



R. Wade Litchfield  
Associate General Counsel  
Regulatory  
Florida Power & Light Company  
700 Universe Boulevard  
Juno Beach, FL 33408-0420  
(561) 691-7101  
(561) 691-7135 (Facsimile)

December 19, 2005

**VIA HAND DELIVERY**

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

**Re: Florida Power & Light Company's Request for Confidential Classification of  
Certain Material Provided in Connection with the Monthly Fuel Filings  
Docket No. 050001-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") Request for Confidential Classification. The original includes Attachments A, B, and C. The five copies include only Attachments B and C.

Attachment A contains the confidential information that is the subject of FPL's Request for Confidential Classification. Attachment A is submitted for filing in a separate, sealed folder or carton marked "**ATTACHMENT A – CONFIDENTIAL**". Attachment B is an edited version of Attachment A, in which the information FPL asserts is confidential has been blocked out. Attachment C contains FPL's justification for its request for confidential classification.

In accordance with Rule 25-22.006(3)(d), FPL requests confidential treatment of the information in Attachment A pending disposition of FPL's request for Confidential Classification.

Also included herewith is a computer diskette containing FPL's Request for Confidential Classification and Attachment C, in Word. Please contact me should you or your Staff have any questions regarding this filing.

Sincerely,

A handwritten signature in black ink, appearing to read 'R. Wade Litchfield', is written over a horizontal line.

R. Wade Litchfield

RWL/ec  
Enclosures  
cc: Service List (w/out Attachment A)

Doc/423 Fuel Filing/September 2005

an FPL Group company

DOCUMENT NUMBER-DATE

11716 DEC 19 05

FPSC-COMMISSION CLERK

**BEFORE THE  
FLORIDA PUBLIC SERVICE COMMISSION**

In re: Fuel and Purchased Power )  
Cost Recovery Clause and Generating )  
Performance Incentive Factor )

DOCKET NO. 050001-EI  
FILED: December 19, 2005

**REQUEST FOR CONFIDENTIAL CLASSIFICATION**

**NOW, BEFORE THIS COMMISSION**, through undersigned counsel, comes Florida Power & Light Company (“FPL”) and, pursuant to section 25-22.006 of the Florida Administrative Code and section 366.093 of the Florida Statutes, hereby requests confidential classification of certain information on Florida Public Service Commission (“FPSC” or “Commission”) Forms 423-1(a), 423-2, 423-2(a) and 423-2(b) submitted in Docket No. 050001-EI. In support of its Request, FPL states as follows:

1. Petitioner’s principal business address is as follows:

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  
Vice President  
Florida Power & Light Company  
212 South Monroe Street, Suite 810  
Tallahassee, FL 32301-1859  
(850) 521-3900  
(850) 521-3939 Fax

R. Wade Litchfield  
Associate General Counsel  
Regulatory  
Florida Power & Light Company  
700 Universe Boulevard  
Juno Beach, FL 33408-0420  
(561) 691-7101  
(561) 691-7135 Fax

2. The following attachments are included herewith and made a part hereof:
  - a. Attachment A includes the complete and unedited version of FPL's September, 2005 Form 423-1(a) and St. Johns River Power Park's (SJRPP) September, 2005 Forms 423-2, 423-2(a) and 423-2(b) which contain certain information that FPL asserts should be accorded confidential treatment. The information in Attachment A for which FPL seeks confidential classification has been highlighted. Attachment A is submitted separately in a sealed envelope marked "**CONFIDENTIAL.**"
  - b. Attachment B is the edited version of Attachment A. All information that FPL asserts is entitled to confidential treatment has been blocked out in Attachment B.
  - c. Attachment C identifies information for which confidential treatment is sought and, with regard to each item or type of information, contains a brief statement that explains the need for confidentiality and refers to the specific statutory basis or bases for the request.

