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John T. Butler
Senior Attorney
Florida Power & Light Company
700 Universe Boulevard
Juno Beach, FL 33408-0420
(561) 304-5639
(561) 691-7135 (Facsimile)

March 14, 2007

- VIA OVERNIGHT 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

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Re: Docket No. 070007-EI

Dear Ms. Bayó:

I am enclosing for filing in the above docket the original and seven (7) copies of Florida Power & Light Company's First Request for Extension of Confidential Classification Granted by Order No. PSC-05-0917-CFO-EI for Certain Material Obtained Pursuant to Audit Control No. 05-033-4-1, together with a diskette containing the electronic version of same. The enclosed diskette is HD density, the operating system is Windows XP, and the word processing software is Word 2003.

- CMP _____
- COM _____
- CTR _____
- ECR _____
- GCL 1
- DPC _____
- RCA 1
- SCR _____ Enclosure
- SGA _____ Cc: Counsel for parties of record (w/encl.)
- SEC _____
- OTH copy
 records

If there are any questions regarding this transmittal, please contact me at 561-304-5639.

Sincerely,

John T. Butler
John T. Butler *for JTB*

DOCUMENT NUMBER-DATE
02379 MAR 15 07
FPSU-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Environmental Cost)
Recovery Clause.)

Docket No. 070007-EI
Filed: March 15, 2007

**FIRST REQUEST FOR EXTENSION OF CONFIDENTIAL CLASSIFICATION
GRANTED BY ORDER NO. PSC-05-0917-CFO-EI FOR CERTAIN
MATERIAL PROVIDED PURSUANT TO AUDIT NO. 05-033-4-1**

NOW BEFORE THE COMMISSION, through the 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 Granted by Order No. PSC-05-0917-CFO-EI of Certain Material Obtained Pursuant to Audit No. 05-033-4-1 (the “Audit”). In support of this First Request for Extension, 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:

John T. Butler, Esq.
Senior Attorney
Florida Power & Light Company
700 Universe Boulevard
Juno Beach, Florida 33048

2. On August 4, 2005, FPL filed with the Commission a Request for Confidential Classification of Certain Materials Provided in Connection with Audit No. 05-033-4-1 (the “August 4, 2005 Request”). FPL’s initial filing consisted of the August 4, 2005 Request and attached Exhibits A through D. FPL adopts and incorporates by reference its August 4, 2005 Request, including Exhibits A, B, C and D thereto.

3. By Order No. PSC-05-0917-CFO-EI, dated September 16, 2005, the Commission granted FPL's August 4, 2005 Request.

4. The period of confidential treatment granted by Order No. PSC-05-0917-CFO-EI will soon expire. All of the information that was the subject of FPL's August 4, 2005 Request warrants continued treatment as proprietary and confidential business information with the meaning of section 366.093(3).

5. Included herewith and made a part hereof as Exhibit D (Revised) are the affidavits of Korel M. Dubin and Robert Onsgard, which supplement Exhibit D to the August 4, 2005 Request.

6. FPL submits that the information identified on Exhibit C to the August 4, 2005 Request continues to be proprietary confidential business information within the meaning of section 366.093(3)(d). 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 continue to be as set forth in Exhibit C to the August 4, 2005 Request under the column entitled "FLORIDA STATUTE 366.093(3)." The letters (a) through (f) refer to subsections of section 366.093(3), as applicable. Support for FPL's request to extend confidential classification for the referenced materials is provided through the affidavits that are attached hereto as Exhibit D (Revised). As

indicated in said affidavits, all of the highlighted portions of Exhibit A include information that contains or constitutes internal audit controls or reports, or information related to same. Such information is entitled to protection under section 366.093(3).

8. The material for which FPL seeks continued confidential classification is intended to be and is treated by FPL as private and has not been disclosed. Nothing has changed since the issuance of Order No. PSC-05-0917-CFO-EI to render the information stale or public, such that continued confidential treatment would not be appropriate.

9. Accordingly, FPL requests that the information identified in Exhibit C and highlighted in Exhibit A to the August 4, 2005 Request and referenced in Order No. PSC-05-0917-CFO-EI be accorded confidential classification for an additional eighteen month period. FPL further requests that the information be returned to FPL as soon as the information is no longer necessary for the Commission to conduct its business.

WHEREFORE, FPL respectfully requests that this First Request for Extension of Confidential Classification Granted by Order No. PSC-05-0917-CFO-EI for Certain Material Obtained Pursuant to Audit Control No. 05-033-4-1 be granted.

