



John T. Butler  
 Senior Attorney  
 Regulatory  
 Florida Power & Light Company  
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RECEIVED-PPSC  
 07 NOV 30 PM 1:11  
 COMMISSION  
 CLERK

November 30, 2007

**VIA HAND DELIVERY**

Ms. Ann Cole, Director  
 Division of the Commission Clerk and  
 Administrative Services  
 Florida Public Service Commission  
 Betty Easley Conference Center, Room 110  
 2540 Shumard Oak Boulevard  
 Tallahassee, Florida 32399-0850

**Re: Florida Power & Light Company's Request for Confidential Classification of  
 Certain Material Provided in Connection with the Monthly Fuel Filings  
Docket No. 070001-EI**

Dear Ms. Cole:

I enclose and hand you herewith for filing in the above-referenced matter, the original and five (5) copies of Florida Power & Light Company's ("FPL") Request for Confidential Classification. The original includes Attachments A, B, and C. The five copies include only Attachments B and C.

Attachment A contains the confidential information that is the subject of FPL's Request for Confidential Classification. Attachment A is submitted for filing in a separate, sealed folder or carton marked "ATTACHMENT A - CONFIDENTIAL". Attachment B is an edited version of Attachment A, in which the information FPL asserts is confidential has been blocked out. Attachment C contains FPL's justification for its request for confidential classification.

**CMP** \_\_\_\_\_ In accordance with Rule 25-22.006(3)(d), FPL requests confidential treatment of the information  
**COM** \_\_\_\_\_ in Attachment A pending disposition of FPL's request for Confidential Classification.

**CTR** \_\_\_\_\_ Also included herewith is a computer diskette containing FPL's Request for Confidential  
**ECR** \_\_\_\_\_ Classification and Attachment C, in Word. Please contact me should you or your Staff have any  
**GCL** 2 diskette questions regarding this filing.

**OPC** \_\_\_\_\_

**RCA** \_\_\_\_\_

**SCR** \_\_\_\_\_

**SGA** JTB/jsb

**SEC** \_\_\_\_\_ Enclosures

**OTH** \_\_\_\_\_ cc: Service List (w/out Attachment A)

**OTH** 1 conf records

Sincerely,

John T. Butler

DOCUMENT NUMBER-DATE

10607 NOV 30 07

FPSC-COMMISSION CLERK

**BEFORE THE  
FLORIDA PUBLIC SERVICE COMMISSION**

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

DOCKET NO. 070001-EI  
FILED: November 30, 2007

**REQUEST FOR CONFIDENTIAL CLASSIFICATION**

**NOW, BEFORE THIS COMMISSION**, through undersigned counsel, comes Florida Power & Light Company (“FPL”) and, pursuant to section 25-22.006 of the Florida Administrative Code and section 366.093 of the Florida Statutes, hereby requests confidential classification of certain information on Florida Public Service Commission (“FPSC” or “Commission”) Forms 423-1(a), 423-2, 423-2(a) and 423-2(b) for September 2007 (August 2007 with respect to Plant Scherer data) submitted in Docket No. 070001-EI. In support of its Request, FPL states as follows:

1. Petitioner’s principal business address is as follows:

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:

R. Wade Litchfield  
Vice President and  
Associate General Counsel  
Regulatory  
215 S. Monroe Street, Suite 810  
Tallahassee, FL 32301  
(561) 691-7101  
(561) 691-7135 Fax

John T. Butler  
Senior Attorney  
Regulatory  
Florida Power & Light Company  
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(561) 304-5639  
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DOCUMENT NUMBER-DATE

10607 NOV 30 5

FPSC-COMMISSION CLERK

2. The following attachments are included herewith and made a part hereof:
  - a. Attachment A includes the complete and unedited version of FPL's September, 2007 Form 423-1(a) and St. Johns River Power Park's (SJRPP) September, 2007 Forms 423-2, 423-2(a) and 423-2(b) which contain certain information that FPL asserts should be accorded confidential treatment. The information in Attachment A for which FPL seeks confidential classification has been highlighted. Attachment A is submitted separately in a sealed envelope marked "**CONFIDENTIAL.**"
  - b. Attachment B is the edited version of Attachment A. All information that FPL asserts is entitled to confidential treatment has been blocked out in Attachment B.
  - c. Attachment C identifies information for which confidential treatment is sought and, with regard to each item or type of information, contains a brief statement that explains the need for confidentiality and refers to the specific statutory basis or bases for the request.