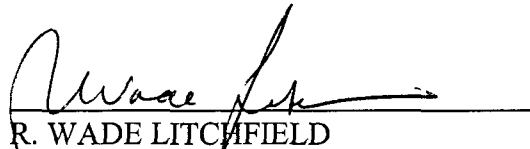
3. Pursuant to section 366.093, FPL seeks confidential protection for the information highlighted in Attachment A. FPL submits that such information is proprietary confidential business information within the meaning of section 366.093(3). Pursuant to section 366.093, such materials are entitled to confidential 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.

4. The statutory bases and support for FPL's assertion of confidentiality with regard to specific items or types of information are set forth in Attachment C. The information for which confidential classification is sought is intended to be and is treated by FPL as confidential and, to the best of FPL's knowledge and belief, has not been publicly disclosed.

5. Upon a finding by the Commission that the material in Attachment A for which FPL seeks confidential treatment is proprietary confidential business information within the meaning of section 366.093(3), pursuant to section 366.093(4) such materials should not be declassified until the end of the minimum protective period allowed for by law, or as otherwise extended by the Commission. Further, the materials should be returned to FPL as soon as the information is no longer necessary for the Commission to conduct its business.

**WHEREFORE**, for the above and foregoing reasons, including those set forth in the supporting materials included herewith, Florida Power & Light Company respectfully requests that its Request for Confidential Classification be granted.

Respectfully submitted,



R. WADE LITCHFIELD  
Associate General Counsel  
Attorney for Florida Power & Light Company  
700 Universe Boulevard  
Juno Beach, Florida 33408-0420  
Tel.: (561) 691-7101  
Fax: (561) 691-7135

**CERTIFICATE OF SERVICE**

**I, THE UNDERSIGNED COUNSEL, HEREBY CERTIFY** that a copy of Florida Power & Light Company's Request for Confidential Classification, without Attachment A, has been served via first class mail, postage prepaid to the parties listed below, this 19<sup>th</sup> day of December, 2005:

Adrienne Vining, Esq.  
Division of Legal Services  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, Florida 32399-0850

Lee L. Willis, Esq.  
James D. Beasley, Esq.  
Ausley & McMullen  
Attorneys for TECO  
P.O. Box 391  
Tallahassee, Florida 32302

Charles J. Beck, Deputy Public Counsel  
Patricia Christensen, Esq.  
Office of Public Counsel  
111 West Madison Street  
Room 812  
Tallahassee, Florida 32399

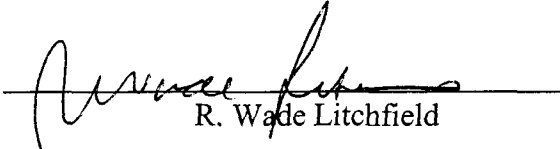
James A. McGee, Esq.  
Progress Energy Florida, Inc.  
P.O. Box 14042  
St. Petersburg, Florida 33733

Norman H. Horton, Esq.  
Floyd R. Self, Esq.  
Messer, Caparello & Self  
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P.O. Box 1876  
Tallahassee, Florida 32302-1876

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Davidson, et al.  
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400 North Tampa Street, Suite 2450  
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Jeffrey A. Stone, Esq.  
Russell A. Badders, Esq.  
Beggs & Lane  
Attorneys for Gulf Power  
P.O. Box 12950  
Pensacola, Florida 32591-2950

  
R. Wade Litchfield

**ATTACHMENT “A”**

**FPL’S FPSC FORM 423-1(a)**

**SJRPP’S FPSC FORMS**

**423-2**

**423-2 (a)**

**423-2 (b)**

**CONFIDENTIAL**

**FILED UNDER SEPARATE COVER**

# **ATTACHMENT “B”**

**EDITED VERSION  
FPL’S FPSC FORM 423-1(a)  
SJRPP’S FPSC FORMS  
423-2  
423-2 (a)  
423-2 (b)**

MONTHLY REPORT OF COST AND QUALITY OF FUEL OIL FOR ELECTRIC PLANTS  
 DETAIL OF INVOICE AND TRANSPORTATION CHARGES

FPSC FORM NO. 423-1 (a)

1. REPORTING MONTH: SEP YEAR: 2005

2. REPORTING COMPANY: FLORIDA POWER LIGHT COMPANY

3. NAME, TITLE TELEPHONE NUMBER OF CONTACT PERSON CONCERNING DATA  
 SUBMITTED ON THIS FORM: KORY DUBIN, REGULATORY AFFAIRS, (305) 552-4910.

