



ORIGINAL

Florida Power & Light Company, 215 S. Monroe St., Suite 810, Tallahassee, FL 32301

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

March 13, 2006

**VIA HAND DELIVERY**

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

RECEIVED-FPSC  
MAR 13 PM 3:10  
COMMISSION  
CLERK

**Re: CONFIDENTIAL DOCUMENT FILING**  
**Docket No. 06-0225-EI**  
**Florida Power & Light Company Request for Confidential Classification**  
**for Certain Documents and Information Filed in Connection with its**  
**Petition for Determination of Need**

Dear Ms. Bayó:

Enclosed for filing on behalf of Florida Power & Light Company ("FPL") are the original and two (2) copies of a Request for Confidential Classification for Certain Documents and Information Filed in Connection with its Petition for Determination of Need (Request). The Request pertains to five **CONFIDENTIAL** Appendices to the Need Study, Appendices C-1 through C-5. All of these **CONFIDENTIAL** documents are being filed in connection with FPL's petition styled In re: Florida Power & Light Company's Petition to Determine Need for West County Energy Center Units 1 and 2 Electrical Power Plants. That petition is being file separately today.

The Request itself does not contain confidential information. However, Attachment A to the request, which is contained in a separate box, does contain **CONFIDENTIAL** information, which is highlighted. Attachment A is submitted in separate boxes because of the volume of confidential documents. Those boxes are labeled:

CMP \_\_\_\_\_  
COM \_\_\_\_\_  
CTR \_\_\_\_\_  
ECR | \_\_\_\_\_  
ECL | \_\_\_\_\_  
XPC \_\_\_\_\_  
ICA \_\_\_\_\_  
ICR \_\_\_\_\_  
IGA \_\_\_\_\_  
IEC | \_\_\_\_\_  
ITH | *1 conf records*

**CONFIDENTIAL MATERIALS**

Appendices C-1 Through C-5 to

FPL's Need Study for Electrical Power Plant 2007

RECEIVED & FILED

*Oh*  
FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE

02157 MAR 13 06

FPSC-COMMISSION CLERK

Ms. Blanca S. Bayó, Director  
Division of the Commission Clerk and  
Administrative Services  
Florida Public Service Commission  
March 13, 2006  
Page 2

So that your office will have redacted copies available for public disclosure, two redacted copies, which are referred to in the Request as Attachment B, are submitted as well in the boxes labeled:

**REDACTED CONFIDENTIAL MATERIALS**

Appendices C-1 Through C-5 to  
FPL's Need Study for Electrical Power Plants

Also being filed is a diskette containing the electronic version of the Request and Attachment C, which is a line-by-line justification of the confidential status of the Confidential Information. The enclosed diskette is HD density, the operating system in Windows 2000, and the word processing software in which the document appears is Word 2000. If you have any questions regarding this transmittal, please contact me at (561) 691-7207.

Sincerely,



Natalie F. Smith

NFS:ec  
Enclosures

ORIGINAL

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Florida Power & Light Company's )  
Petition to Determine Need for West County Energy) )  
Center Units 1 and 2 Electrical Power Plants )  
\_\_\_\_\_ )

Docket No. 060225-E1

Filed: March 13, 2006

**FLORIDA POWER & LIGHT COMPANY'S REQUEST  
FOR CONFIDENTIAL CLASSIFICATION FOR CERTAIN  
DOCUMENTS AND INFORMATION FILED IN CONNECTION  
WITH ITS PETITION FOR DETERMINATION OF NEED**

Pursuant to Section 366.093, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, Florida Power & Light Company ("FPL") requests confidential classification of certain confidential information provided to the Florida Public Service Commission ("the PSC or the Commission") in connection with FPL's Petition to Determine Need for West County Energy Center Units 1 and 2 Electrical Power Plants ("the Confidential Information"). In support of its request, FPL states:

**Justification for Confidential Classification**

1. The Confidential Information is contained in documents provided to the Commission in connection with FPL's Petition to Determine Need for West County Energy Center Units 1 and 2 Electrical Power Plants.

