



Jessica Cano
 Attorney
 Florida Power & Light Company
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RECEIVED-FPSC
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 COMMISSION
 CLERK

October 9, 2008

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. 080007-EI; Florida Power & Light's First Request for Extension of
 Confidential Classification of Documents Provided in Audit No. 06-044-4-1

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 Environmental Cost Recovery Clause Audit for the year ended December 31, 2005. The original includes Revised Exhibit C and Revised Exhibit D. Revised Exhibit D contains the original affidavits of Robert Onsgard, Ken Huff, and Roger Messer, as well as a copy of the affidavit of Paul Plotkin. Mr. Plotkin's original affidavit will follow in a separate transmittal. The seven (7) copies do not include the exhibits.

A compact disc with FPL's Request and Revised Exhibit C in Word format is also included.

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

COM _____
 ECR _____
 GCL 1 + CD
 OPC _____
 RCP 1 Enclosures
 SSC _____ cc: Martha Brown (w/out enc.)
 SGA _____
 ADM _____
 CLK 1

Sincerely,

Jessica Cano
 Jessica Cano

(COMP.DNS
 05836-06 & 02078-07)

DOCUMENT NO. DATE
 09619-08 10/10/08
 FPSC - COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Environmental Cost)
Recovery Clause)
_____)

Docket No. 080007-EI
Filed: October 10, 2008

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

NOW, BEFORE THE 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 submits its First Request for Extension of Confidential Classification of certain material provided to the Florida Public Service Commission ("FPSC" or "Commission") staff ("Staff") pursuant to the Environmental Cost Recovery Clause Audit for the Year Ended December 31, 2005 (Audit Control No. 06-044-4-1). In support of its Request, FPL states as follows:

1. On July 10, 2006, Florida Power & Light Company ("FPL") filed a request for confidential classification of work papers obtained or prepared during Audit Control No. 06-044-4-1, with Exhibits A through D. On March 7, 2007, FPL filed a revised request for confidential classification with Exhibits A through D ("March 7, 2007 Request"), modifying the scope of the requested confidential classification consistent with comments from Staff. FPL adopts and incorporates herein by reference its March 7, 2007 Request.

2. FPL's March 7, 2007 Request was granted by Order No. 07-0320-CFO-EI. The period for confidential treatment granted by that order will soon expire. All the information that was the subject of the March 7, 2007 Request warrants continued treatment as proprietary and confidential business information within the meaning of Section 366.093(3), Florida Statutes. Accordingly, FPL is hereby filing its First Request for Extension of Confidential Classification.

DOCUMENT NUMBER-DATE

09619 OCT 10 08

FPSC-COMMISSION CLERK

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

a. Revised Exhibit C 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 portion thereof, references to the specific statutory basis or bases for the claim of confidentiality and to the affidavits in support of the requested classification. The revised Exhibit C replaces a previous affiant with a new affiant and corrects a typo.

b. Revised Exhibit D is comprised of the affidavits of Robert Onsgard, Roger Messer, Paul Plotkin and Ken Huff which support this Request.

4. FPL submits that the information identified in Revised Exhibit C and highlighted in Exhibit A to the March 7, 2007 Request continues to be proprietary confidential business information within the meaning of Section 366.093(3), Florida Statutes. This information is intended to be and is treated by FPL and its vendors as private and has not been publicly disclosed. 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 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. As described in the affidavits in Revised Exhibit D, certain information that FPL asserts is proprietary and confidential business information includes internal auditing controls and reports of internal auditors. This information is protected by Section 366.093(3)(b), Florida Statutes. Other material relates to security measures, systems, or procedures, which is protected by Section 366.093(3)(c), Florida Statutes. Also included are documents concerning bids or contractual data, such as payment records, pricing terms, and vendor and supplier rates, the

disclosure of which would impair the efforts of FPL to contract for goods and services on favorable terms for the benefit of FPL and its customers. This information also relates to the competitive interests of FPL and its vendors, the disclosure of which would impair their competitive businesses. Such information is protected by Section 366.093(3)(d) and (e), Florida Statutes.

6. Nothing has changed since the issuance of Order No. PSC-07-0320-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, it 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), Fla. Stats.