4. SIGNATURE OF OFFICIAL SUBMITTING REPORT: 

5. DATE COMPLETED: 12/07/2005

**EDITED COPY**

(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)	(I)	(J)	(K)	(L)	(M)	(N)	(O)	(P)	(Q)	(R)
LINE NO.	PLANT	SUPPLIER	DELIVERY LOCATION	DELIVERY DATE	TYPE OIL	VOLUME (BBL)	INVOICE PRICE (\$/BBL)	INVOICE AMOUNT (\$)	DISCOUNT (\$)	NET AMOUNT (\$)	NET PRICE (\$/BBL)	QUALITY ADJUST. (\$/BBL)	EFFECTIVE PUR PRICE (\$/BBL)	TRANSP TO TERM (\$/BBL)	ADDITIONAL TRANS CHGS (\$/BBL)	OTHER CHGS (\$/BBL)	DELIVERED PRICE (\$/BBL)
1	PMR	SHELL	PALM BEACH	09/26/2005	F06	133959								0.0000			54.9899
2	PRV	SHELL	RIVIERA	09/08/2005	F06	150478								0.0000			52.8760
3	PTF	SHELL	FISHER ISLAND	09/02/2005	F06	40166								0.0000			53.4669
4	PTF	SHELL	FISHER ISLAND	09/13/2005	F06	164571								0.0000			53.4669
5	PTF	SHELL	FISHER ISLAND	09/23/2005	F06	30623								0.0000			53.6169
6	PMT	BP	PORT MANATEE	09/19/2005	F06	205414								0.0000			55.3487
7	PMR	CONOCO	PALM BEACH	09/07/2005	F06	145666								0.0000			54.2269
8	PMR	CONOCO	PALM BEACH	09/24/2005	F06	120996								0.0000			53.5269
9	PPE	CONOCO	PORT EVERGLADES	09/30/2005	F06	146124								0.0000			54.2032
10	PMR	GLENCORE	PALM BEACH	09/30/2005	F06	147852								0.0000			54.8459
11	PMT	GLENCORE	PORT MANATEE	09/03/2005	F06	146045								0.0000			47.9507
12	PPE	GLENCORE	PORT EVERGLADES	09/10/2005	F06	135234								0.0000			50.4112
13	PCC	GLENCORE,LT	PORT CANAVERAL	09/11/2005	F06	116906								0.0000			50.7235
14	PMR	SEMPRA	PALM BEACH	09/05/2005	F06	93750								0.0000			53.8999
15	PMR	SEMPRA	PALM BEACH	09/26/2005	F06	132698								0.0000			54.9899
16	PRV	SEMPRA	RIVIERA	09/19/2005	F06	71904								0.0000			55.6130
17	PRV	SEMPRA	RIVIERA	09/25/2005	F06	110079								0.0000			55.4420
18	PTF	SEMPRA	FISHER ISLAND	09/01/2005	F06	142246								0.0000			47.8429
19	PCC	SEMPRA	PORT CANAVERAL	09/25/2005	F06	42686								0.0000			55.1085
20	PCC	SHELL	PORT CANAVERAL	09/16/2005	F06	71941								0.0000			53.6905
21	PMR	SHELL	PALM BEACH	09/15/2005	F06	63722								0.0000			53.5719
22	PTF	SHELL	FISHER ISLAND	09/29/2005	F06	164977								0.0000			53.4669
23	PCC	SHELL	PORT CANAVERAL	09/25/2005	F06	149772								0.0000			54.1625
24	PMT	VITOL	PORT MANATEE	09/10/2005	F06	323895								0.0000			55.8487
25	PPE	VITOL	PORT EVERGLADES	09/02/2005	F06	273997								0.0000			47.0142
26	PPE	VITOL	PORT EVERGLADES	09/25/2005	F06	227573								0.0000			56.0572