2. The Confidential Information for which FPL seeks confidential classification consists of five confidential Appendices to the Need Study document that was filed in support of FPL's Petition to Determine Need for West County Energy Center Units 1 and 2 Electrical Power Plants. Appendix C-1 is a summary of the five proposals submitted to FPL in response to its 2005 Request for Proposals ("RFP") and is the input sheet used in the economic evaluation of

the proposals. Appendices C-2 through C-4 are computer input and output reports containing the confidential bid information submitted in response to FPL's RFP and confidential FPL unit operating data. Appendix C-5 is a summary of the net equity adjustment calculations for the RFP proposals.

3. The material for which confidential classification is sought is intended to be and has been treated by FPL as private and confidential and has not been publicly disclosed. The Confidential Information for which FPL seeks confidential classification will continue to be confidential for more than 18 months; therefore, FPL seeks confidential classification for 36 months with the opportunity to request continuation of the confidential classification.

4. Much of the material for which confidential classification is sought is the proprietary business information of proposers that responded to the RFP issued by FPL to solicit proposals to meet FPL's 2009-2011 capacity need. Such information is intended to be and has been treated by the RFP proposers and FPL as private and has not been publicly disclosed. The documents contain extensive proprietary confidential business information regarding the RFP proposers and confidential information concerning proposals or other contractual data that FPL has a duty to keep confidential. The disclosure of such information would significantly impair the competitive business interests of the RFP respondents and impair their efforts to contract for goods and services on favorable terms. Additionally, such disclosure could impair FPL's ability to obtain competitive proposals for future needs. Thus, disclosure of the Confidential Information would injure the RFP proposers, FPL and FPL's customers.

5. The remainder of the Confidential Information for which FPL seeks confidential classification is FPL unit performance data, including but not limited to projected forced outage rates, heat rates, and fixed and variable O&M, the disclosure of which would impair FPL's

competitive interests and injure FPL's customers. FPL's customers would be injured by the disclosure of this information because disclosure would adversely affect FPL's ability to make off-system sales to benefit FPL's customers. This type of confidential information is protected against disclosure by Section 366.093(3)(e).

6. A non-redacted copy of the confidential documents, with all Confidential Information highlighted, is enclosed as Exhibit A in boxes marked "CONFIDENTIAL." Exhibit B is composed boxes of the same material with all Confidential Information redacted. Exhibit C is a line-by-line justification of the confidential status of the Confidential Information. The statutory bases for FPL's assertion of confidentiality with regard to each document or portion thereof are set forth in Exhibit C under the column titled "FLORIDA STATUTE 366.093(3)." The letters in that column refer to the subsection(s) of Section 366.093(3) that provide justification for FPL's request. Further support for FPL's Request for Confidential Classification of the referenced material is provided through the affidavit of Steven R. Sim, included as Exhibit D to this request.

7. Upon a finding by the Commission that the information highlighted in Exhibit A, and referenced in Exhibit C, is proprietary confidential business information, the information should not be declassified for a period of at least eighteen (18) months and preferably 36 months. The material should be returned to FPL as soon as the information is no longer necessary for the Commission to conduct its business. *See* § 366.093(4).

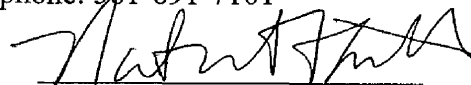
**WHEREFORE**, for the above and foregoing reasons, as more fully set forth in the supporting materials and affidavits included with this request, Florida Power & Light Company

respectfully requests that its Request for Confidential Classification be granted.