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

Respectfully submitted,

R. Wade Litchfield
Vice President and General Counsel
Jessica A. Cano
Attorney
Florida Power & Light Company
700 Universe Boulevard
Juno Beach, FL 33408
Tel: (561) 304-5226
Fax: (561) 691-7135

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 exhibits has been furnished via overnight delivery(*) or U.S. mail this 9th day of October 2008, to the following:

Martha Brown, Esq.*
Division of Legal Services
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850

J. R Kelly, Esq
Steve Burgess, Esq
Office of Public Counsel
C/o The Florida Legislature
111 W Madison St. Room 812
Tallahassee, FL 32399-1400

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

John T. Burnett, Esq.
Progress Energy Service Company, LLC
P.O. Box 14042
St. Petersburg, Florida 33733-4042

John W. McWhirter, Jr., Esq.
c/o McWhirter Law Firm
P.O. Box 3350
Tampa, Florida 33601-3350
Attorneys for FIPUG

Gary V. Perko, Esq.
Hopping Green & Sams
P.O. Box 6526
Tallahassee, FL 32314
Attorneys for Progress Energy Florida

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

By: Jessica Cano
Jessica A. Cano

REVISED EXHIBIT C

REVISED EXHIBIT C

COMPANY: Florida Power & Light Company
 TITLE: Revised List of Confidential Workpapers
 AUDIT: Environmental Clause Audit from Jan. 1 – Dec. 31, 2005
 AUDIT CONTROL NO: 06-044-4-1
 DOCKET NO. 080007-EI

Workpaper No.	Description	No. of Pages	Conf Y/N	Line No./Col No.	Florida Statute 366.093(3) Subsection	Affiant
9	List of Internal Audits	4	Y	Column B	(b)	R. Onsgard
9-1	Internal Audit	4	Y	All	(b)	R. Onsgard
16-15/12-2/1	Plant Addition Samples	2	N			
16-15/12-3/1	Plant Addition Samples	2	Y	Pg. 1, lines 17, 19, 22, 24, 27, 29, 31, 33 Pg. 2, lines 3, 5, 7, 9, 10, 12, 14, 16, 18-19, 28-30	(d),(e)	P. Plotkin
16-15/13-2/1	Plant Addition Samples	2	N			
16-15/13-3/1-2	Plant Addition Samples	2	N			
16-15/13-3/1-3	Plant Addition Samples	2	N			
16-15/13-3/1-4	Plant Addition Samples	1	N			
16-15/14-2/1	Plant Addition Samples	1	N			
43-3	O&M Samples	2	N			
43-3/3	O&M Samples	1	N			
43-3/4	O&M Samples	2	N			
43-4	O&M Samples	5	Y	Pg. 1, lines 5-7, 8-10, 13a-14 Pg. 2, lines 2a-4 Pg. 3, lines 6a-12 Pg. 4, lines 11-12 Pg. 5, lines 6-7	(d),(e)	R. Messer
43-4/1	O&M Samples	1	Y	Lines 5-6, 11-20	(d),(e)	R. Messer
43-4/5	O&M Samples	5	N Y	Pg. 1 Pg. 2-5, All	(c)	R. Messer
43-6	O&M Samples	11	N Y N	Pg. 1-3 Pg. 4 Lines 5 & 6 Pg. 5-11	(d),(e)	R. Messer
51-3/1-2/2	Emission Allowance	2	Y	Pg. 1, Line 16 Pg. 2, Lines 4, 15 & 19	(d)	K. Huff

REVISED EXHIBIT D

EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re Environmental)
Cost Recovery Clause)

Docket No. 080007-EI

STATE OF FLORIDA)
MIAMI-DADE COUNTY)

AFFIDAVIT OF ROBERT ONSGARD

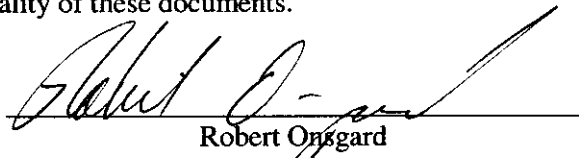
BEFORE ME, the undersigned authority, personally appeared Robert Onsgard who, being first duly sworn, deposes and says:

1. My name is Robert Onsgard. I am currently employed by Florida Power & Light Company ("FPL") as Manager, Internal Auditing. I have personal knowledge of the matters stated in this affidavit.