MONTHLY REPORT OF COST AND QUALITY OF FUEL OIL FOR ELECTRIC PLANTS  
 DETAIL OF INVOICE AND TRANSPORTATION CHARGES

FPSC FORM NO. 423-1 (a)

1. REPORTING MONTH: SEP YEAR: 2005

2. REPORTING COMPANY: FLORIDA POWER LIGHT COMPANY

3. NAME, TITLE TELEPHONE NUMBER OF CONTACT PERSON CONCERNING DATA  
 SUBMITTED ON THIS FORM: KORY DUBIN, REGULATORY AFFAIRS, (305) 552-4910.

4. SIGNATURE OF OFFICIAL SUBMITTING REPORT: 

5. DATE COMPLETED: 12/07/2005

(A) LINE NO.	(B) PLANT	(C) SUPPLIER	(D) DELIVERY LOCATION	(E) DELIVERY DATE	(F) TYPE OIL	(G) VOLUME (BBLs)	(H) INVOICE PRICE (\$/BBL)	(I) INVOICE AMOUNT (\$)	(J) DISCOUNT (\$)	(K) NET AMOUNT (\$)	(L) NET PRICE (\$/BBL)	(M) QUALITY ADJUST. (\$/BBL)	(N) EFFECTIVE PUR PRICE (\$/BBL)	(O) TRANSP TO TERM (\$/BBL)	(P) ADDITIONAL TRANS CHGS (\$/BBL)	(Q) OTHER CHGS (\$/BBL)	(R) DELIVERED PRICE (\$/BBL)
27	PMT	TPSI		09/14/2005	F02	148								0.0000			126.0000
28	PMT	TPSI		09/14/2005	F02	142								0.0000			126.0000
29	PMT	TPSI		09/14/2005	F02	151								0.0000			126.0000
30	PMT	TPSI		09/14/2005	F02	146								0.0000			126.0000
31	PMT	TPSI		09/14/2005	F02	149								0.0000			126.0000
32	PMT	TPSI		09/16/2005	F02	152								0.0000			126.0000
33	PFL	BP		09/26/2005	F03	74946								0.0000			102.3400
34	PMR	PORT		09/28/2005	F03	7228								0.0000			81.9149
35	PMR	PORT		09/30/2005	F03	2653								0.0000			90.8100
36	PFM	ROYAL		09/28/2005	F03	42387								0.0000			90.9700
37	PFM	ROYAL		09/30/2005	F03	3537								0.0000			90.9700
38	PFL	TPSI		09/09/2005	F03	25028								0.0000			102.3400
39	PPE	TPSI		09/09/2005	F03	9283								0.0000			89.8200
40	PPE	AMERIGAS		09/29/2005	PRO	7	70.6700	495	0	495	70.6700	0.0000	70.6700	0.0000	0.0000	0.0000	70.6700
41	PPE	AMERIGAS		09/15/2005	PRO	8	70.1800	561	0	561	70.1800	0.0000	70.1800	0.0000	0.0000	0.0000	70.1800
42	PTF	AMERIGAS		09/17/2005	PRO	6	89.8800	539	0	539	89.8800	0.0000	89.8800	0.0000	0.0000	0.0000	89.8800
43	PRV	FERRELL		09/09/2005	PRO	6	88.1600	529	0	529	88.1600	0.0000	88.1600	0.0000	0.0000	0.0000	88.1600
44	PRV	FERRELL		09/16/2005	PRO	3	96.2300	289	0	289	96.2300	0.0000	96.2300	0.0000	0.0000	0.0000	96.2300
45	PRV	FERRELL		09/27/2005	PRO	7	82.7000	579	0	579	82.7000	0.0000	82.7000	0.0000	0.0000	0.0000	82.7000
46	PMR	INDIANTOWN		09/22/2005	PRO	63	11.0000	693	0	693	11.0000	0.0000	11.0000	0.0000	0.0000	0.0000	11.0000
47	PMT	SUBURBAN		09/13/2005	PRO	8	62.6400	501	0	501	62.6400	0.0000	62.6400	0.0000	0.0000	0.0000	62.6400
48	PCC	SUBURBAN		09/21/2005	PRO	6	63.0900	379	0	379	63.0900	0.0000	63.0900	0.0000	0.0000	0.0000	63.0900
49	PSN	SUBURBAN		09/30/2005	PRO	5	63.2300	316	0	316	63.2300	0.0000	63.2300	0.0000	0.0000	0.0000	63.2300