Respectfully submitted,

R. Wade Litchfield, Esquire  
Bryan Anderson, Esquire  
Natalie F. Smith, Esquire  
Attorneys for Florida Power & Light Company  
700 Universe Boulevard  
Juno Beach, Florida 33408  
Telephone: 561-691-7101

By:



Natalie F. Smith

**ATTACHMENT A**

**CONFIDENTIAL MATERIALS**

**RE: FLORIDA POWER & LIGHT COMPANY'S REQUEST FOR  
CONFIDENTIAL CLASSIFICATION for CERTAIN DOCUMENTS  
and INFORMATION FILED IN CONNECTION WITH ITS  
PETITION TO DETERMINE NEED FOR WEST COUNTY ENERGY  
CENTER UNITS 1 AND 2 ELECTRICAL POWER PLANT**

**APPENDICES C-1 THROUGH C-5  
FPL'S NEED STUDY FOR ELECTRICAL POWER  
PLANT 2009**

**ATTACHMENT B**

**REDACTED**

**CONFIDENTIAL MATERIALS**

**RE: FLORIDA POWER & LIGHT COMPANY'S REQUEST FOR  
CONFIDENTIAL CLASSIFICATION for CERTAIN DOCUMENTS  
and INFORMATION FILED IN CONNECTION WITH ITS  
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**APPENDICES C-1 THROUGH C-5  
FPL'S NEED STUDY FOR ELECTRICAL POWER  
PLANT 2007**



# **ATTACHMENT C**

## **Florida Power & Light Company Confidentiality Justification**

ATTACHMENT C

**Florida Power & Light Company  
Confidentiality Justification**

<b>Appendix</b>	<b>Page Numbers</b>	<b>Description</b>	<b>Justification</b>
C-1	DON 0001 – DON 0007	Guaranteed Firm Capacity & Heat Rates; Guaranteed Capacity Pricing; Guaranteed Energy Pricing; Availability & Outage Information; Guaranteed Startup Prices; Fuel Costs	Fla. Stat. § 366.093(3)(d)
C-2	DON 0008 – DON 1036	Forced Outage Rate; Heat Rate; Fixed O&M; Variable O&M; Capacity factor, Generation GWH; Fuel Cost; Production Cost in \$; Production Cost in \$/MWH	Fla. Stat. § 366.093(3)(d)&(e)
C-3	DON 1037 – DON 1143	Cash Flows with AFUDC; In-Service Costs for Capital Expenditures, Revenue Requirements Schedules, Annual Capacity Payment Schedules, Fixed O&M Payments, Capital Replacement Schedules for Portfolio Components, Portfolio Capacity Payments and Revenue Requirement Totals, Portfolio Fixed Costs, Portfolio Startup Costs, Portfolio Variable O&M Costs, Portfolio Variable Costs, Portfolio Fuel Costs	Fla. Stat. § 366.093(3)(d)&(e)

Appendix	Page Numbers	Description	Justification
C-4	DON 1144 – DON 7932	Plant lateral gas flow limits MCF/day, proposal name (capacity and technology description), ramp rate by station, down time by station, up time by station, on-line hours per start by station, start-up energy MBtu/start by station, start-up cost \$/start by station, variable O&M by station, force outage rate by station, minimum load heat rate by station, heat rate curve / incremental heat rate by station, capacity states by station, maintenance schedule (year, month, day, duration) by station, capacity by station, capacity output factor by station, fuel consumption MBtu by station, start-up cost M\$ by station, fuel cost M\$ by station, variable O&M cost M\$ by station, operating Cost \$/MWh by station, total Cost \$/MWh by station, average output heat rate by station, system start-up cost M\$, system Variable O&M cost M\$, system Operating Cost \$/MWh, system Total Cost \$/MWh, fuel consumption MBtu by fuel, fuel consumption unit by fuel, fuel cost M\$ by fuel, fuel rate \$/MWh by fuel, heat rate by fuel, thermal generation cost M\$, thermal generation cost \$/MWh, system total production cost M\$, system total production cost \$/MWh, system net production cost M\$, system net production cost \$/MWh, fuel MBtu by station by fuel, fuel unit by station by fuel, fuel cost M\$ by station by fuel, fuel rate c/KWh by station by fuel, station net output factor, capacity factor by plant, fuel consumption MBtu by plant, start-up cost M\$ by plant, variable O&M cost M\$ by plant, total cost M\$ by plant, total cost \$/MWh by plant	Fla. Stat. § 366.093(3)(d)&(e)
C-5	DON 7933 – DON 7943	Monthly capacity payments; Annual Capacity Payments; NPV Capacity Payments; Debt equivalence; Equity replaced to rebalance; Equity adjustment	Fla. Stat. § 366.093(3)(e)

