

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Florida Power & Light Company's
Petition to Determine Need for FPL
Florida EnergySecure Pipeline

DOCKET NO. 090172-EI

FILED: July 23, 2009

RECEIVED-FPSC
09 JUL 23 AM 10:19
COMMISSION
CLERK

**FLORIDA POWER & LIGHT COMPANY'S
NOTICE OF INTENT TO REQUEST CONFIDENTIAL CLASSIFICATION**

Pursuant to Florida Administrative Code Rule 25-22.006(3)(a), Florida Power & Light Company ("FPL") files this Notice of Intent to Request Confidential Classification with respect to material provided to Florida Gas Transmission Company, LLC (FGT) in response to FGT's First Request for Production of Documents, Nos. 1, 3, 5, and 9. A copy of FGT's First Request for Production of Documents is attached hereto as Attachment 1. FPL, pursuant to Rule 25-22.006(3)(a), requests confidential handling of certain material furnished in response to FGT's First Request for Production of Documents, which material is enclosed in the attached envelope labeled "Attachment 2 – CONFIDENTIAL INFORMATION." This information is intended to be and has been treated by FPL as private and confidential and has not been publicly disclosed.

Respectfully submitted this 23rd day of July, 2009.

This docketed notice of intent was filed with Confidential Document No. 07482-09. The document has been placed in confidential storage pending timely receipt of a request for confidentiality.

R. Wade Litchfield, Vice President and
Associate General Counsel
John T. Butler, Senior Attorney
Florida Power & Light Company
700 Universe Boulevard
Juno Beach, FL 33408
Telephone: (561) 304-5253
Facsimile: (561) 691-7135

and

DOCUMENT NUMBER-DATE

07481 JUL 23 09

FPSC-COMMISSION CLERK

COM _____
ECR _____
GCL L _____
OPC _____
RCP _____
SSC _____
SGA S _____
ADM _____
CLK L _____

HOPPING GREEN & SAMS, P.A.

By: Brooke E. Lewis

Gary V. Perko
Brooke E. Lewis
123 S. Calhoun Street (32301)
P.O. Box 6526 (32314)
Tallahassee, Florida
850-222-7500
Fax: 850-224-8551

Attorneys for Florida Power & Light Company

CERTIFICATE OF SERVICE

Docket No. 090172-EI

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished electronically and by United States mail this 23rd day of July, 2009, to the following:

Martha Carter Brown
Office of General Counsel
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850
MBrown@PSC.STATE.FL.US

Floyd R. Self
Messer Caparello & Self, P.A.
2618 Centennial Place
Tallahassee, FL 32308
fself@lawfla.com

Brooke E. Lewis
Attorney

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Florida Power & Light Company's) Docket No. 090172-EI
Petition to Determine Need for FPL) Dated: April 29, 2009
Florida EnergySecure Pipeline)
_____)

FLORIDA GAS TRANSMISSION COMPANY, LLC
FIRST REQUEST FOR PRODUCTION OF DOCUMENTS TO
FLORIDA POWER & LIGHT COMPANY (NOS. 1-10)

Florida Gas Transmission Company, LLC, by and through its undersigned attorneys, and pursuant to Rule 28-106.206, Florida Administrative Code, Rule 1.350, Florida Rules of Civil Procedure and Order No. PSC-09-0230-PCO-EI, hereby serves its First Request for Production of Documents to Florida Power and Light Company ("FPL"), and requests that the following documents be made available for inspection and copying in the offices of Messer, Caparello & Self, P.A. at 2618 Centennial Place, Tallahassee, Florida, 32308, on or before the time specified in Order No. PSC-09-0230-PCO-EI, or at such time and place as may be mutually agreeable to counsel. In lieu of production for inspection, FPL may provide copies of all responsive documents to Messer, Caparello & Self, P.A., at 2618 Centennial Place, Tallahassee, Florida, 32308 on or before the production due date.

DEFINITIONS

1. "You," "your," "Company," or "FPL" refers to Florida Power & Light Company, its employees and authorized agents.
2. The term "document" shall have the broadest possible meaning under applicable law. "Document" means every writing or record of every type and description that is in the

possession, custody or control of FPL, including, but not limited to, correspondence, memoranda, drafts, workpapers, summaries, stenographic or handwritten notes, studies, publications, books, pamphlets, reports, surveys, minutes or statistical compilations, computer and other electronic records or tapes or printouts, including, but not limited to, electronic mail files; and copies of such writings or records containing any commentary or notation whatsoever that does not appear in the original. The term "document" further includes, by way of illustration and not limitation, schedules, progress schedules, time logs, drawings, computer disks, charts, projections, time tables, summaries of other documents, minutes, surveys, work sheets, drawings, comparisons, evaluations, laboratory and testing reports, telephone call records, personal diaries, calendars, personal notebooks, personal reading files, transcripts, witness statements and indices.

3. "Identify" means: (a) With respect to a person, to state the person's name, address and business relationship (e.g., "employee") to the Company; (b) With respect to a document, to state the nature of the document in sufficient detail for identification in a request for production, its date, its author, and to identify its custodian. If the information or document identified is recorded in electrical, optical or electromagnetic form, identification includes a description of the computer hardware or software required to reduce it to readable form.

4. "Petition" means the Petition and supporting exhibits filed by FPL on April 7, 2009, to initiate this determination of need proceeding and, where appropriate, "Petition" may also include information provided by FPL in its prefiled direct testimony.

5. "Project" shall have the same meaning as that term is used in the Petition.

6. "Commission" or "FPSC" means the Florida Public Service Commission.

7. Other terms shall be as described or defined in the Petition.

PRODUCTION OF DOCUMENTS REQUESTS

1) Provide all documents, including memos, correspondence, analyses, presentations, board minutes, and any other information regarding all third party proposals received as a result of solicitations applicable to the Project, as well as all economic analyses, calculations, investment assumptions, cost of service calculations, and all other information utilized to analyze supply and transportation options.

2) Provide all documents regarding supply pricing analyses, including analyses of basis differentials, and suppliers that can be accessed; pertaining to the Project.

3) Provide all documents, including internal analyses, memos, correspondence, or other communications with any suppliers (including, but not limited to, Mid-Continent supplies or any of the newer, growing, or unconventional sources of supply anticipated to be accessed via interconnects at Transco Station 85), and their ability to transport those supplies to Transco Station 85.

4) Provide all documents pertaining to the detailed engineering design information for the Project's compressor station and pipeline, including line specifications, pressure capabilities, and other parameters. Include any and all internal analyses as well as any third party engineering work that has been performed for the Project.

5) FPL indicates that it may contract with a third-party operator in connection with the Project. Provide all documents, including but not limited to internal memos, correspondence, analyses, or proposals, provided by FPL or received from third parties, which consider, evaluate, or otherwise discuss such third party operations.

6) Provide all documents regarding operating terms and conditions, gas quality, and other typical tariff provisions under which FPL intends to operate the EnergySecure pipeline system.

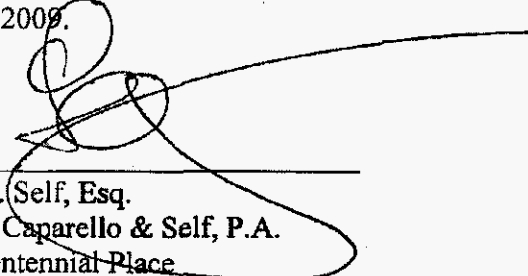
7) Provide all documents, including notes, proposals, or other analyses, of such additional capacity and its expected cost and/or transport rate associated with the response to Interrogatory No. 53.

8) On page 13, lines 4-14 of his direct testimony, Mr. Forrest outlines that the existing FGT and Gulfstream pipeline systems does not have excess capacity. Please provide all documents of or relating to such limitations.

9) Provide the documents relating to Exhibit JEE-7, including the detailed analyses supporting the results shown in Exhibit JEE-7.

10) Provide any documents relating to your response to Interrogatory No. 11 and including any proposal received, analysis performed, or determination that a third party operation would be most cost effective.

Respectfully submitted this 29th day of April, 2009.



Floyd R. Self, Esq.
Messer, Caparello & Self, P.A.
2618 Centennial Place
Tallahassee, FL 32308
Phone: (850)222-0720
Fax: (850)224-4359

Attorneys for Florida Gas Transmission, LLC

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: July 23, 2009

TO: Brooke Lewis, Hopping Law Firm

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 090172 or, if filed in an undocketed matter, concerning response to FGT's 1st Request for PODs, Nos. 1, 3, 5 and 9 9 (hard copy and ⁽²⁾ CD provided), 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
07482 JUL 23 2009
FPSC-COMMISSION CLERK

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD • TALLAHASSEE, FL 32399-0850
An Affirmative Action/Equal Opportunity Employer

PSC Website: <http://www.floridapsc.com>

Internet E-mail: contact@psc.state.fl.us