



Jessica Cano
Attorney
Florida Power & Light Company
700 Universe Boulevard
Juno Beach, FL 33408-0420
(561) 304-5226
(561) 691-7135 (Facsimile)

March 12, 2008

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COMMISSION
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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

undktd

Re: Florida Power & Light Company's Request for Confidential Classification of Documents Provided at Staff's Request

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 customer billing information provided to Staff at their request. The original includes Exhibits A, B, C and D. The seven (7) copies do not include exhibits.

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." 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 with this filing is a computer diskette containing FPL's Request for Confidential Classification and Exhibit C in Word format.

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

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

1 + Diskette

Sincerely,

Jessica Cano
Jessica Cano

Enclosures

cc: Martha Brown (without exhibits)

1 conf records

DOCUMENT NUMBER-DATE

01870 MAR 12 08

**BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION**

In re: Staff Request for)
Billing Information)

Docket No: 080000
Filed: March 12, 2008

**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 requested by the Florida Public Service Commission Staff ("Staff"). In support of its request, FPL states as follows:

1. Staff has requested copies of certain confidential customer bills and bill audits. FPL provided the confidential material requested by Staff on February 20, 2008 along with a Notice of Intent to Request Confidential Classification. The confidential material provided on February 20, 2008 has been returned to FPL so that FPL may file an updated set of confidential information.

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

a. Exhibit A consists of the bill audits 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."

b. Exhibit B consists of the edited versions of all the documents for which FPL seeks confidential treatment. All information for which FPL requests confidential treatment

DOCUMENT NUMBER-DATE

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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 affidavit in support of the requested classification.

d. Exhibit D includes the affidavit of Kenneth Getchell.

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, the highlighted information consists of 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 has previously affirmed that customer-specific information constitutes confidential proprietary business information that relates to competitive interests, pursuant to Section 366.093(3)(e), Florida Statutes. *See e.g.* Order No. PSC 07-0828-CFO-EI.

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), Florida Statutes, such information should not be declassified for a period of at least eighteen (18) months. FPL further requests that the material provided in Exhibit A 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, and as more fully set forth in the supporting materials and affidavits included herewith, Florida Power & Light Company requests that its Request for Confidential Classification be granted.

Respectfully submitted,

R. Wade Litchfield
Vice President and Associate General Counsel
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

I HEREBY CERTIFY that a true and correct copy of the foregoing, without attachments, was furnished via hand delivery this 12th day of March, 2008 to the following:

Martha Brown, Esq.
Florida Public Service Commission
Gerald L. Gunter Building
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

By: Jessica Cano
Jessica A. Cano

STATE OF FLORIDA

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



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

Public Service Commission

CONFIDENTIAL

ACKNOWLEDGEMENT

DATE: March 12, 2008

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 080000 or, if filed in an undocketed matter, concerning certain confidential customer bills and bill audits requested by staff on 2/20/08, 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-DAT
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PSC Website: <http://www.floridapsc.com>

Internet E-mail: contact@psc.state.fl.us