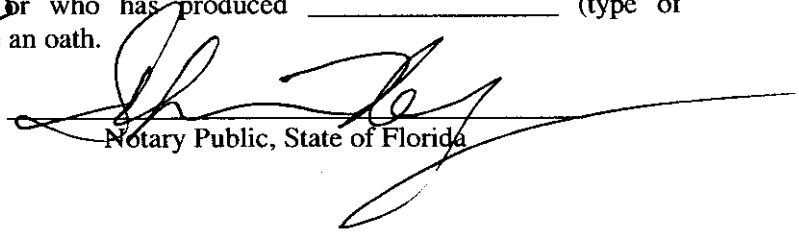
2. With respect to Exhibit C, I have reviewed the documents and information included in Exhibit A to FPL's First Request for Extension of Confidential Classification of certain information provided pursuant to Audit No. 06-044-4-1. The documents or materials that I have reviewed and which are asserted by FPL to be proprietary confidential business information contain or constitute internal auditing controls and reports of internal auditors or information relating to same. To the best of my knowledge, FPL has maintained the confidentiality of these documents and materials.

3. No significant changes have occurred since the issuance of Order No. PSC-07-0320-CFO-EI to render the information stale or public such that continued confidential treatment would not be appropriate. Accordingly, the information referred to in this affidavit should continue to be maintained as confidential for an additional period of not less than eighteen months. These materials 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.


Robert Onsgard

SWORN TO AND SUBSCRIBED before me this 2nd day of October, 2008, by Robert Onsgard, who is personally known to me or who has produced _____ (type of identification) as identification and who did take an oath.


Notary Public, State of Florida

My Commission Expires:

NOTARY PUBLIC-STATE OF FLORIDA
Debra A. Neger
Commission # DD679070
Expires: JULY 10, 2011
BONDED THRU ATLANTIC BONDING CO., INC.

EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re Environmental)
Cost Recovery Clause)

Docket No. 080007-EI

STATE OF FLORIDA)
)
PALM BEACH COUNTY)

AFFIDAVIT OF KEN HUFF

BEFORE ME, the undersigned authority, personally appeared Ken Huff who, being first duly sworn, deposes and says:

1. My name is Ken Huff. I am currently employed by Florida Power & Light Company ("FPL") as Supervisor, Power Plant Accounting. I have personal knowledge of the matters stated in this affidavit.

2. With respect to Exhibit C, I have reviewed the documents and information included in Exhibit A to FPL's First Request for Extension of Confidential Classification of certain information provided pursuant to Audit No. 06-044-4-1. The documents or materials that I have reviewed and which are asserted by FPL to be proprietary confidential business information contain or constitute contractual data such as pricing and other terms, the disclosure of which would impair the efforts of FPL to contract for goods and services on favorable terms for the benefit of its customers. To the best of my knowledge, FPL has maintained the confidentiality of these documents and materials.

3. No significant changes have occurred since the issuance of Order No. PSC-07-0320-CFO-EI to render the information stale or public such that continued confidential treatment would not be appropriate. Accordingly, the information referred to in this affidavit should continue to be maintained as confidential for an additional period of not less than eighteen months. These materials 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.



Ken Huff

~~SWORN TO AND SUBSCRIBED~~ before me this 8th day of October, 2008, by Ken Huff, who is personally known to me or who has produced Florida Power's (type of identification) as identification and who did take an oath.
Ken Huff



Notary Public, State of Florida

My Commission Expires:

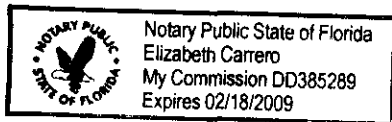


EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re Environmental)
Cost Recovery Clause)

Docket No. 080007-EI

STATE OF FLORIDA)
)
PALM BEACH COUNTY)

AFFIDAVIT OF ROGER F. MESSER

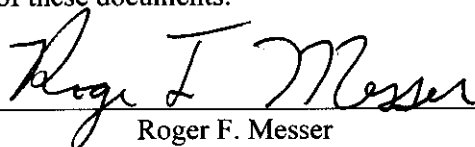
BEFORE ME, the undersigned authority, personally appeared Roger F. Messer who, being first duly sworn, deposes and says:

1. My name is Roger F. Messer. I am currently employed by Florida Power & Light Company ("FPL") as Director, Environmental Support. I have personal knowledge of the matters stated in this affidavit.

