



ORIGINAL

Jessica Cano
Attorney
Florida Power & Light Company
700 Universe Boulevard
Juno Beach, FL 33408-0420
(561) 691-7207
(561) 691-7135 (Facsimile)

RECEIVED
07 MAY 14 PM 1:42
COMMISSION
CLERK

May 14, 2007

VIA HAND DELIVERY

Ms. Ann Cole
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: Docket No. 070098-EI
Florida Power & Light Company's Petition to Determine Need for FPL Glades Power
Park Units 1 and 2 Electrical Power Plant

Dear Ms. Cole:

Enclosed for filing on behalf of Florida Power & Light Company ("FPL") are an original and two (2) copies of FPL's Request for Confidential Classification regarding confidential information provided in connection with FPL's Petition to Determine Need for FPL Glades Power Park Units 1 and 2 Electrical Power Plant. The original includes Exhibits A, B, C and D. The two copies only include Exhibits B, C and D.

- CMP _____
- COM _____
- CTR _____
- SCR 1
- GCL 1
- OPC _____
- RCA _____
- SCR _____
- SGA _____
- SEC _____
- OTH leaf

Exhibit A consists of a certain document on which all information that FPL asserts is entitled to confidential treatment has been highlighted. Exhibit A is submitted for filing in a separate, sealed folder marked "EXHIBIT A - CONFIDENTIAL." Exhibit B is an edited version of Exhibit A, in which the information FPL asserts is confidential has been redacted. Exhibit C consists of FPL's justification for its Request for Confidential Classification. Exhibit D contains an affidavit in support of FPL's Request for Confidential Classification. Also included in this filing is a computer diskette containing FPL's Request for Confidential Classification and Exhibit C in Word format.

Please contact me if you or your Staff have any questions regarding this filing.

Sincerely,
Jessica Cano
Jessica Cano

records JC:jp
Enclosures

RECEIVED & FILED
Jh
FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE
03987 MAY 14 07
FPSC-COMMISSION CLERK

ORIGINAL

BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION

In re: Florida Power & Light Company's) Docket No: 070098-EI
Petition to Determine Need for FPL Glades)
Power Park Units 1 and 2 Electrical Power Plant) Filed: May 14, 2007
_____)

**FLORIDA POWER & LIGHT COMPANY'S
REQUEST FOR CONFIDENTIAL CLASSIFICATION OF HEARING EXHIBIT 195**

Pursuant to Rule 25-22.006, Florida Administrative Code, Section 366.093, Florida Statutes, and Order No. PSC-07-0313-PHO-EI, Florida Power & Light Company ("FPL") hereby requests confidential classification of Hearing Exhibit No. 195, which was entered into the record during the hearing in the above-captioned matter. In support of its request, FPL states as follows:

1. The confidential information is contained in FPL's response to the Office of Public Counsel's (OPC) Second Request for Production of Documents (No. 8). FPL's Motion for Temporary Protective Order to protect this information from public disclosure was granted on April 13, 2007 by Order No. PSC-07-0318-PCO-EI. An excerpt of the document provided by FPL in response to this request was introduced by OPC in the above-referenced hearing on April 26, 2007 and was admitted into the record as Hearing Exhibit No.195.

2. The following exhibits are included with this request and made a part hereof:

a. Exhibit A consists of the document for which FPL seeks confidential treatment. All information in Exhibit A that FPL asserts is entitled to confidential treatment has been highlighted. Exhibit A is submitted separately in a sealed folder marked "CONFIDENTIAL."

DOCUMENT NUMBER-DATE

03987 MAY 14 8

FPSC-COMMISSION CLERK

b. Exhibit B consists of an edited version of the document for which FPL seeks confidential treatment. All information for which FPL requests confidential treatment has been redacted in Exhibit B.

c. Exhibit C is a table containing a line-by-line and page-by-page identification of the information for which confidential treatment is sought, references to the specific statutory basis or bases for the claim of confidentiality, and a reference to the affidavit in support of the requested classification. Exhibit C is sometimes referred to hereinafter as the "Justification Table."

d. Exhibit D includes the affidavit of Judah Rose in support of this request.

3. FPL submits that the highlighted information in Exhibit A is proprietary confidential business information within the meaning of section 366.093(3), Florida Statutes. To the best of FPL's knowledge, the highlighted information has not been publicly disclosed. Pursuant to section 366.093, Florida Statutes, such information is entitled to confidential treatment and is 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.