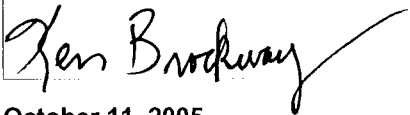
**MONTHLY REPORT OF COST AND QUALITY OF COAL FOR ELECTRIC PLANTS  
ORIGIN, TONNAGE, DELIVERED PRICE AND AS RECEIVED QUALITY**

1. Report For Month/Yr: **September 2005**

2. Reporting Company: **Florida Power & Light**

3. Plant Name: **St. Johns River Power Park (SJRPP)**

4. Name, Title & Telephone Number of Contact  
Person Concerning Data Submitted on this Form: **Korel M. Dubin (305-552-4910)**

5. Signature of Official Submitting Report: 

6. Date Completed: **October 11, 2005**

Line No.	Supplier Name	Mine Location	Purchase Type	Transportation Mode	Tons	Effective Purchase Price (\$/Ton)	Total Trans Cost (\$/Ton)	FOB Plant Price (\$/Ton)	As Received Coal Quality			
									Sulfur Content (%)	Btu Content (%)	Ash Content (%)	Moisture Content (%)
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)	(k)	(l)	(m)
1	Coal Marketing Company	45,IM,999	LTC	OC	32,143			40.65	0.64	11,270	8.49	12.50
2	DTE Clover, LLC	08,KY,095	LTC	UR	16,227			50.52	1.18	12,285	11.20	6.67
3	TCP Petcoke Corporation	,IM,	S	OC	6,777			39.92	4.37	14,371	0.52	6.72
4	TCP Petcoke Corporation	,TX,	LTC	OC	7,051			35.78	6.77	13,966	0.36	8.88

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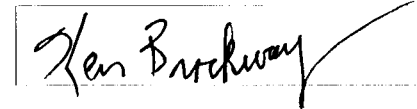
**MONTHLY REPORT OF COST AND QUALITY OF COAL FOR ELECTRIC PLANTS  
DETAIL OF INVOICE PURCHASE PRICE**

1. Report For Month/Yr: **September 2005**

4. Name, Title & Telephone Number of Contact  
Person Concerning Data Submitted on this Form: **Korel M. Dubin (305-552-4910)**

2. Reporting Company: **Florida Power & Light**

5. Signature of Official Submitting Report:



3. Plant Name: **St. Johns River Power Park (SJRPP)**

6. Date Completed: **October 11, 2005**

Line No.	Supplier Name	Mine Location	Purchase Type	Tons	FOB Mine Price (\$/Ton)	Short Haul & Loading Charge	Original Invoice Price (\$/Ton)	Retro-active Price Increases (\$/Ton)	Base Price (\$/Ton)	Quality Adjust-ments (\$/Ton)	Effective Purchase Price (\$/Ton)
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)	(k)	(l)
1	Coal Marketing Company	45,IM,999	LTC	32,143		0.00		0.00		0.00	
2	DTE Clover, LLC	08,KY,095	LTC	16,227		0.00		0.00		0.00	
3	JEA	„	S	-1,561		0.00		0.00		0.00	
4	JEA	„	S	-1,509		0.00		0.00		0.00	
5	TCP Petcoke Corporation	,IM,	S	6,777		0.00		0.00		0.00	
6	TCP Petcoke Corporation	,TX,	LTC	7,051		0.00		0.00		0.00	