**ATTACHMENT D**

**AFFIDAVIT OF  
STEVEN R. SIM**

**EXHIBIT D**

**AFFIDAVIT OF STEVEN R. SIM**

STATE OF FLORIDA                    )  
  )  
COUNTY OF MIAMI-DADE         )

BEFORE ME, the undersigned authority, this day personally appeared Steven R. Sim, who, first being duly sworn, deposes and states:

1. My name is Steven R. Sim. I am employed by Florida Power & Light Company (“FPL”) as a Supervisor in the Resource Assessment and Planning Department. In my role as Supervisor of a group that is responsible for determining FPL resource needs and developing an integrated resource plan, I administered the economic evaluation portion of FPL’s 2005 Request for Proposals (RFP) resource need for 2009 - 2011.

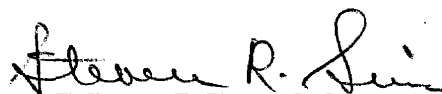
2. I am familiar with the Confidential Appendices, Appendices C-1 through C-5, to the Need Study document supporting FPL’s Petition to Determine Need for West County Energy Center Units 1 and 2 Electrical Power Plants.

3. I have reviewed FPL’s Request for Confidential Classification for Certain Documents and Information Filed in Connection with its Petition for Determination of Need (the Request). The representations FPL makes in its Request regarding Confidential Information are true and correct. The information that FPL identifies as Confidential Information is proprietary and confidential, the disclosure of which would be harmful to FPL, the proposers who responded to FPL’s RFP, and FPL’s customers. This information is treated by FPL as confidential.

4. FPL seeks to protect two types of information as confidential. The first type is information identified as confidential and provided to FPL by RFP proposers. This includes, but is not limited to, capacity costs, energy prices, fixed and variable O&M, heat rates and unit availability. Disclosure of this information could impair the competitive interests of the RFP proposers and jeopardize their ability to negotiate contract terms. Disclosure of this information also would impair FPL's prospective ability to solicit capacity proposals, to the detriment of FPL's customers. This type of information is contained in all the documents for which FPL seeks confidential classification.

5. The second type of information FPL seeks to protect as proprietary and confidential is information regarding the cost and operation of FPL's generating units. This information is confidential to FPL just as this type of information is confidential to the RFP proposers. However, unlike information furnished by proposers that relates to potential units that may never be built, FPL's information relates to actual costs and operations of existing units. FPL competes in the wholesale power market, and the disclosure of this information would injure FPL's competitive interests and FPL's ability to favorably negotiate contractual terms. The disclosure of this information would disadvantage FPL in making off-system sales to benefit FPL's customers. This second type of information regarding FPL's generating units is in Appendices C-2 through C-4, for which FPL seeks confidential classification pursuant to section 366.093(3)(e), Florida Statutes.

7. Affiant says nothing further.



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Steven R. Sim

**SWORN TO AND SUBSCRIBED** before me this 10<sup>th</sup> day of March, 2006, by Steven R. Sim, who is personally known to me or who has produced \_\_\_\_\_ (type of identification) as identification and who did take an oath.

*E. Martin*

\_\_\_\_\_  
Notary Public, State of Florida

My Commission Expires:

 NOTARY PUBLIC-STATE OF FLORIDA  
E. Martin  
Commission # DD372939  
Expires: NOV. 17, 2008  
Bonded Thru Atlantic Bonding Co., Inc.