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September 7, 2007

VIA OVERNIGHT 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

RECEIVED-FPSC
 07 SEP -7 PM 12:56
 COMMISSION
 CLERK

Re: Florida Power & Light's First Request for Extension of Confidential
 Classification of Documents Provided in Energy Conservation Cost Recovery
 Clause Audit No. 05-042-4-1

Dear Ms. Cole:

Enclosed for filing on behalf of Florida Power & Light Company ("FPL") are an original and seven (7) copies of FPL's First Request for Extension of Confidential Classification regarding confidential information provided pursuant to Staff's Energy Conservation Cost Recovery Clause Audit for the year ended December 31, 2004. The original includes Exhibit D. The seven (7) copies do not include the exhibit. A diskette with FPL's Request in Word format, excluding the exhibit, is also included.

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

Sincerely,

Jessica Cano
 Jessica Cano, Esq. *J.C.*

- CMP _____
- COM _____
- CTR _____
- ECR _____
- GCL 1 (+ Diskette)
- OPC _____ Enclosures
- RCA 1
- SCR _____
- SGA _____
- SEC _____
- OTH 1 copy
records

DOCUMENT NUMBER-DATE

08126 SEP-7 5

**BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION**

In re: Energy conservation cost)
recovery clause)
_____)

Docket No: 070002-EG

Filed: September 7, 2007

**FLORIDA POWER & LIGHT COMPANY'S
FIRST REQUEST FOR EXTENSION OF CONFIDENTIAL CLASSIFICATION**

NOW BEFORE THIS 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 material provided to the Florida Public Service Commission ("Commission") staff ("Staff") during the energy conservation cost recovery ("ECCR") clause audit of FPL for the year ending December 31, 2004. In support of its request, FPL states as follows:

1. On July 13, 2005, FPL filed its initial Request for Confidential Classification of Document Nos. 06625-05 and 06604-05 which were provided pursuant to Staff's ECCR clause audit for the year ending December 31, 2004 (Audit No. 05-042-4-1). FPL's initial filing consisted of its Request and Exhibits A through D.

2. By Order No. PSC-06-0189-CFO-EG, dated March 9, 2006, the Commission granted FPL's July 13, 2005 Request.

3. The period for confidential treatment granted by the Commission will soon expire. All of the information that was the subject of FPL's July 13, 2005 request continues to be confidential proprietary business information within the meaning of Section 366.093(3), Florida Statutes, and warrants continued confidential treatment. Accordingly, FPL hereby

submits its First Request for Extension of Confidential Classification.

4. FPL incorporates herein by reference Exhibits A, B, and C from its July 13, 2005 Request. Included herewith is Exhibit D, consisting of the affidavit of Kenneth Getchell, which replaces Exhibit D from the July 13, 2005 Request.

5. FPL submits that the information previously provided 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 information has not been publicly disclosed. Pursuant to section 366.093, 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.

6. As the affidavit provided in Exhibit D indicates, the information provided by FPL contains customer-specific account information. It is FPL's corporate policy not to disclose customer-specific information. This policy is premised upon customers' right to privacy and the potential that the disclosure of customer-specific account information may harm some customers' competitive interests. The Commission previously affirmed that customer-specific information constitutes confidential proprietary business information that relates to competitive interests, pursuant to Section 366.093(3)(e), in Order Nos. PSC-06-0188-CFO-EG and PSC-06-189-CFO-EG. Nothing has changed since confidential treatment was granted by Order No. PSC-06-0189-CFO-EG that would render the information stale or public such that continued confidential treatment would not be appropriate.

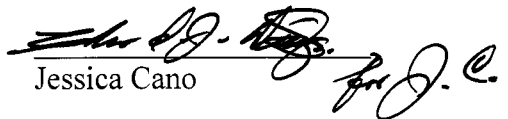
7. Upon a finding by the Commission that the material previously provided in

Exhibit A warrants continued confidential treatment, such information should not be declassified for a period of at eighteen (18) additional months. FPL further requests that the material 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, as more fully set forth in the supporting materials and the affidavit included herewith, Florida Power & Light Company respectfully requests that its First Request for Extension of Confidential Classification be granted.

