



Jessica Cano
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Florida Power & Light Company
700 Universe Boulevard
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June 26, 2008

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

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08 JUN 26 PM 3:10
COMMISSION
CLERK

Re: Docket Nos. 080203-EI, 080245-EI, and 080246-EI

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 for interrogatory responses provided to the Staff of the Florida Public Service Commission ("Staff"). The original includes Exhibits A, B, C, and D. The seven (7) copies include only Exhibits C and D.

Exhibit A contains the confidential information that is the subject of FPL's Request for Confidential Classification. 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 contains the statutory justification for the request for confidential classification. Exhibit D contains the affidavits of John C Gnecco IV, Steven R. Sim, and J.L. Martinez. Also included with this filing is a computer diskette containing FPL's Request for Confidential Classification and Exhibit C in word processing format.

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

Sincerely,

Jessica A. Cano

- _____ CMP
- _____ COM
- _____ CTR
- _____ **FOP**
- _____ 2 + Diskette
- _____ CPO
- _____ JCA
- _____ CUA
- _____ Enclosures
- _____ SEC
- _____ 1 conf records

DOCUMENT NUMBER - DATE

05526 JUN 26 08

FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Florida Power & Light Company's Petition to Determine Need for West County Energy Center Unit 3 Electrical Power Plant))))	Docket No. 080203-EI
In re: Florida Power & Light Company's Petition to Determine Need for Conversion of Riviera Plant))))	Docket No. 080245-EI
In re: Florida Power & Light Company's Petition to Determine Need for Conversion of Cape Canaveral Plant))))	Docket No. 080246-EI
<hr/>		Filed: June 26, 2008

**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 certain of Staff's discovery requests. In support of its request, FPL states as follows:

1. The confidential information is contained in FPL's responses to Staff's First Set of Interrogatories Nos. 41, 43, 46, and 48; Third Set of Interrogatories No. 68; Fourth Set of Interrogatories Nos. 74, 76, and 83; and Fifth Set of Interrogatories No. 97. FPL filed a Notice of Intent to Request Confidential Classification for Nos. 48, 76, and 97 on June 6, 2008, and a Notice of Intent to Request Confidential Classification for Nos. 41, 43, 46, 68, 74, and 83 on June 11, 2008. Pursuant to Rule 25-22.006(3)(a), Florida Administrative Code, FPL hereby files its Request for Confidential Classification for all of the confidential interrogatory responses.

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

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FPSC-COMMISSION CLERK

treatment. The portions of the documents in Exhibit A that FPL asserts is entitled to confidential treatment have been highlighted. Exhibit A is submitted separately in a sealed folder marked "CONFIDENTIAL."

b. Exhibit B consists of an edited version of the documents for which FPL seeks confidential treatment. The 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 confidential classification.

e. Exhibit D includes the affidavits of J. L Martinez, Steven R. Sim, and John C. Gnecco IV, 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 affidavits included in Exhibit D indicate, some of the highlighted confidential information is related to competitive interests, the disclosure of which could impair the competitive business of FPL's vendors and/or contractual counter-parties. This type of information is

protected by section 366.093(3)(e), Florida Statutes. Some of the information also concerns bids or contractual data, such as pricing and other terms, the disclosure of which would impair FPL's efforts to contract on favorable terms in the future, to the detriment of its customers. This information is protected by section 366.093(3)(d), Florida Statutes. Further, FPL is obligated to these parties not to disclose this data, and public disclosure of this information could impair the efforts of FPL to contract with such parties on favorable terms in the future.

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.

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

Respectfully submitted this 26th day of June, 2008.

R. Wade Litchfield, Vice President and
Associate General Counsel
Bryan S. Anderson
Jessica A. Cano
Attorneys for
Florida Power & Light Company
700 Universe Boulevard
Juno Beach, Florida 33408-0420

By: 

Jessica A. Cano
Fla. Bar No. 0037372

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished
by hand delivery this 26th day of June 2008, to the following:

Martha C. Brown, Senior Attorney
Florida Public Service Commission
Office of General Counsel
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

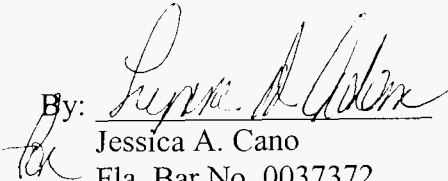
By: 
Jessica A. Cano
Fla. Bar No. 0037372

EXHIBIT C

EXHIBIT C

COMPANY: Florida Power & Light Company
 TITLE: List of Confidential Information
 DOCKET NO. 080203- EI
 DOCKET TITLE: Petition to Determine Need for West County Energy Center Unit 3
 Electrical Power Plant
 DATE: June 26, 2008

Description	Pages	Conf. Y/N	Line No.	Florida Statute 366.093(3) Subsection	Affiant
Interrogatory No. 41	Attachment No. 1	Y	Columns B-J, lines 12-44;	(e)	J. L. Martinez
Interrogatory No. 43	1	Y	12, 13, and 15-18	(d), (e)	Steven R. Sim
Interrogatory No. 46	1	Y	27 and 28	(e)	J. L. Martinez
Interrogatory No. 48	1	Y	16-21	(d)	Steven R. Sim
Interrogatory No. 68	1	Y	35	(e)	John C. Gnecco, IV
Interrogatory No. 74	1 2	Y	23, 24, 33, 34, and 43 1	(e)	J. L. Martinez
Interrogatory No. 76	Attachment No. 1	Y	9-19	(d)	Steven R. Sim
Interrogatory No. 83	1	Y	25	(e)	J. L. Martinez
Interrogatory No. 97	1	Y	17-19	(d), (e)	John C. Gnecco IV

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EXHIBIT D

EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

STATE OF FLORIDA)
) AFFIDAVIT OF JOHN C. GNECCO IV, P.E
PALM BEACH COUNTY)

BEFORE ME, the undersigned authority, personally appeared John C. Gnecco IV, P.E. who, being first duly sworn, deposes and says:

1. My name is John C. Gnecco IV, P.E. I am currently employed by Florida Power & Light Company ("FPL") as Manager of Project Development. My business address is 700 Universe Boulevard, Juno Beach, FL 33408. I have personal knowledge of the matters stated in this affidavit.