4. As the affidavit of Judah Rose indicates, the highlighted confidential information is competitively sensitive data, the disclosure of which could impair the competitive business of the provider of the information, ICF International (ICF). The confidential information that appears in Hearing Exhibit No. 195 includes data and analyses provided by ICF only to subscribing, paying clients. This information is routinely updated to provide its clients with the most current forecasts and analyses. Disclosure of this information in a public forum would adversely affect

the competitive business of ICF as a provider of this commercially valuable information. Further, FPL is obligated not to disclose ICF's competitively sensitive data. Public disclosure of this information could impair the efforts of FPL to contract with ICF on favorable terms in the future to the detriment of FPL's customers. This type of information is protected by 366.093(3)(d) and (e), Florida Statutes.

5. Upon a finding by the Commission that the material in Exhibit A is proprietary confidential business information within the meaning of Section 366.093(3), such material should not be declassified for a period of at least eighteen (18) months and should be returned to FPL as soon as the information is no longer necessary for the Commission to conduct its business, pursuant to Section 366.093(4), Florida Statutes.

WHEREFORE, for the above and foregoing reasons, Florida Power & Light Company respectfully requests that its Request for Confidential Classification be granted.

Respectfully submitted,

R. Wade Litchfield
Bryan Anderson
Natalie F. Smith
Jessica Cano
Attorneys for Florida Power & Light Company
700 Universe Boulevard
Juno Beach, Florida 33408-0420

By: Jessica Cano
Jessica Cano

CERTIFICATE OF SERVICE

I **HEREBY CERTIFY** that a true and correct copy of the foregoing Request for Confidential Classification, without the attachments, has been furnished by United States Mail this 14th day of May, 2007, to the following:

Katherine E. Fleming, Esquire
Jennifer Brubaker, Esquire
Lorena A. Holley, Esquire
Florida Public Service Commission
Division of Legal Services
Gerald L. Gunter Building
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

Michael A. Gross, Esquire
David Guest, Esquire
Monica Reimer, Esquire
Earthjustice
P.O. Box 1329
Tallahassee, FL 32302
Attorneys for The Sierra Club, Inc., et al.

Office of Public Counsel
Charles J. Beck, Esquire
Deputy Public Counsel
c/o The Florida Legislature
111 W. Madison St., Room 812
Tallahassee, FL 32399-1400

Department of Community Affairs**
Kelly Martinson, Esquire
Assistant General Counsel
2555 Shumard Oak Blvd.
Tallahassee, FL 32399-2100

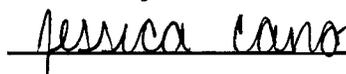
Black & Veatch**
Myron Rollins
11401 Lamar Avenue
Overland Park, KS 66211

Department of Environmental Protection**
Michael P. Halpin
Siting Coordination Office
2600 Blairstone Road MS 48
Tallahassee, FL 32301

Tamela Ivey Perdue, Esquire
Stiles, Taylor & Grace, P.A.
Post Office Box 1140
Tallahassee, FL 32301
Attorney for Associated
Industries of Florida

Bob and Jan Kraskowski
1086 Michigan Ave.
Naples, FL 34103-3857

By:



