



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

March 22, 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

060001-EI

Re: Florida Power & Light Company's First Request for Extension of Confidential Classification of certain material provided to the Florida Public Service Commission Staff in connection with the Fuel Cost Recovery Clause Audit (Audit Control No. 04-096-4-1)

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") First Request for Extension of Confidential Classification of certain material provided to the Florida Public Service Commission ("FPSC" or "Commission") staff ("Staff") in connection with the Fuel Cost Recovery Clause Audit (Audit Control No. 04-096-4-1). Exhibits A, B, and C from the previous filing subject to PSC Order No. 04-0927-CFO-EI are incorporated herein by reference.

Attached is Exhibit D containing the Affidavits in support of FPL's First Request for Extension of Confidential Classification. Also included herewith is a computer diskette containing FPL's First Request in Word format. Please contact me should you or your Staff have any questions regarding this filing.

Sincerely,

Natalie F. Smith

NFS:ec
Enclosures

DOCUMENT NUMBER-DATE

02572 MAR 22 06

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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

DOCKET NO. 060001-EI

FILED: March 22, 2006

**FIRST REQUEST FOR EXTENSION OF CONFIDENTIAL
CLASSIFICATION OF MATERIALS PROVIDED IN
THE FUEL COST RECOVERY CLAUSE AUDIT NO. 04-096-4-1**

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 First Request for Extension of Confidential Classification of certain material provided to the Florida Public Service Commission (“FPSC” or “Commission”) staff (“Staff”) in connection with the Fuel Cost Recovery Clause Audit (Audit Control No. 04-096-4-1) (the “Audit”). In support of its First 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) 521-3910 Telephone
(850) 521-3939 Facsimile

R. Wade Litchfield, Association General Counsel
Natalie F. Smith, Principal Attorney
Florida Power & Light Company
700 Universe Boulevard
Juno Beach, Florida 33408-0420
(561) 691-7100 Telephone
(561) 691-7135 Facsimile

2. On June 24, 2004, FPL filed its Request for Confidential Classification of certain materials obtained during the Audit. FPL’s initial filing consists of the Request for Confidential

Classification and Exhibits A through D.

3. By Order No. PSC-04-0927-CFO-EI, dated September 22, 2004, the Commission granted FPL's request.

4. The period of confidential treatment granted by the Commission will soon expire. The information that was the subject of FPL's June 24, 2004 Request warrants continued treatment as proprietary and confidential business information with the meaning of Section 366.093. Accordingly, FPL hereby submits its First Request for Extension of Confidential Classification.

5. FPL incorporates herein by reference Exhibits A, B and C from its initial filing.

6. Included herewith and made a part hereof is Exhibit D. Exhibit D consists of the Affidavits of Osvaldo J. Lom, Robert Onsgard, and Gerard Yupp which Affidavits shall replace Exhibit D previously filed.

7. 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.

8. FPL seeks confidential protection for the information highlighted in Exhibit A. As the affidavits of Osvaldo J. Lom, Robert Onsgard, and Gerard J. Yupp indicate, information that FPL asserts is proprietary and confidential business information includes information related to internal auditing reports and associated documents. Such information is proprietary

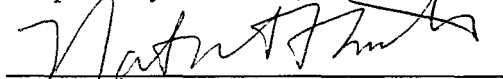
confidential business information pursuant to Section 366.093(3)(b).

9. Other information that FPL asserts is proprietary confidential business information includes data related to FPL's fuel and power purchase transactions and to FPL's practices and procedures for such transactions. The disclosure of such information would inhibit FPL's ability to enter into power purchase transactions on favorable terms for the benefit of its customers in the future and/or would impair the competitive interests of FPL. Certain of the information would also place FPL at a disadvantage when coupled with other information that is publicly available. The information described in this paragraph is protected from disclosure by Section 366.093(3)(d) and (e).

10. FPL requests that the information referenced above in this request be accorded confidential classification for an additional 18-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, including those set forth in the supporting materials and affidavits included herewith, Florida Power & Light Company respectfully requests that its First Request for Extension of Confidential Classification be granted.

