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November 19, 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

Re: Docket No. 070001-EI  
Fuel and Purchased Power Cost Recovery Clause with Generating  
Performance Incentive Factor

Dear Ms. Cole:

Enclosed for filing on behalf of Florida Power & Light Company ("FPL") are an original and seven (7) copies of FPL's Request for Confidential Classification regarding confidential information provided in FPL's Late Filed Exhibit No. 48. The original includes Exhibits A, B, C and D.

Exhibit A consists of certain documents 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 envelope 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 processing format.

- CMP \_\_\_\_\_
- COM \_\_\_\_\_
- CTR \_\_\_\_\_
- ECR \_\_\_\_\_
- GCL \_\_\_\_\_
- OPC \_\_\_\_\_
- RCA \_\_\_\_\_
- SCR \_\_\_\_\_
- SGA \_\_\_\_\_
- SEC \_\_\_\_\_
- OTH \_\_\_\_\_

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

Sincerely,

*Jessica Cano*  
Jessica Cano

Enclosures  
cc: parties of record, w/out exhibits

*leave records*

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DOCUMENT NUMBER-DATE

10399 NOV 20 8

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**BEFORE THE  
FLORIDA PUBLIC SERVICE COMMISSION**

In re: Fuel and Purchased Power                    )  
Cost Recovery Clause with Generating            )  
Performance Incentive Factor                    )

Docket No: 070001-EI

Filed: November 20, 2007

**FLORIDA POWER & LIGHT COMPANY'S  
REQUEST FOR 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 requests confidential classification of certain information admitted into the record on November 6, 2007 during the hearing in the above-referenced docket. In support of its request, FPL states as follows:

1. During the hearing on November 6, 2007 FPL was asked to submit certain information as a late filed exhibit. That late filed exhibit was marked Exhibit No. 48 and was admitted into the record. The confidential document distributed at the hearing and collected by FPL after review was a hand-written document providing the requested information.

2. The following exhibits are included herewith and made a part of this request:

a. Exhibit A consists of the document for which FPL seeks confidential treatment. This document is the typed version of the hand-written document that was distributed for inspection and then retrieved by FPL at the hearing on November 6, 2007, and it provides the same substantive information. 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."

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b. Exhibit B consists of the 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 and, with regard to each document or portions thereof, references to the specific statutory basis or bases for the claim of confidentiality and to the affidavits in support of the requested classification.

d. Exhibit D includes the affidavit of Gerard J. Yupp.

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, 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 in Exhibit D indicates, certain highlighted information consists of contractual data, the disclosure of which would impair the efforts of FPL to contract for goods or services on favorable terms in the future, to the detriment of FPL and its customers. This information is protected by Section 366.093(3)(d), Florida Statutes. In addition, this information is competitively sensitive data related to FPL's hedging program that, if disclosed, would place FPL at a competitive disadvantage. This information is protected by Section 366.093(3)(e), Florida Statutes.

5. Upon a finding by the Commission that the material in Exhibit A for which FPL seeks confidential treatment is proprietary confidential business information within the meaning of Section 366.093(3), such information should not be declassified for a period of at least eighteen (18) 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).

**WHEREFORE**, for the above and foregoing reasons, as more fully set forth in the supporting materials and affidavits included herewith, Florida Power & Light Company respectfully requests that its Request for Confidential Classification be granted.

Respectfully submitted,

R. Wade Litchfield  
Vice President and Associate General Counsel  
John Butler  
Senior Attorney  
Jessica A. Cano  
Attorney  
700 Universe Boulevard  
Juno Beach, Florida 33408-0420  
Telephone: (561) 304-5226  
Facsimile: (561) 691-7135

By: Jessica Cano  
Jessica A. Cano  
Florida Bar No. 0037372

**CERTIFICATE OF SERVICE**  
**Docket No. 070001-EI**

**I HEREBY CERTIFY** that a true and correct copy of the foregoing Request for Confidential Classification, without exhibits, has been furnished by hand delivery (\*) or United States mail this 20th day of November, 2007, to the following:

Lisa Bennett, Esq. \*  
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Florida Public Service Commission  
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Tallahassee, Florida 32399-0850

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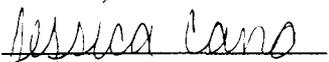
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By:   
Jessica A. Cano  
Florida Bar No. 0037372

STATE OF FLORIDA

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ANN COLE  
COMMISSION CLERK  
(850) 413-6770

**CONFIDENTIAL**

**Public Service Commission**

**ACKNOWLEDGEMENT**

DATE: November 20, 2007

TO: J. Cano/Florida Power & Light Company

FROM: Ruth Nettles, Office of Commission Clerk

RE: Acknowledgement of Receipt of Confidential Filing

This will acknowledge receipt of a **CONFIDENTIAL DOCUMENT** filed in Docket Number 070001-EI or, if filed in an undocketed matter, concerning Late-Filed Exhibit No. 48, and filed on behalf of Florida Power & Light Company. The document will be maintained in locked storage.

If you have any questions regarding this document, please contact Marguerite Lockard, Deputy Clerk, at (850) 413-6770.

DOCUMENT NUMBER-DATE  
10400 NOV 20 07  
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