



Public Service Commission

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DATE: December 11, 2008
TO: Lisa C. Bennett, Senior Attorney, Office of the General Counsel
FROM: *CSW* Carl S. Vinson, Public Utilities Supervisor, Division of Regulatory Compliance
RE: FPL Request for Confidential Classification, Document Nos. 066636-08 and 06760-08, Docket No. 080000

On July 29, 2008 Florida Power & Light Company (FPL) filed a Request for Confidential Classification regarding documents provided and created during staff's management audit of internal controls for FPL's nuclear plant uprate and construction projects. This filing was comprised of Documents Number 06636-08 (Exhibit A - Confidential documents), 06637-08 (Exhibit B - Redacted copies) and 06638-08 (Exhibit C - Justification matrix). On August 1, 2008 FPL supplemented the Exhibit A filing with Document Number 06760-08 to add an omitted item for which confidential treatment is also requested.

The documents in question fall into three categories. The largest group are FPL documents provided in response to staff's audit data requests. A smaller group of documents are audit workpapers created by staff during the course of the audit from the potentially-confidential documents provided by FPL. Finally, a third category addressed in FPL's filing is comprised of selected passages of staff's final audit report entitled *Review of Florida Power & Light's Project Management Internal Controls for Nuclear Plant Uprate and Construction Projects*.

The request regarding FPL's responses to staff's audit data requests is moot, since these documents were returned to the company in keeping with our bureau's normal practice in audits that are not connected with docketed proceedings. FPL has agreed to make these documents available again should the need for future access arise.

In the case of the workpapers created by audit staff that were based in part upon these FPL-provided materials, these documents should be deemed confidential for the reasons cited above and filed with and retained by the Clerk's office. Similarly, the unredacted version of staff's final report should be filed with and retained by the Clerk's office. The report had already been published with the requested passages redacted, pending resolution of FPL's filing.

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CC: Beth Salak
____ Lisa Harvey
____ Brenda Merritt

McLean

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