**EDITED COPY**

**MONTHLY REPORT OF COST AND QUALITY OF COAL FOR ELECTRIC PLANTS  
DETAIL OF TRANSPORTATION CHARGES**

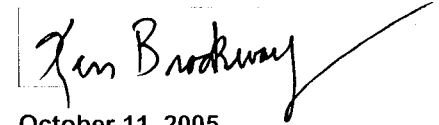
1. Report For Month/Yr: **September 2005**

4. Name, Title & Telephone Number of Contact

Person Concerning Data Submitted on this Form: **Korel M. Dubin (305-552-4910)**

2. Reporting Company: **Florida Power & Light**

5. Signature of Official Submitting Report:



3. Plant Name: **St. Johns River Power Park (SJRPP)**

6. Date Completed:

**October 11, 2005**

Line No.	Supplier Name	Mine Location	Shipping Point	Transportation Mode	Tons	Effective Purchase Price (\$/Ton)	Short Haul & Loading Charge (\$/Ton)	Rail Charges		Waterborne Charges					Total Transport Charges (\$/Ton)	FOB Plant Price (\$/Ton)
								Rail Rate (\$/Ton)	Other Rail Charges (\$/Ton)	River Barge Rate (\$/Ton)	Trans-loading Rate (\$/Ton)	Ocean Barge Rate (\$/Ton)	Other Water Charges (\$/Ton)	Related Charges (\$/Ton)		
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)	(k)	(l)	(m)	(n)	(o)	(p)	(q)
1	Coal Marketing Company	45,IM,999	EL CERREJON	OC	32,143		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		40.65
2	DTE Clover, LLC	08,KY,095	CLOVER DTE	UR	16,227		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		50.52
3	JEA	„	JEA NORTHSID	OC	-1,561		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		58.97
4	JEA	„	JEA NORTHSID		-1,509		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		31.23
5	TCP Petcoke Corporation	,TX,	TCP-DOMESTIC	OC	7,051		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		35.78
6	TCP Petcoke Corporation	,IM,	TCP-LAGOVEN	OC	6,777		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		39.92

**EDITED COPY**

**ATTACHMENT C**

**Docket No. 050001-EI  
September 2005**

**Justification for Confidentiality of September 2005 Report:**

<u>FORM</u>	<u>LINE(S)</u>	<u>COLUMN</u>	<u>RATIONALE</u>
423-1(a)	1 - 39	H	(1)
423-1(a)	1 - 39	I	(2)
423-1(a)	1 - 39	J	(2), (3)
423-1(a)	1 - 39	K	(2)
423-1(a)	1 - 39	L	(2)
423-1(a)	1 - 39	M	(2), (4)
423-1(a)	1 - 39	N	(2), (5)
423-1(a)	1 - 39	P	(6), (7), (8)
423-1(a)	1 - 39	Q	(6), (7), (8)

-----  
**Rationale for confidentiality:**

- (1) This information is contractual information which, if made public, "would impair the efforts of [FPL] to contract for goods or services on favorable terms." Section 366.093(3)(d), Fla. Stat. The information delineates the price per barrel FPL has paid for fuel oil for specific shipments from specific suppliers. This information would allow suppliers to compare an individual supplier's price with the market quote for that date of delivery and thereby determine the contract pricing formula between FPL and that supplier.