3. Pursuant to section 366.093, FPL seeks confidential protection for the information highlighted in Attachment A. FPL submits that such information is *proprietary confidential business information* within the meaning of section 366.093(3). 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.

4. The statutory bases and support for FPL's assertion of confidentiality with regard to specific items or types of information are set forth in Attachment C. The information for which confidential classification is sought is intended to be and is treated by FPL as confidential and, to the best of FPL's knowledge and belief, has not been publicly disclosed.

5. Upon a finding by the Commission that the material in Attachment A for which FPL seeks confidential treatment is proprietary confidential business information within the meaning of section 366.093(3), pursuant to section 366.093(4) such materials should not be declassified for eighteen (18) months, or as otherwise extended by the Commission. Further, the materials should be returned to FPL as soon as the information is no longer necessary for the Commission to conduct its business.

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

Respectfully submitted,



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JOHN T. BUTLER  
Senior Attorney  
Attorney for Florida Power & Light Company  
700 Universe Boulevard  
Juno Beach, Florida 33408-0420  
Tel.: (561) 304-5639  
Fax: (561) 691-7135

## CERTIFICATE OF SERVICE

**I, THE UNDERSIGNED COUNSEL, HEREBY CERTIFY** that a copy of Florida Power & Light Company's Request for Confidential Classification, without Attachment A, has been served via first class mail, postage prepaid to the parties listed below, this 30th day of November, 2007:

Lisa Bennett, Esq.  
Division of Legal Services  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, Florida 32399-0850

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

John W. McWhirter, Jr., Esq.  
McWhirter Reeves  
Attorneys for FIPUG  
400 North Tampa Street, Suite 2450  
117 South Gadsden Street  
Tampa, Florida 33602

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

Federal Executive Agencies  
Maj. D. Williams  
c/o AFCESA/JACL-ULT  
139 Barnes Dr., Suite 1  
Tyndall AFB, FL 32403-5319

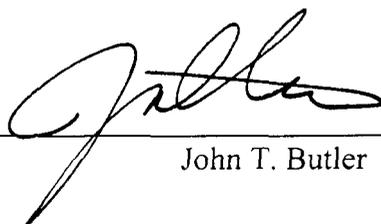
Charles J. Beck, Esq.  
Office of Public Counsel  
c/o The Florida Legislature  
111 West Madison Street, Room 812  
Tallahassee, Florida 32399

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Progress Energy Service  
Company, LLC  
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St. Petersburg, Florida 33733-4042

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Michael B. Twomey, Esq.  
Attorney for AARP  
Post Office Box 5256  
Tallahassee, Florida 32314-5256

Office of Attorney General  
Bill McCollum/Cecilia Bradley  
The Capitol – PL01  
Tallahassee, FL 32399-1050



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John T. Butler

**ATTACHMENT “A”**

**FPL’S FPSC FORM 423-1(a)**

**SJRPP’S FPSC FORMS**

**423-2**

**423-2 (a)**

**423-2 (b)**

**CONFIDENTIAL**  
**FILED UNDER SEPARATE COVER**

# **ATTACHMENT “B”**

**EDITED VERSION  
FPL’S FPSC FORM 423-1(a)  
SJRPP’S FPSC FORMS  
423-2  
423-2 (a)  
423-2 (b)**

MONTHLY REPORT OF COST AND QUALITY OF FUEL OIL FOR ELECTRIC PLANTS  
 DETAIL OF INVOICE AND TRANSPORTATION CHARGES

FPSC FORM NO. 423-1 (a)

1. REPORTING MONTH: SEP YEAR: 2007  
 2. REPORTING COMPANY: FLORIDA POWER LIGHT COMPANY

3. NAME, TITLE, TELEPHONE NUMBER OF CONTACT PERSON CONCERNING DATA  
 SUBMITTED ON THIS FORM: KORY DUBIN, REGULATORY AFFAIRS, (305) 552-4910.  
 4. SIGNATURE OF OFFICIAL SUBMITTING REPORT:   
 5. DATE COMPLETED: 11/15/2007

