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December 21, 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 DEC 21 PM 3:53
 COMMISSION
 CLERK

Re: Docket No. 070650-EI; Florida Power & Light Company's Request for Confidential Classification

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 of information provided in response to Staff's Fourth Request for Production of Documents, Nos. 16 and 17. The original includes Exhibits A, B, C, and D. The seven (7) copies include Exhibit B only. Also included with this filing is a computer diskette containing FPL's Request for Confidential Classification and Exhibit C in word processing format.

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 folder marked "EXHIBIT A - CONFIDENTIAL." This information was previously provided in electronic form on a compact disc with FPL's Notice of Intent to Request Confidential Classification for material provided in response to Staff's Fourth Request for Production of Documents No. 16, filed December 12, 2007.

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 consists of an affidavit in support of FPL's Request.

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

Sincerely,

Jessica Cano
 Jessica Cano

- CMP _____
- COM _____
- CTR _____
- ECR** _____
- GCL 1 + Diskette
- OPC _____
- RCA _____
- SCR _____
- SGA _____
- SEC _____
- OTH conf records

Enclosures

DOCUMENT NUMBER-DATE

11141 DEC 21 07

FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Florida Power & Light Company's)
Petition to Determine Need for)
Turkey Point Nuclear Units 6 and 7)
Electrical Power Plant)

Docket No. 070650-EI

Filed: December 21, 2007

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

Pursuant to Rule 25-22.006, Florida Administrative Code, and Section 366.093, Florida Statutes, Florida Power & Light Company ("FPL") hereby requests confidential classification of certain information provided to the Florida Public Service Commission ("Commission") staff ("Staff") in the above referenced docket in response to Staff's Fourth Request for Production of Documents, Nos. 16 and 17. In support of its request, FPL states as follows:

1. The confidential information is contained in FPL's responses to Staff's Fourth Request for Production of Documents, Nos. 16 and 17. FPL filed a Notice of Intent to Request Confidential Classification for each of these responses on December 12, 2007, and pursuant to Rule 25-22.006(3)(a), Florida Administrative Code, hereby files its Request for Confidential Classification.

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

a. Exhibit A consists of the documents 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." The confidential document contained in this folder was previously provided in electronic form on a compact disc along with FPL's Notice of Intent to Request Confidential Classification of material provided in response to Staff's Fourth Request for Production of Documents No. 16, in an envelope labeled "Attachment 2 - Confidential

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FPSC-COMMISSION CLERK

Information.” The copy of the confidential information provided herewith is intended to replace the information previously provided in electronic form.

b. The confidential documents responsive to Staff’s Fourth Request for Production of Documents No. 17 were provided with FPL’s Notice of Intent to Request Confidential Classification of material provided in response to Staff’s Fourth Request for Production of Documents No. 17, in an envelope labeled “Attachment 2 – Confidential Information.” FPL incorporates herein by reference Attachment 2 as part of its Exhibit A.

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

d. 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.

e. Exhibit D includes the affidavit of Barbara Linkiewicz 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 Barbara Linkiewicz 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 FPL’s responses to Staff’s Fourth Request for Production of Documents Nos. 16 and 17 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, and 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)(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. FPL also requests that the compact disc containing confidential information, included with its Notice of Intent to Request Confidential Classification for materials provided in response to Staff’s Fourth Request for Production of Documents No. 16, filed on December 12, 2007, be returned at this time.

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

Respectfully submitted this 21st day of December, 2007.

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Attorneys for Florida Power & Light Company

By: Jessica Cano
Jessica A. Cano
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing, without exhibits, has been furnished by hand (*) or United States mail this 21st day of December, 2007, to the following:

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By: Jessica Cano
Jessica A. Cano
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**Indicates not an official party of record as of the date of this filing.

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: December 21, 2007

TO: Jessica 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 070650 or, if filed in an undocketed matter, concerning Response to staff's 4th request for PODs, Nos. 16 and 17, 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.

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