



Jessica Cano
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Florida Power & Light Company
700 Universe Boulevard
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March 31, 2009

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

RECEIVED-FPSC
09 MAR 31 AM 10:43
COMMISSION
CLERK

Re: Docket No. 080677-EI: Petition for Increase in Rates by Florida Power & Light Company

Dear Ms. Cole:

Enclosed for filing on behalf of Florida Power & Light Company ("FPL") are an original and seven (7) copies of its Request for Confidential Classification regarding confidential information included in Supplemental 2009 MFR schedule F-4. The original includes Exhibit A through D. The seven (7) copies do not include the exhibits.

Exhibit A consists of the confidential documents, and all information that FPL asserts is entitled to confidential treatment has been highlighted. 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 in this filing is a compact disc containing FPL's Request for Confidential Classification and Exhibit C in Microsoft Word format.

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

Sincerely,

Jessica Cano
Jessica A. Cano

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

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

**BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION**

In re: Petition for Increase in Rates by)
Florida Power & Light Company)

Docket No: 080677-EI
Filed: March 31, 2009

**FLORIDA POWER & LIGHT COMPANY'S
REQUEST FOR CONFIDENTIAL CLASSIFICATION
OF SUPPLEMENTAL MFR SCHEDULE F-4**

NOW, BEFORE THIS COMMISSION, through undersigned counsel, comes Florida Power & Light Company ("FPL") and, pursuant to Rule 25-22.006, Florida Administrative Code, and section 366.093 of the Florida Statutes, hereby requests confidential classification of certain portions of its supplemental 2009 Minimum Filing Requirement ("MFR") schedule F-4. In support of its request, FPL states as follows:

1. On March 18, 2009, FPL filed its Petition for Rate Increase along with the prefiled direct testimony of its witnesses and the requisite MFRs. On March 31, FPL filed certain supplemental 2009 MFR schedules, as agreed to among FPL, the Commission Staff, and OPC. Confidential information is contained in portions of supplemental schedule F-4.

2. The following exhibits are included herewith and made a part hereof:

a. Exhibit A consists of the documents for which FPL seeks confidential treatment. All information in Exhibit A that FPL asserts is entitled to confidential treatment has been highlighted.

b. Exhibit B consists of edited versions of the documents for which FPL seeks confidential treatment. All information for which FPL requests confidential treatment has been redacted in Exhibit B.

c. Exhibit C is a table containing a line-by-line and page-by-page

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FPSC-COMMISSION CLERK

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 affidavit in support of the requested classification.

d. Exhibit D includes the affidavit of J.A. Stall 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 affidavit included in Exhibit D indicates, the confidential information in supplemental schedule F-4 consists of security measures, systems, or procedures. This information is protected by section 366.093(3)(c), Florida Statutes.

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 materials 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. *See* § 366.093(4), Fla. Stat.

WHEREFORE, for the above and foregoing reasons, as more fully set forth in the supporting materials and affidavit included herewith, Florida Power & Light Company respectfully requests that its request for confidential classification be granted.

Respectfully submitted,

By: Jessica Cano

Jessica A. Cano

Attorney

Fla. Bar No. 0037372

R. Wade Litchfield

Vice President of Regulatory Affairs and

Chief Regulatory Counsel

Florida Power & Light Company

700 Universe Boulevard

Juno Beach, Florida 33408-0420

Telephone: (561) 304-5226

Facsimile: (561) 691-7135

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing (without attachments) has been furnished by hand delivery this 31st day of March, 2009, to the following:

Lisa Bennett
Office of the General Counsel
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-1400
LBENNETT@PSC.STATE.FL.US

J.R. Kelly, Esq.
Office of Public Counsel
e/o The Florida Legislature
111 West Madison Street, Room 812
Tallahassee, FL 32399-1400
Attorneys for the Citizens of the State
of Florida
Kelly.jr@leg.state.fl.us

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

EXHIBIT "C"

JUSTIFICATION TABLE

EXHIBIT C

COMPANY: Florida Power & Light Company
TITLE: Supplemental 2009 MFR F-4, List of Confidential Information
DOCKET NO: 080677-EI
IN RE: Petition for Rate Increase by Florida Power & Light Company

Description	No. of Pages	Conf Y/N	Line No./ Col No.	Florida Statute 366.093(3) Subsection	Affiant
MFR F-4 (Supplemental Year)	8	Y	Attachment 1 Pages 2-9, ALL	(c)	J.A. Stall

EXHIBIT "D"

AFFIDAVIT

EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for rate increase by)
Florida Power & Light Company)

Docket No. 080677-EI

STATE OF FLORIDA)
)
PALM BEACH COUNTY)

AFFIDAVIT OF J.A. STALL

BEFORE ME, the undersigned authority, personally appeared J.A. Stall who, being first duly sworn, deposes and says:

1. My name is J.A. Stall. I am currently employed by FPL Group as President of the Nuclear Division. My business address is 700 Universe Boulevard, Juno Beach, Florida 33408. I have personal knowledge of the matters stated in this affidavit.

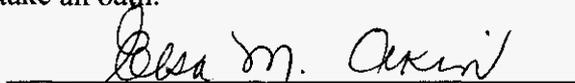
2. With respect to Exhibit C, I have reviewed the documents and information for which I am listed as Affiant and which are included in Exhibit A to FPL's Request for Confidential Classification. The documents that I have reviewed and which are asserted by FPL to include confidential proprietary business information include security measures, systems, or procedures. To the best of my knowledge, FPL has maintained the confidentiality of these documents.

3. Affiant says nothing further.



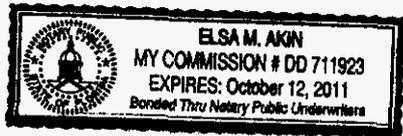
J.A. Stall

SWORN TO AND SUBSCRIBED before me this 26th day of March, 2009, by J.A. Stall, 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:



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: March 31, 2009

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 080677 or, if filed in an undocketed matter, concerning certain portions of its supplemental 2009 MFR Schedule F-4, 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 - DATE
02821 MAR 31 09
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