Respectfully submitted,

Jessica Cano
Attorney
Florida Power & Light Company
700 Universe Boulevard
Juno Beach, Florida 33408-0420

By: 
Jessica Cano

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of Florida Power & Light Company's First Request for Extension of Confidential Classification, without exhibits, was served via U.S. mail this 7th day of September, 2007 to the following:

Katherine Fleming
Office of General Counsel
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Office of Public Counsel
Charles Beck, Esq.
Patricia Christensen, Esq.
c/o The Florida Legislature
111 West Madison St., Room 812
Tallahassee, FL 32399-1400

Beggs & Lane Law Firm
Jeffrey Stone/Russell Badders/S.Griffin
P.O. Box 12950
Pensacola, FL 32591-2950

Florida Public Utilities Company
Cheryl Martin
P. O. Box 3395
West Palm Beach, FL 33402-3395

Florida Industrial Power Users Group
John W. McWhirter, Jr.
c/o McWhirter Law Firm
400 North Tampa Street, Suite 2450
Tampa, FL 33602

Ausley Law Firm
Lee Willis/James Beasley
P.O. Box 391
Tallahassee, FL 32302

Gulf Power Company
Ms. Susan D. Ritenour
One Energy Place
Pensacola, FL 32520-0780

Tampa Electric Company
Paula K. Brown
Administrator, Regulatory Coordination
P. O. Box 111
Tampa, FL 33601-0111

Messer Law Firm
Norman H. Horton, Jr.
P.O. Box 15579
Tallahassee, FL 32317

Progress Energy Florida, Inc.
John T. Burnett
P.O. Box 14042
St. Petersburg, FL 33733-4042

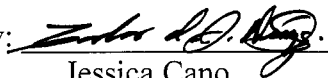

By: 
Jessica Cano 

Exhibit D

AFFIDAVIT

EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

Energy Conservation Cost Recovery Clause)

Docket No. 070002-EG

STATE OF FLORIDA)

AFFIDAVIT OF KENNETH GETCHELL

MIAMI-DADE COUNTY)

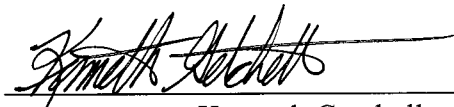
BEFORE ME, the undersigned authority, personally appeared Kenneth Getchell who, being first duly sworn, deposes and says:

1. My name is Kenneth Getchell. I am currently employed by Florida Power & Light Company ("FPL") as Budget and Regulatory Support Manager. My business address is 9250 West Flagler Street, Miami Florida, 33174. I have personal knowledge of the matters stated in this affidavit.

2. With respect to Exhibit C, I have reviewed the documents for which I am listed as affiant that are included in Exhibit A to FPL's Request for Confidential Classification of Information Obtained in Connection with Audit No. 05-042-4-1. The documents or materials that I have reviewed and which are asserted by FPL to be proprietary confidential business information contain or constitute customer-specific account information. It is FPL's corporate policy not to disclose customer-specific information. This policy includes, but is not limited to: customer names, addresses, telephone numbers, account 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.

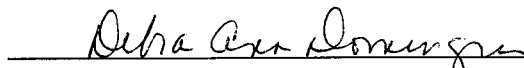
3. Nothing has changed since the issuance of Order No.PSC-06-0189-CFO-EG to render the information stale or public such that continued treatment would not be appropriate. Accordingly, the information referred to in this affidavit should continue to be maintained as confidential for an additional period of not less than 18 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.



Kenneth Getchell

SWORN TO AND SUBSCRIBED before me this 6th day of September 2007, by Kenneth Getchell, 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: April 20, 2008