**EDITED COPY**

(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)	(I)	(J)	(K)	(L)	(M)	(N)	(O)	(P)	(Q)	(R)
LINE NO.	PLANT	SUPPLIER	DELIVERY LOCATION	DELIVERY DATE	TYPE OIL	VOLUME (BBL)	INVOICE PRICE (\$/BBL)	INVOICE AMOUNT (\$)	DISCOUNT (\$)	NET AMOUNT (\$)	NET PRICE ADJUST. (\$/BBL)	QUALITY (\$/BBL)	EFFECTIVE PUR PRICE (\$/BBL)	TRANSP TO TERM (\$/BBL)	ADDITIONAL TRANS CHGS (\$/BBL)	OTHER CHGS (\$/BBL)	DELIVERED PRICE (\$/BBL)
1	PMR	CONOCO	PALM BEACH	09/18/2007	F06	105895								0.0000			61.3579
2	PMR	CONOCO	PALM BEACH	09/24/2007	F06	107598								0.0000			61.3579
3	PTF	CONOCO	FISHER ISLAND	09/09/2007	F06	107387								0.0000			61.7029
4	PCC	CONOCO	PORT CANAVERAL	09/14/2007	F06	107586								0.0000			61.8765
5	PTF	GLENORE	FISHER ISLAND	09/18/2007	F06	148071								0.0000			61.5829
6	PMR	SEMPRA	PALM BEACH	09/15/2007	F06	20712								0.0000			63.9579
7	PMT	SEMPRA	PORT MANATEE	09/07/2007	F06	141672								0.0000			58.8557
8	PMT	SEMPRA	PORT MANATEE	09/25/2007	F06	109752								0.0000			64.1157
9	PMT	SEMPRA	PORT MANATEE	09/27/2007	F06	148877								0.0000			60.3957
10	PRV	SEMPRA	RIVIERA	09/07/2007	F06	110251								0.0000			60.5420
11	PRV	SEMPRA	RIVIERA	09/16/2007	F06	89534								0.0000			63.7120
12	PTF	SEMPRA	FISHER ISLAND	09/02/2007	F06	141680								0.0000			58.3229
13	PMR	SHELL	PALM BEACH	09/05/2007	F06	134740								0.0000			60.6879
14	PMR	SHELL	PALM BEACH	09/19/2007	F06	134433								0.0000			60.6879
15	PMT	SHELL	PORT MANATEE	09/29/2007	F06	129047								0.0000			60.4857
16	PPE	VITOL	PORT EVERGLADES	09/16/2007	F06	304433								0.0000			63.6542
17	PTF	AMERIGAS		09/19/2007	PRO	5	97.8600	489	0	489	97.8600	0.0000	97.8600	0.0000	0.0000	0.0000	97.8600
18	PPE	AMERIGAS		09/13/2007	PRO	7	109.9200	769	0	769	109.9200	0.0000	109.9200	0.0000	0.0000	0.0000	109.9200
19	PPE	AMERIGAS		09/27/2007	PRO	8	109.8200	879	0	879	109.8200	0.0000	109.8200	0.0000	0.0000	0.0000	109.8200
20	PRV	FERRELL		09/07/2007	PRO	4	128.0400	512	0	512	128.0400	0.0000	128.0400	0.0000	0.0000	0.0000	128.0400
21	PRV	FERRELL		09/14/2007	PRO	4	134.0700	536	0	536	134.0700	0.0000	134.0700	0.0000	0.0000	0.0000	134.0700
22	PRV	FERRELL		09/21/2007	PRO	3	135.0700	405	0	405	135.0700	0.0000	135.0700	0.0000	0.0000	0.0000	135.0700
23	PRV	FERRELL		09/28/2007	PRO	3	135.7400	407	0	407	135.7400	0.0000	135.7400	0.0000	0.0000	0.0000	135.7400
24	PMR	INDIANTOWN		09/05/2007	PRO	13	81.4700	1,059	0	1,059	81.4700	0.0000	81.4700	0.0000	0.0000	0.0000	81.4700

**MONTHLY REPORT OF COST AND QUALITY OF COAL FOR ELECTRIC PLANTS  
ORIGIN, TONNAGE, DELIVERED PRICE AND AS RECEIVED QUALITY**

1. Report For Month/Yr: **September 2007**

4. Name, Title & Telephone Number of Contact  
Person Concerning Data Submitted on this Form: **Korel M. Dubin (305-552-4910)**