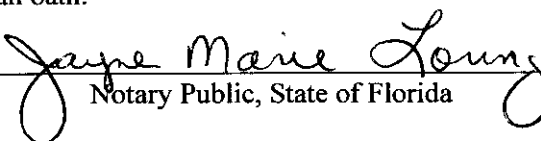
2. With respect to Exhibit C, I have reviewed the documents and information included in Exhibit A to FPL's First Request for Extension of Confidential Classification of certain information provided pursuant to Audit No. 06-044-4-1. The documents or materials that I have reviewed and which are asserted by FPL to be proprietary confidential business information contain or constitute contractual data such as pricing and other terms, the disclosure of which would impair the efforts of FPL to contract for goods and services on favorable terms for the benefit of its customers, and would impair the competitive interests of FPL and its vendors. Certain information also relates to FPL's security measures, systems or procedures. To the best of my knowledge, FPL has maintained the confidentiality of these documents and materials.

3. No significant changes have occurred since the issuance of Order No. PSC-07-0320-CFO-EI to render the information stale or public such that continued confidential treatment would not be appropriate. Accordingly, the information referred to in this affidavit should continue to be maintained as confidential for an additional period of not less than eighteen months. These materials 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.


Roger F. Messer

SWORN TO AND SUBSCRIBED before me this 6th day of October, 2008, by Roger F. Messer, who is personally known to me or who has produced FPL badge & DL (type of identification) as identification and who did take an oath.


Notary Public, State of Florida

My Commission Expires: 9-14-09

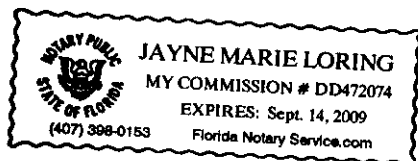


EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re Environmental)
Cost Recovery Clause)

Docket No. 080007-EI

STATE OF FLORIDA)
)
MANATEE COUNTY)

AFFIDAVIT OF PAUL PLOTKIN

BEFORE ME, the undersigned authority, personally appeared Paul Plotkin who, being first duly sworn, deposes and says:

1. My name is Paul Plotkin. I am currently employed by Florida Power & Light Company ("FPL") as Plant General Manager of the Manatee Energy Center. I have personal knowledge of the matters stated in this affidavit.

2. With respect to Exhibit C, I have reviewed the documents and information included in Exhibit A to FPL's First Request for Extension of Confidential Classification of certain information provided pursuant to Audit No. 06-044-4-1. The documents or materials that I have reviewed and which are asserted by FPL to be proprietary confidential business information contain or constitute contractual data such as pricing and other terms, payments records, and vendor and supplier rates, the disclosure of which would impair the efforts of FPL to contract for goods and services on favorable terms for the benefit of its customers, and would impair the competitive interests of FPL and its vendors. To the best of my knowledge, FPL has maintained the confidentiality of these documents and materials.

3. No significant changes have occurred since the issuance of Order No. PSC-07-0320-CFO-EI to render the information stale or public such that continued confidential treatment would not be appropriate. Accordingly, the information referred to in this affidavit should continue to be maintained as confidential for an additional period of not less than eighteen months. These materials 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.

Paul Plotkin
Paul Plotkin

SWORN TO AND SUBSCRIBED before me this 9th day of October, 2008, by Paul Plotkin, who is personally known to me or who has produced _____ (type of identification) as identification and who did take an oath.

Laura M. Adams
Notary Public, State of Florida

My Commission Expires:

NOTARY PUBLIC-STATE OF FLORIDA
Laura M. Adams
Commission #DD763356
Expires: APR. 07, 2012
BONDED THRU ATLANTIC BONDING CO., INC.