2. With respect to Exhibit C, I have reviewed the documents that are included in Exhibit A to FPL's Request for Confidential Classification of Information. Documents or materials that I have reviewed and which are asserted by FPL to be proprietary confidential business information contain information related to competitive interests, the disclosure of which could impair the competitive business of the provider of the information. Also, certain documents contain information related to bids or 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. To the best of my knowledge, FPL has maintained the confidentiality of these documents and materials.

3. Consistent with the provisions of the Florida Administrative Code, these documents should remain confidential for a period of not less than 18 months. In addition, it 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.

[Handwritten signature of John C. Gnecco IV, P.E.]
John C. Gnecco IV, P.E.

SWORN TO AND SUBSCRIBED before me this 19 day of June 2008, by John C. Gnecco IV, P.E., who is personally known to me or who has produced (type of identification) as identification and who did take an oath.

[Handwritten signature of Valerie A. Hnasko]
Notary Public, State of Florida

My Commission Expires: 5/29/12

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05526 JUN 26 08
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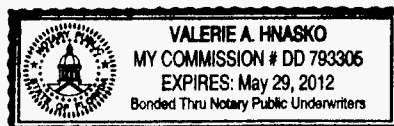


EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

STATE OF FLORIDA)
) AFFIDAVIT OF J. L. "BUCK" MARTINEZ
PALM BEACH COUNTY)

BEFORE ME, the undersigned authority, personally appeared J. L. "Buck" Martinez who, being first duly sworn, deposes and says:

1. My name is J. L. "Buck" Martinez. I am currently employed by Florida Power & Light Company ("FPL") as Senior Director of Project Development. My business address is 700 Universe Boulevard, Juno Beach, FL 33408. I have personal knowledge of the matters stated in this affidavit.

2. With respect to Exhibit C, I have reviewed the documents that are included in Exhibit A to FPL's Request for Confidential Classification of Information. The information which is asserted by FPL to be proprietary confidential business information is related to competitive interests, the disclosure of which could impair the competitive business of the provider of the information. To the best of my knowledge, FPL has maintained the confidentiality of these documents and materials.

3. Consistent with the provisions of the Florida Administrative Code, these documents should remain confidential for a period of not less than 18 months. In addition, it 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.

[Signature]
J. L. "Buck" Martinez

SWORN TO AND SUBSCRIBED before me this 24 day of June 2008, by J. L. "Buck" Martinez, who is personally known to me or who has produced (type of identification) as identification and who did take an oath.

[Signature: Valerie A. Hnasko]
Notary Public, State of Florida

My Commission Expires: May, 29, 2012

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05526 JUN 26 08
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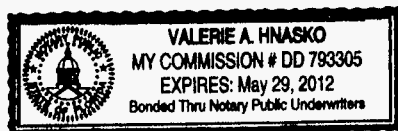


EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

STATE OF FLORIDA)
)
MIAMI-DADE COUNTY)

AFFIDAVIT OF STEVEN R. SIM

BEFORE ME, the undersigned authority, personally appeared Steven R. Sim who, being first duly sworn, deposes and says:

1. My name is Steven R. Sim. I am currently employed by Florida Power & Light Company ("FPL") as Senior Manager of Integrated Resource Planning. 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 that are included in Exhibit A to FPL's Request for Confidential Classification of Information. Documents or materials that I have reviewed and which are asserted by FPL to be proprietary confidential business information contain or constitute bids or 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. Also, certain documents contain information related to competitive interests, the disclosure of which could impair the competitive business of the provider of the information. To the best of my knowledge, FPL has maintained the confidentiality of these documents and materials.

3. Consistent with the provisions of the Florida Administrative Code, these documents should remain confidential for a period of not less than 18 months. In addition, it 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.

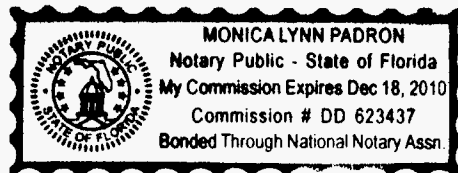
4. Affiant says nothing further.

Signature of Steven R. Sim
Steven R. Sim

SWORN TO AND SUBSCRIBED before me this 18th day of June 2008, by Steven R. Sim, who is personally known to me or who has produced FL. ID (type of identification) as identification and who did take an oath.

Signature of Monica Lynn Padron
Notary Public, State of Florida

My Commission Expires: December 18, 2010



DOCUMENT NUMBER-DATE

05526 JUN 26 08

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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

ACKNOWLEDGEMENT

DATE: June 26, 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 080203 or, if filed in an undocketed matter, concerning responses to staff's 1st set of Interrogatories Nos. 41, 43, 46 and 48; 3rd set of Interrogatories No. 68; 4th set of Interrogatories NOs. 74, 76, and 83; and 5th set of Interrogatories No. 97, 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
05527 JUN 26 08
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