Jessica Cano

** Indicates interested party

EXHIBIT B

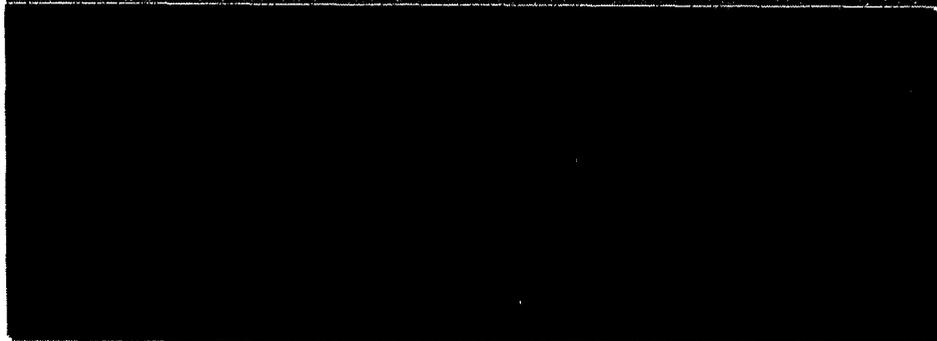
REDACTED DOCUMENT

CO₂ Market Outlook

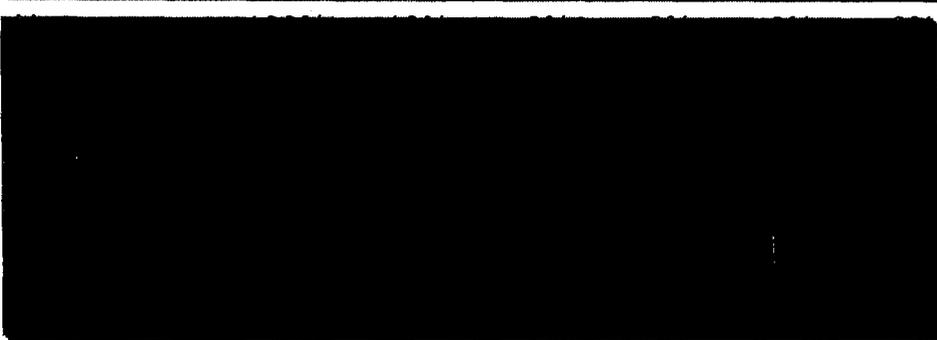
Development of ICF's Expected CO₂ Price Trajectory

2010 2013 2016 2020 2025 2030

Allowance Prices (Year 2005\$/Ton)



Probabilities



ICF Expected CO₂ Price (Year 2005\$/Ton)



CO₂ Allowance Prices (2005\$/Ton)



2010 2015 2020 2025 2030

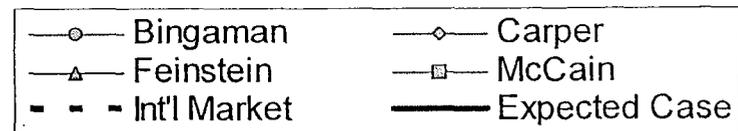


EXHIBIT C

JUSTIFICATION TABLE

EXHIBIT C

Company: Florida Power & Light Company
Title: Confidential Document Justification Table
Docket: Florida Power & Light Company's Petition to Determine Need for
FPL Glades Power Park Units 1 and 2 Electrical Power Plant
Docket No: 070098-EI

| Document | Description | Page(s) | Conf. Y/N | Page No./ Line No. | Florida Statute 366.903(3) Subsection | Affiant |
|----------------------------|----------------------------------|---------|--------------|-----------------------|--|------------|
| Hearing Exhibit No. 195 | ICF Market Outlook, p. 142 | 1 | Y | Page 142/ all | (d), (e) | Judah Rose |

EXHIBIT D

AFFIDAVIT OF JUDAH ROSE

EXHIBIT D

Affidavit of Judah Rose

STATE OF VIRGINIA)
)
COUNTY OF FAIRFAX)

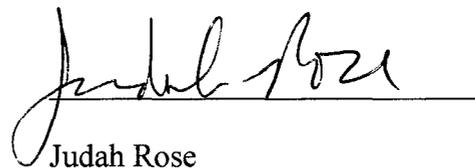
BEFORE ME, the undersigned authority, this day personally appeared Judah Rose, who, first being duly sworn, deposes and states:

1. My name is Judah Rose. I am employed by ICF, International (ICF) as a Managing Director. ICF was retained by Florida Power & Light Company (FPL) to provide projected costs of compliance with potential future carbon dioxide regulation, so that FPL could fully evaluate the costs associated with the FPL Glades Power Park units it is proposing in Docket No. 070098-EI.

2. I am familiar with the confidential information in Hearing Exhibit No. 195. This information is treated as confidential by FPL and ICF.

3. I have reviewed FPL’s Request for Confidential Classification of Hearing Exhibit No. 195. The representations FPL makes in its request are true and correct. The confidential information includes data and analyses provided by ICF only to subscribing, paying clients. This information is routinely updated to provide its clients with the most current forecasts and analyses. Disclosure of this information in a public forum would adversely affect the competitive business of ICF as a provider of this commercially valuable information. Further, FPL is obligated not to disclose ICF’s competitively sensitive data.

4. Affiant says nothing further.


Judah Rose

SWORN TO AND SUBSCRIBED before me this 11 day of May, 2007, by Judah Rose, who is personally known to me or who has produced himself (type of identification) as identification and who did take an oath.

My Commission Expires:

Jo Anne Gealowski

Notary Public, State of Virginia

My Commission Expires March 31, 2009

State of Florida



Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

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

DATE: 5.14.07
TO: Jessica Cano
FROM: T. Henry, Division of the Commission Clerk &
Administrative Services
RE: **Acknowledgment of Receipt of Confidential Filing**

03988-07

This will acknowledge receipt of a **CONFIDENTIAL DOCUMENT** filed in Docket No. 070098-E1 or (if filed in an undocketed matter) concerning FPL Glades Power Park Exhibit - A, and filed on behalf of FPL/Cano. The document will be maintained in locked storage.

Any questions regarding this matter should be directed to Marguerite Lockard at (850) 413-6770.

I:\Confid\ackconf.doc