



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

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

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COMMISSION
CLERK

September 28, 2006

VIA HAND DELIVERY

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

**Re: Docket No: 011403-EI - Florida Power & Light Company's Third Request
for Extension of Confidential Classification**

Dear Ms. Bayò:

I enclose and hand you herewith for filing in the above-referenced matter, an original and two (2) copies of Florida Power & Light Company's ("FPL") Third Request for Extension of Confidential Classification initially Granted by Order No. PSC-03-0892-CFO-EI, and a copy of the new Exhibit D, which consists of the Affidavit of Robert Onsgard in support of FPL's Third Request for Extension of Confidential Classification. The original, fully executed affidavit will be filed under separate cover tomorrow, September 29, 2006.

Also included is a computer diskette containing the electronic version of FPL's Third Request for Extension in Word format. Pursuant to Rule 25-22.006(3)(d) of the Florida Administrative Code, FPL requests confidential treatment of the documents in Exhibit A, pending disposition of FPL's Third Request for Extension of Confidential Classification.

Please do not hesitate to contact me should you or your Staff have any questions regarding this filing. Thanking you for your attention to this matter, I remain,

Sincerely,

for Natalie F. Smith

NFS:jp
Enclosures

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copy records

an FPL Group company

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FPSC BUREAU OF RECORDS

DOCUMENT NUMBER - DATE
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FPSC - COMMISSION CLERK

BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION

In the matter of Florida Power & Light Company's)
Second Request for Extension of Confidential)
Classification Granted by)
Order No. PSC-03-0892-CFO-EI)
_____)

DOCKET NO. 011403-EI

FILED: September 28, 2006

**THIRD REQUEST FOR EXTENSION
OF CONFIDENTIAL CLASSIFICATION
GRANTED BY ORDER NO. PSC-03-0892-CFO-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 Third Request for Extension of Confidential Classification Granted by Order No PSC-03-0892-CFO-EI of the Florida Public Service Commission ("FPSC" or "Commission"), issued in Docket No. 011403-EI in connection with certain materials obtained pursuant to Audit Control No. 01-073-4-1 (Audit Control No. 01-073-4-1) (the "Audit"). In support of its 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) 521-3900
(850) 521-3939

R. Wade Litchfield, Senior Attorney
Natalie F. Smith, Attorney
Florida Power & Light Company
700 Universe Boulevard
Juno Beach, Florida 33408-0420
(561) 691-7101
(561) 691-7135 Facsimile

DOCUMENT NUMBER-DATE

09021 SEP 28 06

FPSC-COMMISSION CLERK

2. On May 30, 2003, FPL filed with the Commission its First Request for Extension of Confidential Classification of certain materials obtained during the Audit ("First Request"). FPL's initial filing consists of the Request for Confidential Classification and Exhibits A through D.

3. On May 30, 2003, FPL filed its First Request for Extension of Confidential Classification Granted by Order No. PSC-01-2339-CFO-EI of Certain Material Obtained Pursuant to Audit Control No. 01-073-4-1. By Order No. PSC-03-0892-CFO-EI, issued August 4, 2003, the extension was granted.

4. On February 3, 2005, FPL filed its Second Request for Extension of Confidential Classification Granted by Order No. PSC-03-0892-CFO-EI. By Order No. PSC-05-0332-CFO-EI, issued March 23, 2005, the extension was granted.

5. The period of confidential treatment granted by the Commission will soon expire.

6. Some of the information that was the subject of FPL's October 29, 2001, Request and FPL's First and Second Requests for Extension warrants continued treatment as proprietary and confidential business information with the meaning of Section 366.093. Accordingly, FPL hereby submits its Third Request for Extension of Confidential Classification.

7. FPL incorporates herein by reference Exhibits A and B from its October 29, 2001 filing.

8. FPL incorporates herein by reference Exhibit C, List of Confidential Workpapers, which was initially filed October 29, 2001 and revised and replaced within FPL's Second Request for Extension of Confidential Classification filed on February 3, 2005.

9. Also included herewith and made a part hereof is Exhibit D. Exhibit D consists of the Affidavit of Robert Onsgard which Affidavit shall replace Exhibit D previously filed October 29, 2001, May 30, 2003 and February 3, 2005.

10. 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.

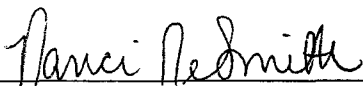
11. The statutory bases for FPL's assertion of confidentiality with regard to each document or portion thereof are set forth in the Justification Table under the column titled "FLORIDA STATUTE 366.093(3)." The letters (a) through (e) refer to subsections of Section 366.093(3), as applicable. Support for FPL's Third Request for Extension of Confidential Classification of the referenced material is provided through the affidavit of Robert Onsgard. The Justification Table identifies the affiant attesting to the basis for FPL's assertion of confidentiality with regard to each document or portion thereof. The materials at issue contain or constitute internal auditing controls and reports of internal auditors or information relating to the same. Nothing has changed since the issuance of Order No. PSC-05-0332-CFO-EI to render the information stale or public such that continued confidential treatment would not be appropriate.

12. As reflected by the renewed affidavit submitted as Exhibit D, nothing has changed since the issuance of Order No. PSC 03-0892-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 affidavit included herewith and incorporated herein by reference, Florida Power & Light Company respectfully requests that its Third Request for Extension of Confidential Classification be granted.

Respectfully submitted,

for 

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

BEFORE THE

FLORIDA PUBLIC SERVICE COMMISSION

In the matter of Florida Power & Light Company's)
Second Request for Extension of Confidential)
Classification Granted by)
Order No. PSC-05-0332-CFO-EI)
In Docket No. 011403-EI)

DOCKET NO. 011403-EI

STATE OF FLORIDA)
)
COUNTY OF MIAMI-DADE)

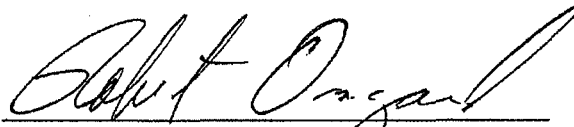
AFFIDAVIT OF ROBERT ONSGARD

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. My business address is 9250 West Flagler Street, Miami, Florida, 33174. I have personal knowledge of the matters stated in this affidavit.

2. I have reviewed Exhibits A, B, C and D of FPL's Request for Confidential Classification of materials pursuant to Audit No. 01-073-4-1 filed on October 29, 2001 ("FPL's Request for Confidential Classification"). With respect to Exhibit C, I have reviewed the documents and information for which I am listed as Affiant and which are included in Exhibit A to FPL's Request for Confidential Classification of Materials Provided Pursuant to Audit No. 01-073-4-1. Documents or materials that I have reviewed and which are asserted by FPL to be proprietary confidential business information contain or constitute internal auditing controls and reports of internal auditors or information relating to the same. Nothing has changed since the issuance of Order No. PSC-05-0332-CFO-EI to render the information stale or public such that continued confidential treatment would not be appropriate. To the best of my knowledge, FPL has maintained the confidentiality of these documents and materials.

3. Affiant says nothing further.


Robert Onsgard

SWORN TO AND SUBSCRIBED before me this 7th day of September 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.

My Comm. Expires 12/15/07



Notary Public, State of Florida