2. Reporting Company: **Florida Power & Light**

5. Signature of Official Submitting Report:



3. Plant Name: **St. Johns River Power Park (SJRPP)**

6. Date Completed:

**October 11, 2007**

Line No.	Supplier Name	Mine Location	Purchase Type	Transportation Mode	Tons	Effective Purchase Price (\$/Ton)	Total Trans Cost (\$/Ton)	FOB Plant Price (\$/Ton)	As Received Coal Quality			
									Sulfur Content (%)	Btu Content (%)	Ash Content (%)	Moisture Content (%)
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)	(k)	(l)	(m)
1	Coal Marketing Company	45,IM,999	LTC	OC	41,671			48.29	0.68	11,005	10.10	12.99
2	DTE Clover, LLC	08,KY,095	LTC	UR	14,878			55.36	1.22	12,446	11.24	5.85
3	James River Coal Sales, Inc.	08,KY,195	S	UR	2,056			60.51	1.44	12,823	7.66	6.96

**EDITED COPY**

**MONTHLY REPORT OF COST AND QUALITY OF COAL FOR ELECTRIC PLANTS  
DETAIL OF INVOICE PURCHASE PRICE**

1. Report For Month/Yr: **September 2007**

4. Name, Title & Telephone Number of Contact  
Person Concerning Data Submitted on this Form: **Korel M. Dubin (305-552-4910)**

2. Reporting Company: **Florida Power & Light**

5. Signature of Official Submitting Report:



3. Plant Name: **St. Johns River Power Park (SJRPP)**

6. Date Completed:

**October 11, 2007**

Line No.	Supplier Name	Mine Location	Purchase Type	Tons	FOB Mine Price (\$/Ton)	Short Haul & Loading Charge	Original Invoice Price (\$/Ton)	Retro-active Price Increases (\$/Ton)	Base Price (\$/Ton)	Quality Adjustments (\$/Ton)	Effective Purchase Price (\$/Ton)
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)	(k)	(l)
1	Coal Marketing Company	45,IM,999	LTC	41,671		0.00		0.00		0.00	
2	DTE Clover, LLC	08,KY,095	LTC	14,878		0.00		0.00		0.00	
3	James River Coal Sales, Inc.	08,KY,195	S	2,056		0.00		0.00		0.00	

**EDITED COPY**

**MONTHLY REPORT OF COST AND QUALITY OF COAL FOR ELECTRIC PLANTS  
DETAIL OF TRANSPORTATION CHARGES**

1. Report For Month/Yr: **September 2007**

4. Name, Title & Telephone Number of Contact  
Person Concerning Data Submitted on this Form: **Korel M. Dubin (305-552-4910)**

2. Reporting Company: **Florida Power & Light**

5. Signature of Official Submitting Report:



3. Plant Name: **St. Johns River Power Park (SJRPP)**

6. Date Completed: **October 11, 2007**

Line No.	Supplier Name	Mine Location	Shipping Point	Transportation Mode	Tons	Effective Purchase Price (\$/Ton)	Short Haul & Loading Charge (\$/Ton)	Rail Charges		Waterborne Charges				Total Transport Charges (\$/Ton)	FOB Plant Price (\$/Ton)	
								Rail Rate (\$/Ton)	Other Rail Charges (\$/Ton)	River Barge Rate (\$/Ton)	Trans-loading Rate (\$/Ton)	Ocean Barge Rate (\$/Ton)	Other Water Charges (\$/Ton)			Related Charges (\$/Ton)
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)	(k)	(l)	(m)	(n)	(o)	(p)	(q)
1	Coal Marketing Company	45,IM,999	EL CERREJON	OC	41,671		0.00		0.00	0.00	0.00	0.00	0.00	0.00		48.29
2	DTE Clover, LLC	08,KY,095	CLOVER DTE	UR	14,878		0.00		0.00	0.00	0.00	0.00	0.00	0.00		55.36
3	James River Coal Sales, Inc.	08,KY,195	MCCOY ELKHOF	UR	2,056		0.00		0.00	0.00	0.00	0.00	0.00	0.00		60.51