Respectfully submitted

R. Wade Litchfield, Esq.
Associate General Counsel
John T. Butler, Esq.
Senior Attorney
Florida Power & Light Company
700 Universe Boulevard
Juno Beach, FL 33408
Telephone: (561) 304-5639
Facsimile: (561) 691-7135

BY: Karl M. Butler
John T. Butler
Fla. Bar No. 283479 *for JTB*

CERTIFICATE OF SERVICE
Docket No. 070007-EI

I HEREBY CERTIFY that a true and correct copy of Florida Power & Light Company's First Request for Extension of Confidential Classification Granted by Order No. PSC-05-0917-CFO-EI for Certain Material Obtained Pursuant to Audit No. 05-033-4-1 was served by overnight delivery (*) or United States Mail this 14th day of March 2007, to the following:

Martha Brown, Esq. *
Division of Legal Services
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850

Charles J. Beck, Esq.
Office of Public Counsel
c/o The Florida Legislature
111 West Madison Street, Room 812
Tallahassee, Florida 32399

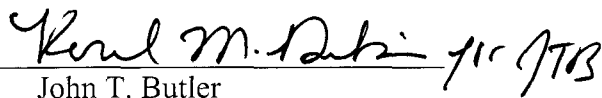
Lee L. Willis, Esq.
James D. Beasley, Esq.
Ausley & McMullen
Attorneys for Tampa Electric Company
P.O. Box 391
Tallahassee, Florida 32302

John T. Burnett, Esq.
Progress Energy Service
Company, LLC
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St. Petersburg, Florida 33733-4042

John W. McWhirter, Jr., Esq.
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400 North Tampa Street, Suite 2450
Tampa, Florida 33602

Gary V. Perko, Esq.
Hopping Green & Sams
P.O. Box 6526
Tallahassee, FL 32314
Attorneys for Progress Energy
Florida

Jeffrey A. Stone, Esq.
Russell A. Badders, Esq.
Beggs & Lane
Attorneys for Gulf Power Company
P.O. Box 12950
Pensacola, Florida 32576-2950

By: 
John T. Butler

BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION

In re: Environmental Cost)
Recovery Clause)

DOCKET NO. 070007-EI

STATE OF FLORIDA)
)
COUNTY OF MIAMI-DADE)

AFFIDAVIT OF KOREL M. DUBIN

BEFORE ME, the undersigned authority, personally appeared Korel M. Dubin who, being first duly sworn deposes and says:

1. My name is Korel M. Dubin. I am currently employed by Florida Power & Light Company ("FPL"), Regulatory Affairs Department, as Manager of Regulatory Issues. I have personal knowledge of the matters stated in this affidavit.

2. 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.05-033-4-1. Documents or materials that I have reviewed and which are asserted by FPL to include customer-specific account information. It is FPL's corporate policy not to disclose customer-specific information. This policy includes, but it is not limited to: customer names, addresses, telephone numbers, accounts numbers, rates, billing determinants (kW and kWh usage), conservation savings in kW, kWh and bills. FPL treats such information as confidential and does not disclose it, except as required by law, to entities or persons other than the customer absent the customer's consent. 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. 05-0917-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. 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.

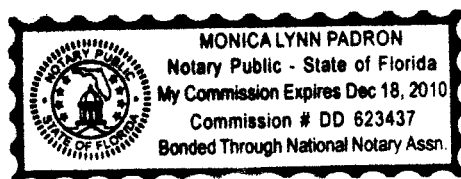
4. Affiant says nothing further.

Korel M. Dubin
Korel M. Dubin

SWORN TO AND SUBSCRIBED before me this 13th day of March 2007, by Korel M. Dubin, who is personally known to me or who has produced _____ (type of identification) as identification and who did take an oath.

Monica Lynn Padron
Notary Public, State of Florida

My Commission Expires:



BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION

In re: Environmental Cost)
Recovery Clause)

DOCKET No. 070007-EI

STATE OF FLORIDA)
)
COUNTY OF MIAMI-DADE)

AFFIDAVIT OF ROBERT ONGSARD

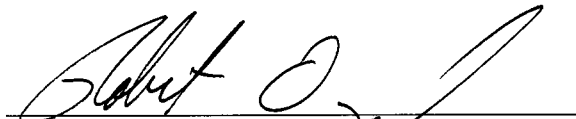
BEFORE ME, the undersigned authority, personally appeared Robert Onsgard who, being first duly sworn, deposes and says:

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. 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. 05-033-4-1. 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 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. 05-0917-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. 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

SWORN TO AND SUBSCRIBED before me this 13th day of March 2007, by Robert Onsgard, 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: