



Jessica Cano
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 Florida Power & Light Company
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June 30, 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
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 COMMISSION
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Re: Docket No. 060038-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 First Request for Extension of Confidential Classification of information provided to Staff pursuant to Audit No. 05-292-4-1.

Included herewith are a Revised Exhibit C and a Revised Exhibit D. Also included is a compact disc containing FPL's First Request for Extension of Confidential Classification and Revised Exhibit C in word processing format.

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

Sincerely,

Jessica Cano
 Jessica Cano

Enclosures
 cc: parties of record, w/out exhibit

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an FPL Group company

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Florida Power & Light Company's petition)
For issuance of a storm recovery financing order)

Docket No. 060038-EI
Filed: June 30, 2009

**FIRST REQUEST FOR EXTENSION OF CONFIDENTIAL CLASSIFICATION
OF MATERIALS PROVIDED PURSUANT TO AUDIT NO. 05-292-4-1**

NOW BEFORE THIS COMMISSION, through the 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") in connection with Audit No. 05-292-4-1 (the "Audit"). In support of this First Request for Extension of Confidential Classification, FPL states as follows:

1. Petitioner's name and address are: Florida Power & Light Company, 700 Universe Boulevard, Juno Beach, FL 33408. Any pleading, motion, notice, order or other document required to be served upon FPL or filed by any party to this proceeding should be served upon the following individuals:

R. Wade Litchfield, Vice President of
Regulatory Affairs and Chief Regulatory Counsel
Florida Power & Light Company
700 Universe Boulevard
Juno Beach, FL 33408
561-691-7101
561-691-7135 (fax)

Jessica A. Cano
Attorney
Florida Power & Light Company
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Juno Beach, FL 33408
561-304-5226
561-691-7135 (fax)

2. On March 22, 2006, FPL filed its Request for Confidential Classification of certain materials obtained during the Audit, along with Exhibits A, B, C, and D. FPL amended its request on May 25, 2006. FPL adopts and incorporates by reference its amended request and exhibits.

3. By Order No. PSC-07-1005-CFO-EI, dated December 18, 2007, the Commission granted FPL's March 22, 2006 Request as amended.

4. The period of confidential treatment granted by Order No. PSC-07-1005-CFO-EI has recently expired. Some of the information that was the subject of FPL's original request warrants continued treatment as proprietary and confidential business information within the meaning of Section 366.093(3), Florida Statutes. Accordingly, FPL hereby submits its First Request for Extension of Confidential Classification.

5. Included herewith and made a part hereof is a Revised Exhibit C to reduce the amount of information for which confidential treatment is sought. Also included is a Revised Exhibit D which contains the affidavits of Edward Bowman, Michael Spoor, Antonio Maceo, D.K. White, Ken Getchell, Frank Isabella, and Katherine Monserrat.

6. FPL submits that the information identified in Revised Exhibit C continues to be proprietary confidential business information within the meaning of Section 366.093(3), Florida Statutes. 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 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.

7. As the affidavits provided herewith indicate, the information that FPL asserts is proprietary and confidential business information includes internal auditing controls or reports of internal auditors. This information is protected from public disclosure pursuant to Section 366.093(3)(b), Florida Statutes. Certain other information concerns contractual vendor data such as pricing and other terms, the disclosure of which would impair the efforts of FPL to contract

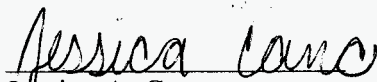
for goods and services on favorable terms in the future, to the detriment of FPL and its customers. This information is protected from public disclosure pursuant to Section 366.093(3)(d). This information is also competitively sensitive insofar as FPL's contractors and vendors are concerned. This information is proprietary confidential business information protected pursuant Section 366.093(3)(e). Finally, certain materials include employee personnel information unrelated to compensation, duties, qualifications or responsibilities. This information is protected pursuant to Section 366.093(3)(f), Florida Statutes.

8. FPL requests that this information be accorded continued confidential classification for an additional 18-month period. Nothing has changed since the issuance of Order No. PSC-07-1005-CFO-EI to render the information stale or public, such that continued confidential treatment would not be appropriate. FPL further requests that the information be returned to FPL as soon as it is no longer necessary for the Commission to conduct its business. *See* § 366.093(4), Fla. Stat.

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

Respectfully submitted,

Jessica A. Cano, Attorney
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Juno Beach, FL 33408
Tel: (561) 304-5226 / Fax: (561) 691-7135

By: 
Jessica A. Cano
Florida Bar No. 0037372

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of Florida Power & Light Company's First Request for Extension of Confidential Classification (without exhibits) was served via hand delivery* or by U.S. mail this 30th day of June, 2009 to the following:

Jennifer Brubaker, Esq.*
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By: Jessica Cano
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