**EDITED COPY**

**ATTACHMENT C**

**Docket No. 070001-EI  
September, 2007**

**Justification for Confidentiality of September 2007 Report:**

<u>FORM</u>	<u>LINE(S)</u>	<u>COLUMN</u>	<u>RATIONALE</u>
423-1(a)	1 -16	H	(1)
423-1(a)	1 -16	I	(2)
423-1(a)	1 – 16	J	(2), (3)
423-1(a)	1 – 16	K	(2)
423-1(a)	1 – 16	L	(2)
423-1(a)	1 – 16	M	(2), (4)
423-1(a)	1 – 16	N	(2), (5)
423-1(a)	1 – 16	P	(6), (7), (8)
423-1(a)	1 – 16	Q	(6), (7), (8)

-----  
**Rationale for confidentiality:**

- (1) This information is contractual information which, if made public, “would impair the efforts of [FPL] to contract for goods or services on favorable terms.” Section 366.093(3)(d), Fla. Stat. The information delineates the price per barrel FPL has paid for fuel oil for specific shipments from specific suppliers. This information would allow suppliers to compare an individual supplier’s price with the market quote for that date of delivery and thereby determine the contract pricing formula between FPL and that supplier.

Contract pricing formulas generally contain two components, which are: (1) a markup in the market quoted price for that day; and (2) a transportation charge for delivery at an FPL chosen port of delivery. Discounts and quality adjustment components of fuel price contract formulas are discussed in paragraphs 3 and 4. Disclosure of the invoice price would allow suppliers to determine the contract price formula of their competitors. The knowledge of

others' prices (*i.e.*, contract formulas) among fuel oil suppliers is reasonably likely to cause the suppliers to converge on a target price, or to follow a price leader, effectively eliminating any opportunity for a major buyer like FPL to obtain price concessions from any one supplier. The end result is reasonably likely to be increased fuel oil prices and therefore increased electric rates.

- (2) The contract data found in Columns I through N are an algebraic function of Column H. That is, the publication of these Columns together, or independently, could allow a supplier to derive the invoice price of oil.
- (3) If FPL fuel contracts provide for an early payment incentive in the form of a discount from the invoice price, the existence and amount of such discount is confidential for the reasons stated in paragraph (1) relative to price concessions.
- (4) For fuel that does not meet contract requirements, FPL may reject the shipment, or accept the shipment and apply a quality adjustment. This is, in effect, a pricing term which is as important as the price itself and is therefore confidential for the reasons stated in paragraph (1) relative to price concessions.
- (5) Column N is as important as H from a confidentiality standpoint because of the relatively few times that there are quality or discount adjustments. That is, Column N will equal Column H most of the time. Consequently, Column N needs to be protected for the same reasons as set forth in paragraph (1).
- (6) Column R is used to mask the delivered price of fuel such that the invoice or effective price of fuel cannot be determined. Columns P and Q are algebraic variables of Column R. Consequently, disclosure of Columns P and Q would allow a supplier to calculate the invoice or effective purchase price of oil (Columns H and N) by subtracting these columnar variables from Column R.
- (7) Terminaling and transportation services in Florida tend to have the same, if not more severe, oligopolistic attributes of fuel oil suppliers. Due to the small demand in Florida for both of these services, market entry is difficult. In instances in which FPL has attempted to determine the level of interest in bidding either or both of these services, FPL has found only a very few qualified parties with such an interest. Consequently, disclosure of these contract data is reasonably likely to result in increased prices for terminaling and transportation services.

Petroleum inspection services also have the market characteristics of an oligopoly. Due to the limited number of fuel terminal operations, there are correspondingly few requirements for fuel inspection services. In FPL's last bidding process for petroleum inspection services, only six qualified bidders were found for FPL's bid solicitations. Consequently, disclosure of these contract data is reasonably likely to result in increased prices for petroleum inspection services.

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**Justification for Confidentiality of September 2007 Report:**

<u>FORM</u>	<u>LINES</u>	<u>COLUMNS</u>	<u>RATIONALE</u>
423-2	1-3	G, H	(1)
423-2	1-3	H	(2)

**Rationale for Confidentiality:**

- (1) Disclosure of the effective purchase price “would impair the efforts of [JEA, acting on its own behalf and as agent for FPL] to contract for goods or services [at the St. Johns River Power Park (SJRPP)] on favorable terms.” Section 366.093(3)(d), Fla. Stat. The data informs other potential coal suppliers as to the price SJRPP is paying for coal. Disclosure of this information, which is particularly sensitive given SJRPP’s reliance on long term contracts with fixed price provisions or short term spot transactions, could adversely affect FPL’s interests in subsequent solicitations for coal and/or in negotiating coal supply agreements. JEA maintains this information as confidential pursuant to section 163.01(15)(m), Fla. Stat. Additionally, providing the purchase price would enable one to ascertain the total transportation charges in Column H by subtracting the effective purchase price from the delivered price at the transfer facility, shown in Column I.
  
