



Natalie F. Smith
Principal Attorney
Florida Power & Light Company
700 Universe Boulevard
Juno Beach, FL 33408-0420
(561) 691-7207
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April 18, 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

**Re: Florida Power & Light Company's First Request for Extension of
Confidential Classification Granted by Order No. PSC-04-1008-CFO-EI
in Docket No. 040001-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") First Request for Extension of Confidential Classification Granted by Order No. PSC-04-1008-CFO-EI in Docket 040001-EI. Exhibits A, B, and C from the previous filing subject to PSC Order No. 04-1008-CFO-EI are incorporated herein by reference.

Attached is Exhibit D containing the Affidavit 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,

A handwritten signature in black ink, appearing to read 'Natalie F. Smith', written over a horizontal line.

Natalie F. Smith

NFS:ec
Enclosures

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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

Docket No. 060001-EI

Filed: April 18, 2006

**FIRST REQUEST FOR EXTENSION OF
CONFIDENTIAL CLASSIFICATION GRANTED BY
ORDER NO. PSC-04-1008-CFO-EI IN DOCKET NO. 040001-EI**

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 information on fuel hedging activities that is contained in Document GJY-1 to the prepared testimony of Gerard Yupp (the “Fuel Hedging Information”).

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, Associate 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 April 20, 2004, FPL filed its Request for Confidential Classification of certain information on the fuel hedging activities that is contained in Document GJY-1 to the prepared testimony of Gerard Yupp filed on April 1, 2004 in Docket 040001-EI. FPL's initial filing consists of the Request for Confidential Classification and Exhibits A through D.

3. By Order No. PSC-04-1008-CFO-EI, dated October 18, 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 April 20, 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 Exhibit A, the highlighted copy of the working papers from its April 20, 2004 filing, Exhibit B, and Exhibit C.

6. 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.

7. The statutory bases for FPL's assertion of confidentiality with regard to each document or portion thereof are set forth in the justification table under the column titled "FLORIDA STATUTE 366.093(3)." The letters (a) through (e) refer to subsections of section

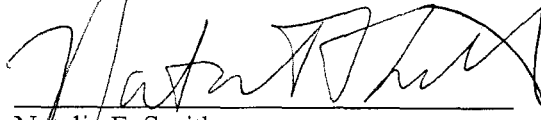
366.093(3), as applicable. Support for FPL's First Request for Extension of Confidential Classification of the referenced material is provided through the affidavit. The justification table identifies the affiant attesting to the basis for FPL's assertion of confidentiality with regard to each document or portion thereof. FPL continues to seek confidential protection for the Fuel Hedging Information because it comprises trade secrets of FPL, which allow FPL to purchase and sell fuel and electric power on favorable terms for FPL and its customers. The disclosure of that trade-secret information would provide other participants in the fuel and electric power markets insight into FPL's marketing and trading practices that would allow them to anticipate FPL's marketing and trading decisions and/or impair FPL's ability to negotiate, to the detriment of FPL and its customers. See § 366.093(3)(a), Fla. Stat (2003). The Fuel Hedging Information also relates to bids and other contractual data, the disclosure of which would impair FPL's ability to contract for fuel and electric power on favorable terms. See § 366.093(3)(a), Fla. Stat (2003).

8. As reflected by the renewed affidavit submitted as Exhibit D, nothing has changed since the issuance of Order No. PSC 04-1008-CFO-EI to render the information stale or public such that continued confidential treatment would not be appropriate. Accordingly, FPL requests that the information be accorded confidential classification for an additional eighteen 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, as more fully set forth in the supporting materials and affidavits included herewith or incorporated herein by reference,

Florida Power & Light Company respectfully requests that its First Request for Extension of Confidential Classification be granted.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Natalie F. Smith", written over a horizontal line.

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 Extension of Confidential Classification without exhibits, has been served via first class mail, postage prepaid to the parties listed below, this 18th day of April, 2006:

Wm. Cochran Keating IV, Esq.
Division of Legal Services
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850

Office of Public Counsel
c/o The Florida Legislature
111 West Madison Street, Room 812
Tallahassee, Florida 32399

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Davidson, et al.
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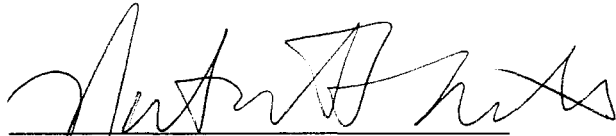
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Attorneys for Gulf Power
P.O. Box 12950
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Lt. Col. Karen S. White
AFLSA/JACL - ULT
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Robert Scheffel Wright, Esq.
John T. LaVia, III, Esq.
Young van Assenderp, P.A.
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225 South Adams Street, Suite 200
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200 South Biscayne Boulevard
Suite 4000
Miami, FL 33131-2398

A handwritten signature in black ink, appearing to read "Natalie F. Smith", written over a horizontal line.

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

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Fuel and Purchased Power) DOCKET NO. 060001-EI
Cost Recovery Clause and Generating)
Performance Incentive Factor) FILED: April 18, 2006

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. The document and materials that I have reviewed and that FPL asserts in Exhibit C to be proprietary confidential business information include but are not limited to: trade secrets of FPL, which allow FPL to purchase and sell fuel and electric power on favorable terms for FPL and its customers. The disclosure of this trade-secret information would provide other participants in the fuel and electric power markets insight into FPL's marketing and trading decisions and/or impair FPL's ability to negotiate, to the detriment of FPL and its customers. This proprietary confidential business information also relates to bids and other contractual data, the disclosure of which would impair FPL's ability to contract for fuel and electric power on favorable terms. 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-04-1008-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.

Handwritten signature of Gerard J. Yupp
Gerard J. Yupp

SWORN TO AND SUBSCRIBED before me this 18th day of April 2006, by Gerard J. Yupp, who is personally known to me or who has produced (type of identification) as identification and who did take an oath.

Handwritten signature of Notary Public, State of Florida
Notary Public, State of Florida
DD 297470

My Commission Expires: 3/8/08