Respectfully submitted,



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

CERTIFICATE OF SERVICE

I, THE UNDERSIGNED COUNSEL, HEREBY CERTIFY that a copy of Florida Power & Light Company's First Request for Confidential Classification without exhibits, has been served via first class mail, postage prepaid to the parties listed below, this 22nd day of March, 2006:

Jennifer A. Rodan, Attorney
Division of Legal Services
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850

AARP(Twomey)
c/o Mike B. Twomey
P. O. Box 5256
Tallahassee, FL 32314-5256

Ausley Law Firm
Lee L. Willis/James D. Beasley
P.O. Box 391
Tallahassee, FL 32302

Beggs & Lane Law Firm
J. Stone/R. Badders/S. Griffin
P.O. Box 12950
Pensacola, FL 32591-2950

Federal Executive Agencies
Lt. Col. K. White/Capt. D. Williams
c/o AFLSA/JACL-ULT
139 Barnes Drive, Suite 1
Tyndall AFB, FL 32403-5319

Florida Industrial Power Users Group
(McWhirter)
John W. McWhirter, Jr.
c/o McWhirter Reeves
400 North Tampa Street, Suite 2450
Tampa, FL 33602

Florida Public Utilities Company
Ms. Cheryl Martin
P.O. Box 3395
West Palm Beach, FL 33402-3395

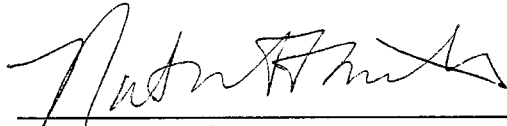
Florida Retail Federation
100 E. Jefferson St.
Tallahassee, FL 32301

Gulf Power Company
Ms. Susan D. Ritenour
One Energy Place
Pensacola, FL 32520-0780

McWhirter Law Firm
Timothy J. Perry
117 South Gadsden Street
Tallahassee, FL 32301

Messer Law Firm
Norman H. Horton, Jr.
P.O. Box 1876
Tallahassee, FL 32302-1876

Office of Public Counsel
P. Christensen/C. Beck/J. McGlothlin
c/o The Florida Legislature
111 West Madison Street, Room 812
Tallahassee, FL 32399-1400



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

EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Florida Power & Light Company's)	
First Request for Extension of Confidential)	DOCKET NO. 060001-EI
Classification Granted by)	
Order No. PSC-04-0927-CFO-EI)	FILED: March 22, 2006
In Docket No. 040001-EI)	
_____)		

STATE OF FLORIDA)	
)	AFFIDAVIT OF OSVALDO LOM
MIAMI-DADE COUNTY)	

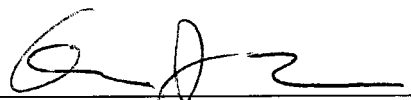
BEFORE ME, the undersigned authority, personally appeared Osvaldo Lom who, being first duly sworn, deposes and says:

1. My name is Osvaldo Lom. I am currently employed by Florida Power & Light Company ("FPL") as Supervisor of Purchased Power Contracts. I have personal knowledge of the matters stated in this affidavit.

2. I have reviewed Exhibit C and the documents which are included in Exhibit A to FPL's Request for Confidential Classification of Information Obtained in Connection with Audit No. 04-096-4-1. The document and materials that I have reviewed and that FPL asserts in Exhibit C to be proprietary confidential business information contain or constitute data related to FPL's power purchase transactions. The disclosure of such information would inhibit FPL's ability to enter into power purchase transactions on favorable terms for the benefit of its customers in the future and/or would impair the competitive interests of FPL. Certain of the information would also place FPL at a disadvantage when coupled with other information that is publicly available. To the best of my knowledge, FPL has maintained the confidentiality of these documents and materials.

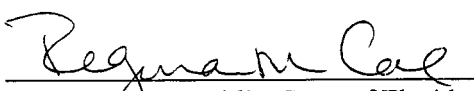
3. No significant changes have occurred since the issuance of Order No. PSC-04-0927-CFO-EI to render the information stale or public such that continued confidential treatment would not be appropriate. Accordingly, the information referred to in this affidavit should continue to be maintained as confidential for an additional period of not less than eighteen months. In addition, these materials should be returned to FPL as soon as the information is no longer necessary for the Commission to conduct its business so that FPL can continue to maintain the confidentiality of these documents.

