

State of Florida



ORIGINAL

Public Service Commission

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COMMISSION CLERK

-M-E-M-O-R-A-N-D-U-M-

**DATE:** March 23, 2007

**TO:** Jennifer Brubaker, Senior Attorney, Office of the General Counsel

**FROM:** Thomas Ballinger, Utility System Engineering Specialist Supervisor, Division of Economic Regulation *TB*

**RE:** Docket No. 070098-EI, Petition for determination of need for Glades Power Park Units 1 and 2, by Florida Power and Light Company.

On March 15, 2007, Florida Power and Light (FPL) filed an Amended Request for Confidential Classification for information contained in Document No. 01091-07. Document No. 01091-07 consists of unredacted page 14, lines 7 and 8 along with page 22, lines 19, 20, and 22 of Mr. Damon's pre-filed testimony. The referenced pages of Mr. Damon's pre-filed testimony contain information relating to the price for major equipment required for Glades Power Park Units 1 and 2.

Sections 366.093(3) Florida Statutes, states: Proprietary confidential business information means information, regardless of form or characteristics, which is owned or controlled by the person or company, is intended to be and is treated by the person or company as private in that the disclosure of the information would cause harm to the ratepayers or the person's or company's business operations, and has not been disclosed unless disclosed pursuant to a statutory provision, an order of a court or administrative body, or private agreement that provides that the information will not be released to the public. Proprietary confidential business information includes, but is not limited to:

- CMP
- COM
- DTR
- ECR
- SCL
- DPC
- RCA
- SCR
- SGA
- SEC
- DTH *disclosure*

- (a) Trade secrets.
- (b) Internal auditing controls and reports of internal auditors.
- (c) Security measures, systems, or procedures.
- (d) Information concerning bids or other contractual data, the disclosure of which would impair the efforts of the public utility or its affiliates to contract for goods or services on favorable terms.
- (e) Information relating to competitive interests, the disclosure of which would impair the competitive business of the provider of the information.
- (f) Employee personnel information unrelated to compensation, duties, qualifications, or responsibilities.

Disclosure of the information contained in Document No. 01091-07 could impair the competitive interests of the vendors and jeopardize their ability to negotiate contract terms.

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

Disclosure of this information also would substantially impair FPL's prospective ability to solicit bids, to the detriment of FPL and its customers. Therefore, this information is confidential pursuant to section 366.093 (3)(d) and (e), Florida Statutes. In accord with Section 366.093 (4), Florida Statutes, staff recommends that the document remains confidential for a period of eighteen months from the date of the request. Prior to the end of the eighteen month time period, it is anticipated that either FPL can renew its request for confidential status or the affected documents can be returned.

Attachment

cc: Ann Cole, Division of the Commission Clerk and  
Administrative Services

COMMISSIONERS:  
LISA POLAK EDGAR, CHAIRMAN  
MATTHEW M. CARTER II  
KATRINA J. MCMURRIAN

STATE OF FLORIDA



OFFICE OF COMMISSION CLERK  
ANN COLE  
COMMISSION CLERK  
(850) 413-6770

Public Service Commission

M-E-M-O-R-A-N-D-U-M

DATE: March 16, 2007

TO: \_\_\_\_\_ OFFICE OF THE GENERAL COUNSEL  
\_\_\_\_\_ DIVISION OF COMPETITIVE MARKETS & ENFORCEMENT  
XX \_\_\_\_\_ DIVISION OF ECONOMIC REGULATION  
\_\_\_\_\_ DIVISION OF REGULATORY COMPLIANCE AND  
CONSUMER ASSISTANCE

FROM: DIVISION OF THE COMMISSION CLERK AND ADMINISTRATIVE SERVICES

RE: CONFIDENTIALITY OF CERTAIN INFORMATION

DOCUMENT NO(s): 01091-07

DESCRIPTION: FPL (Litchfield) - (CONFIDENTIAL) Business information of FPL and third parties; and electric transmission system security information filed with petition to determine need for Glade Power Park Units 1 and 2 and associated facilities.

SOURCE: Florida Power & Light Company

DOCKET NO(S): 070098-EI

The above material was received with a amended request for confidential classification. Please prepare a recommendation for the attorney assigned to the case by completing the section below and forwarding a copy of this memorandum, together with a brief memorandum supporting your recommendation, to the attorney. Copies of your recommendation should also be provided to the Division of the Commission Clerk and Administrative Services, Bureau of Records and Hearing Services, and to the Office of General Counsel.

**Please read each of the following and check if applicable.**

- The document(s) is (are), in fact, what the utility asserts it (them) to be.
- The utility has provided enough details to perform a reasoned analysis of its request.
- The material has been received incident to an inquiry.
- The material is confidential business information because it includes:
- (a) Trade secrets;
  - (b) Internal auditing controls and reports of internal auditors;
  - (c) Security measures, systems, or procedures;
  - (d) Information concerning bids or other contractual data, the disclosure of which would impair the efforts of the company to contract for services on favorable terms;
  - (e) Employee personnel information unrelated to compensation, duties, qualifications, or responsibilities;
  - (f) Tax returns or tax-related information;
  - (g) Information relating to competitive interests, the disclosure of which would impair the competitive business of the provider of information.
- The material appears to be confidential in nature and harm to the company or its ratepayers will result from public disclosure.
- The material appears not to be confidential in nature.
- The material is a periodic or recurring filing and each filing contains confidential information.

Response prepared by: Tom Ballinger

Date: 3/23/07

cc:  GCL       FLL  
 CMP       CCA  
 ECR       RCA