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August 21, 2008

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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. 080002-EG; Florida Power & Light's First Request for Extension
of 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 First Request for Extension of Confidential Classification regarding confidential information provided pursuant to Staff's Energy Conservation Cost Recovery Clause Audit for the year ended December 31, 2005 (Audit No. 06-040-4-1). The original includes a Revised Exhibit C on which certain affiants have been modified and a Revised Exhibit D, including affidavits in support of the continued confidential treatment. The seven (7) copies do not include the exhibits. A diskette with FPL's Request in Word format, excluding the exhibits, is also included.

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

Sincerely,


for
Jessica Cano

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ECR _____
GCL Enclosures | + CD
OPC _____
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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

AUG 22

In Re: Energy Conservation)
Cost Recovery Clause)
_____)

Docket No. 080002-EG

Filed: August 22, 2008

**FLORIDA POWER & LIGHT COMPANY'S
FIRST REQUEST FOR EXTENSION OF CONFIDENTIAL CLASSIFICATION
OF MATERIALS PROVIDED IN AUDIT NO. 06-040-4-1**

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NOW, BEFORE THE COMMISSION, through undersigned counsel, 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 submits its First Request for Extension of Confidential Classification of certain material provided to the Florida Public Service Commission ("FPSC" or "Commission") staff ("Staff") in connection with the Energy Conservation Cost Recovery Clause Audit (Audit Control No. 06-040-4-1) (the "Audit"). In support of its Request, FPL states as follows:

1. During the Audit, Staff requested access to various FPL reports and other documents, and by letter dated June 22, 2006, Staff indicated its intent to retain certain workpapers for which confidential treatment previously had been requested. FPL filed its Request for Confidential Classification on July 12, 2006, along with Exhibits A through D ("the July 12, 2006 Request"). FPL adopts and incorporates herein by reference its July 12, 2006 Request and exhibits.

2. FPL's July 12, 2006 Request was granted by Order No. 07-0169-CFO-EI. The period for confidential treatment granted by that order will soon expire. All the information that was the subject of the July 12, 2006 Request warrants continued treatment as proprietary and confidential business information with the meaning of section 366.093(3). Accordingly, FPL is hereby filing its First Request for Extension of Confidential Classification.

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3. The following exhibits are included with and made a part of this request:

a. Exhibit A, consisting of the confidential materials, and Exhibit B, consisting of the redacted versions of those materials, provided with the July 12, 2006 Request, are incorporated herein by reference.

b. Revised Exhibit C is attached hereto and contains a table with 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.

c. Revised Exhibit D is comprised of the affidavits of Ed S. Bowman, C. Dennis Brandt, Terry Keith, and Robert Onsgard which support this Request.

4. FPL submits that the information identified in the Revised Exhibit C and highlighted in Exhibit A to the July 12, 2006 Request continues to be 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 continues to be 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.

5. Certain information FPL asserts is proprietary and confidential business information includes customer-specific account information. FPL has a corporate policy not to disclose customer-specific information. This policy includes, but is not limited to: customer names, addresses, telephone numbers, account numbers, rates, billing determinants (kW and

kWh usage), conservation savings in kW, kWh and bills. FPL treats such information as confidential and does not disclose it, except as required by law, to entities or persons other than the customer without the permission of the customer. This information is protected pursuant to Section 366.093(3)(e), Florida Statutes.

6. In addition, certain information is competitively sensitive insofar as FPL's contractors and vendors are concerned where disclosure of such information could afford their competitors an unfair advantage in competing for both FPL and non-FPL contracts. Also, certain information is confidential because it reveals details about the compensation for particular personnel, the disclosure of which would impair the competitive business interests of FPL and FPL's ability to attract and retain personnel for those positions on favorable terms. This competitively sensitive information is proprietary confidential business information pursuant to Section 366.093(3)(d) and (e), Florida Statutes.

7. Also, certain materials contain or constitute internal auditing controls and reports of internal auditors or information relating to same. This information is protected by Section 366.093(3)(b), Florida Statutes.

8. Nothing has changed since the issuance of Order No. PSC-07-0169-CFO-EI to render the information stale or public, such that continued confidential treatment would not be appropriate. Upon a finding by the Commission that this information continues to be proprietary confidential business information, the information should continue to be treated as such for an additional 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. *See* § 366.093(4).

WHEREFORE, for the above and foregoing reasons, as more fully set forth in the supporting materials and affidavits included with or incorporated in this request, Florida Power & Light Company respectfully requests that its First Request for Extension of Confidential Classification be granted.

Respectfully submitted,

R. Wade Litchfield
Vice President and General Counsel
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By: Jessica Cano
Jessica A. Cano
Fla. Bar No. 0037372

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of FPL's First Request for Extension of Confidential Classification without attachments has been furnished via overnight delivery(*) or U.S. mail this 21st day of August 2008, to the following:

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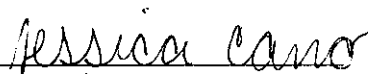
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By: 
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