4. Affiant says nothing further.



 Osvaldo Lom

SWORN TO AND SUBSCRIBED before me this 15th day of March 2006, by Osvaldo Lom, 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:

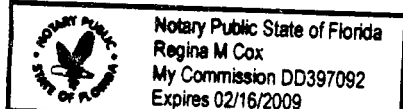


EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Florida Power & Light Company's)
First Request for Extension of Confidential) DOCKET NO. 060001-EI
Classification Granted by)
Order No. PSC-04-0927-CFO-EI) FILED: March 22, 2006
In Docket No. 040001-EI)

STATE OF FLORIDA)
) AFFIDAVIT OF ROBERT ONSGARD
MIAMI-DADE COUNTY)

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. I have personal knowledge of the matters stated in this affidavit.

2. I have reviewed Exhibit C and the documents which are included in Exhibit A to FPL's Request for Confidential Classification of Information Obtained in Connection with Audit No. 04-096-4-1. The document and materials that I have reviewed and that FPL asserts in Exhibit C to be proprietary confidential business information contain or constitute internal auditing controls and reports of internal auditors or information relating to the same. To the best of my knowledge, FPL has maintained the confidentiality of these documents and materials.

3. No significant changes have occurred since the issuance of Order No. PSC-04-0927-CFO-EI to render the information stale or public such that continued confidential treatment would not be appropriate. Accordingly, the information referred to in this affidavit should continue to be maintained as confidential for an additional period of not less than eighteen months. In addition, these materials should be returned to FPL as soon as the information is no longer necessary for the Commission to conduct its business so that FPL can continue to maintain the confidentiality of these documents.

4. Affiant says nothing further.

Robert Onsgard
Robert Onsgard

SWORN TO AND SUBSCRIBED before me this 16 day of March 2006, by Robert Onsgard, who is personally known to me or who has produced (type of identification) as identification and who did take an oath.

Debra Ann Dominguez
Notary Public, State of Florida

My Commission Expires: April 20, 2008

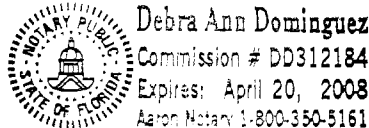


EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Florida Power & Light Company's)	
First Request for Extension of Confidential)	DOCKET NO. 060001-EI
Classification Granted by)	
Order No. PSC-04-0927-CFO-EI)	FILED: March 22, 2006
In Docket No. 040001-EI)	
_____)		

STATE OF FLORIDA)	
)	AFFIDAVIT OF GERARD J. YUPP
PALM BEACH COUNTY)	


BEFORE ME, the undersigned authority, personally appeared Gerard J. Yupp who, being first duly sworn, deposes and says:

1. My name is Gerard J. Yupp. I am currently employed by Florida Power & Light Company ("FPL") as Director of Wholesale Operations in the Energy Marketing and Trading Division. I have personal knowledge of the matters stated in this affidavit.

2. I have reviewed Exhibit C and the documents which are included in Exhibit A to FPL's Request for Confidential Classification of Information Obtained in Connection with Audit No. 04-096-4-1. The document and materials that I have reviewed and that FPL asserts in Exhibit C to be proprietary confidential business information contain or constitute data related to FPL's fuel and power purchase transactions and to FPL's practices and procedures for such transactions. The disclosure of such information would inhibit FPL's ability to enter into power purchase transactions on favorable terms for the benefit of its customers in the future and/or would impair the competitive interests of FPL. Certain of the information would also place FPL at a disadvantage when coupled with other information that is publicly available.

3. No significant changes have occurred since the issuance of Order No. PSC-04-0927-CFO-EI to render the information stale or public such that continued confidential treatment would not be appropriate. Accordingly, the information referred to in this affidavit should continue to be maintained as confidential for an additional period of not less than eighteen months. In addition, these materials should be returned to FPL as soon as the information is no longer necessary for the Commission to conduct its business so that FPL can continue to maintain the confidentiality of these documents.

4. Affiant says nothing further.



 Gerard J. Yupp

SWORN TO AND SUBSCRIBED before me this 16th day of March 2006, by Gerard J. Yupp, who is personally known to me or who has produced personally known of identification) as identification and who did take an oath.

My Commission Expires: 7/17/08



 Notary Public, State of Florida

