240-05 Exhibit No. WLY-10. However, in accord with Section 366.093 (4) , Florida Statutes, staff recommends that the document remain confidential for a period of eighteen months from the date of the request. Prior to the end of the eighteen month time period, it is anticipated that either FPL can renew its request for confidential status or the affected document can be returned.

Attachment

CMP _____ cc: Blanca S. Bayo, Division of the Commission Clerk and

COM _____ Administrative Services

CTR _____

ECR _____

GCL _____

OPC _____

RCA _____

SCR _____

SGA _____

SEC 1

OTH Lockard

DOCUMENT NUMBER-DATE

07460 AUG-28

FPSC-COMMISSION CLERK

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: James E. McRoy

Date: 8/2/05

cc: GCL FLL
 CMP CCA
 ECR RCA
 MMS