Contract pricing formulas generally contain two components, which are: (1) a markup in the market quoted price for that day; and (2) a transportation charge for delivery at an FPL chosen port of delivery. Discounts and quality adjustment components of fuel price contract formulas are discussed in paragraphs 3 and 4. Disclosure of the invoice price would allow suppliers to determine the contract price formula of their competitors. The knowledge of

others' prices (*i.e.*, contract formulas) among fuel oil suppliers is reasonably likely to cause the suppliers to converge on a target price, or to follow a price leader, effectively eliminating any opportunity for a major buyer like FPL to obtain price concessions from any one supplier. The end result is reasonably likely to be increased fuel oil prices and therefore increased electric rates.

- (2) The contract data found in Columns I through N are an algebraic function of Column H. That is, the publication of these Columns together, or independently, could allow a supplier to derive the invoice price of oil.
- (3) If FPL fuel contracts provide for an early payment incentive in the form of a discount from the invoice price, the existence and amount of such discount is confidential for the reasons stated in paragraph (1) relative to price concessions.
- (4) For fuel that does not meet contract requirements, FPL may reject the shipment, or accept the shipment and apply a quality adjustment. This is, in effect, a pricing term which is as important as the price itself and is therefore confidential for the reasons stated in paragraph (1) relative to price concessions.
- (5) Column N is as important as H from a confidentiality standpoint because of the relatively few times that there are quality or discount adjustments. That is, Column N will equal Column H most of the time. Consequently, Column N needs to be protected for the same reasons as set forth in paragraph (1).
- (6) Column R is used to mask the delivered price of fuel such that the invoice or effective price of fuel cannot be determined. Columns P and Q are algebraic variables of Column R. Consequently, disclosure of Columns P and Q would allow a supplier to calculate the invoice or effective purchase price of oil (Columns H and N) by subtracting these columnar variables from Column R.
- (7) Terminaling and transportation services in Florida tend to have the same, if not more severe, oligopolistic attributes of fuel oil suppliers. Due to the small demand in Florida for both of these services, market entry is difficult. In instances in which FPL has attempted to determine the level of interest in bidding either or both of these services, FPL has found only a very few qualified parties with such an interest. Consequently, disclosure of these contract data is reasonably likely to result in increased prices for terminaling and transportation services.

Petroleum inspection services also have the market characteristics of an oligopoly. Due to the limited number of fuel terminal operations, there are correspondingly few requirements for fuel inspection services. In FPL's last bidding process for petroleum inspection services, only six qualified bidders were found for FPL's bid solicitations. Consequently, disclosure of these contract data is reasonably likely to result in increased prices for petroleum inspection services.

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**Justification for Confidentiality of September 2005 Report:**

<u>FORM</u>	<u>LINES</u>	<u>COLUMNS</u>	<u>RATIONALE</u>
423-2	1-4	G, H	(1)
423-2	1-4	H	(2)

**Rationale for Confidentiality:**

- (1) Disclosure of the effective purchase price "would impair the efforts of [JEA, acting on its own behalf and as agent for FPL] to contract for goods or services [at the St. Johns River Power Park (SJRPP)] on favorable terms." Section 366.093(3)(d), Fla. Stat. The data informs other potential coal suppliers as to the price SJRPP is paying for coal. Disclosure of this information, which is particularly sensitive given SJRPP's reliance on long term contracts with fixed price provisions or short term spot transactions, could adversely affect FPL's interests in subsequent solicitations for coal and/or in negotiating coal supply agreements. JEA maintains this information as confidential pursuant to section 163.01(15)(m), Fla. Stat. Additionally, providing the purchase price would enable one to ascertain the total transportation charges in Column H by subtracting the effective purchase price from the delivered price at the transfer facility, shown in Column I.
- (2) Disclosure of the total transportation cost "would impair the efforts of [JEA acting on its own behalf and as agent for FPL] to contract for goods or services [at SJRPP] on favorable terms." Section 366.093(3)(d), Fla Stat. Moreover, the service provider itself typically designates the transportation costs in the contract as confidential. JEA maintains this information as confidential pursuant to section 163.01(15)(m), Fla. Stat. Further, disclosure of this information would enable potential coal suppliers to calculate Column G which FPL seeks to protect by subtracting Column H from Column I.