- (2) Disclosure of the total transportation cost “would impair the efforts of [JEA acting on its own behalf and as agent for FPL] to contract for goods or services [at SJRPP] on favorable terms.” Section 366.093(3)(d), Fla Stat. Moreover, the service provider itself typically designates the transportation costs in the contract as confidential. JEA maintains this information as confidential pursuant to section 163.01(15)(m), Fla. Stat. Further, disclosure of this information would enable potential coal suppliers to calculate Column G which FPL seeks to protect by subtracting Column H from Column I.

**Justification for Confidentiality of September 2007 Report:**

<u>FORM</u>	<u>LINE(S)</u>	<u>COLUMN</u>	<u>RATIONALE</u>
423-2(a)	1-3	F	(1)
423-2(a)	1-3	H	(1)
423-2(a)	1-3	J	(1)
423-2(a)	1-3	L	(2)

**Rationale for Confidentiality:**

- (1) The information presented in these columns are algebraic derivations of the information in column L that FPL seeks to protect.
- (2) Disclosure of the effective purchase price “would impair the efforts of [JEA, acting on its own behalf and as agent for FPL] to contract for goods or services [at the St. Johns River Power Park (SJRPP)] on favorable terms.” Section 366.093(3)(d), Fla. Stat. The data informs other potential coal suppliers as to the price SJRPP is paying for coal. Disclosure of this information could adversely affect FPL’s interests in subsequent solicitations for coal and/or in negotiating coal supply agreements. JEA maintains this information as confidential pursuant to section 163.01(15)(m), Fla. Stat. Additionally, providing the purchase price would enable one to ascertain the total transportation charges in Column H on Form 423-2, which FPL seeks to protect, by subtracting the effective purchase price from the delivered price at the transfer facility shown in Column I on Form 423-2.

**Justification for Confidentiality of September 2007 Report:**

FORM	LINE(S)	COLUMN	RATIONALE
423-2(b)	1-3	G	(1)
423-2(b)	1-3	I	(2)
423-2(b)	1-3	P	(2)

**Rationale for Confidentiality:**

- (1) Disclosure of the effective purchase price “would impair the efforts of [JEA, acting on its own behalf and as agent for FPL] to contract for goods or services [at the St. Johns River Power Park (SJRPP)] on favorable terms.” Section 366.093(3)(d), Fla. Stat. The data informs other potential coal suppliers as to the price SJRPP is paying for coal. Disclosure of this information, which is particularly sensitive given SJRPP’s reliance on long term contracts with fixed price provisions or short term spot transactions, could adversely affect FPL’s interests in subsequent solicitations for coal and/or in negotiating coal supply agreements. JEA maintains this information as confidential pursuant to section 163.01(15)(m), Fla. Stat. Additionally, providing the purchase price would enable one to ascertain the total transportation charges in Column P, which FPL seeks to protect, by subtracting the effective purchase price from the delivered price at the transfer facility shown in Column Q.

- (2) Disclosure of the total transportation cost “would impair the efforts of [JEA acting on its own behalf and as agent for FPL] to contract for goods or services [at SJRPP] on favorable terms.” Section 366.093(3)(d), Fla Stat. Moreover, the service provider itself typically designates the transportation costs in the contract as confidential. JEA maintains this information as confidential pursuant to section 163.01(15)(m), Fla. Stat. Further, disclosure of this information would enable potential coal suppliers to calculate Column G which FPL seeks to protect, by subtracting Column P from Column Q.

STATE OF FLORIDA

COMMISSIONERS:  
LISA POLAK EDGAR, CHAIRMAN  
MATTHEW M. CARTER II  
KATRINA J. MCMURRIAN  
NANCY ARGENZIANO  
NATHAN A. SKOP



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

**CONFIDENTIAL**  
**Public Service Commission**

ACKNOWLEDGEMENT

DATE: November 30, 2007

TO: J. Butler/Florida Power & Light

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 or, if filed in an undocketed matter, concerning Forms 423 for 9/07, and filed on behalf of Florida Power & Light. 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  
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