**Justification for Confidentiality of September 2005 Report:**

<u>FORM</u>	<u>LINE(S)</u>	<u>COLUMN</u>	<u>RATIONALE</u>
423-2(a)	1-6	F	(1)
423-2(a)	1-6	H	(1)
423-2(a)	1-6	J	(1)
423-2(a)	1-6	L	(2)

**Rationale for Confidentiality:**

- (1) The information presented in these columns are algebraic derivations of the information in column L that FPL seeks to protect.
- (2) Disclosure of the effective purchase price "would impair the efforts of [JEA, acting on its own behalf and as agent for FPL] to contract for goods or services [at the St. Johns River Power Park (SJRPP)] on favorable terms." Section 366.093(3)(d), Fla. Stat. The data informs other potential coal suppliers as to the price SJRPP is paying for coal. Disclosure of this information could adversely affect FPL's interests in subsequent solicitations for coal and/or in negotiating coal supply agreements. JEA maintains this information as confidential pursuant to section 163.01(15)(m), Fla. Stat. Additionally, providing the purchase price would enable one to ascertain the total transportation charges in Column H on Form 423-2, which FPL seeks to protect, by subtracting the effective purchase price from the delivered price at the transfer facility shown in Column I on Form 423-2.

**Justification for Confidentiality of September 2005 Report:**

FORM	LINE(S)	COLUMN	RATIONALE
423-2(b)	1-6	G	(1)
423-2(b)	1-6	I	(2)
423-2(b)	1-6	P	(2)

**Rationale for Confidentiality:**

- (1) Disclosure of the effective purchase price "would impair the efforts of [JEA, acting on its own behalf and as agent for FPL] to contract for goods or services [at the St. Johns River Power Park (SJRPP)] on favorable terms." Section 366.093(3)(d), Fla. Stat. The data informs other potential coal suppliers as to the price SJRPP is paying for coal. Disclosure of this information, which is particularly sensitive given SJRPP's reliance on long term contracts with fixed price provisions or short term spot transactions, could adversely affect FPL's interests in subsequent solicitations for coal and/or in negotiating coal supply agreements. JEA maintains this information as confidential pursuant to section 163.01(15)(m), Fla. Stat. Additionally, providing the purchase price would enable one to ascertain the total transportation charges in Column P, which FPL seeks to protect, by subtracting the effective purchase price from the delivered price at the transfer facility shown in Column Q.



- (2) Disclosure of the total transportation cost "would impair the efforts of [JEA acting on its own behalf and as agent for FPL] to contract for goods or services [at SJRPP] on favorable terms." Section 366.093(3)(d), Fla Stat. Moreover, the service provider itself typically designates the transportation costs in the contract as confidential. JEA maintains this information as confidential pursuant to section 163.01(15)(m), Fla. Stat. Further, disclosure of this information would enable potential coal suppliers to calculate Column G which FPL seeks to protect, by subtracting Column P from Column Q.

**Date of Declassification:**

<u>FORM</u>	<u>LINE(S)</u>	<u>COLUMN</u>
423-1(a)	1 – 5	H-N, P & Q
423-1(a)	6	H-N, P & Q
423-1(a)	7 – 9	H-N, P & Q
423-1(a)	10 – 13	H-N, P & Q
423-1(a)	14 – 19	H-N, P & Q
423-1(a)	20 – 39	H-N, P & Q
423-2	1 – 4	G, H
423-2(a)	1 – 6	F, H, & J, L
423-2(b)	1 – 6	G, I, P

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FPL requests that the confidential information identified above not be disclosed for a period of eighteen (18) months.