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August 4, 2009

RECEIVED-FPSC
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COMMISSION
CLERK

-VIA HAND DELIVERY -

Ms. Ann Cole
Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

Re: Docket No. 090001-EI

Dear Ms. Cole:

I am enclosing for filing in the above docket the original and seven (7) copies of Florida Power & Light Company's Petition for Approval of the Fuel Cost Recovery and Capacity Cost Recovery Estimated/Actual True-Up for the Period January 2009 Through December 2009 and Its 2010 Risk Management Plan, together with a CD containing the electronic version of same.

Also enclosed for filing are the original and fifteen (15) copies of the prefiled testimony and exhibits of Florida Power & Light Company witness T. J. Keith, which includes Appendix III containing FPL's 2010 Risk Management Plan.

Finally, I am enclosing for filing in the above docket the original and (7) copies of Florida Power & Light Company's Request for Confidential Classification of Certain Information on FPL's 2010 Risk Management Plan, together with a CD containing the electronic version of same. Please note that copies of Appendix III that contain highlighted and unredacted confidential information are enclosed with the original of the request.

Please note that Exhibit D to the Request for Confidential Classification, the affidavit of Gerard J. Yupp is a copy. The original will be provided under separate cover.

- COM _____
- ECR S
- GCL 1+c)
- OPC _____
- RCP _____
- SSC _____
- SGA _____
- ADM _____
- CLK Enclosure

If there are any questions regarding this transmittal, please contact me at 561-304-5639.

Sincerely,

John T. Butler

cc: Counsel for parties of record (w/encl.)

DOCUMENT NUMBER+DATE

08005 AUG-4 8

FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Fuel and purchased power)
cost recovery clause with generating)
performance incentive factor.)
_____)

Docket No. 090001-EI

Filed: August 4, 2009

FLORIDA POWER AND LIGHT COMPANY'S REQUEST FOR
CONFIDENTIAL CLASSIFICATION OF CERTAIN INFORMATION ON FPL'S 2010
RISK MANAGEMENT PLAN

Pursuant to Section 366.093 of the Florida Statutes, and Rule 25-22.006, Florida Administrative Code., Florida Power & Light Company ("FPL") requests confidential classification of certain information on FPL's 2010 Risk Management Plan ("Hedging Plan") contained in Appendix III to the 2009 estimated/actual true-up petition that is being filed in this docket on August 4, 2009. In support of its Request, FPL states as follows:

1. This Request is intended to request confidential classification of the Confidential Information consistent with Rule 25-22.006.

2. The following exhibits are included with this Request:

a. Composite Exhibit A consists of a copy of the Hedging Plan in which the confidential information has been highlighted.

b. Composite Exhibit B consists of two copies of the Hedging Plan in which all the Confidential Information has been redacted (for the attachments in the Hedging Plan in which the entire attachment is confidential, FPL has included only identifying cover pages in Exhibit B).

c. Exhibit C is a table containing an identification of the Confidential Information, together with references to the specific statutory basis for the claim of confidentiality and to the affidavit in support of the requested classification.

d. Exhibit D is an affidavit of Gerard J. Yupp.

DOCUMENT NUMBER-DATE

08005 AUG-4 09

FPSC-COMMISSION CLERK

3. FPL seeks confidential protection for the highlighted information contained in the Hedging Plan because it comprises trade secrets of FPL, which allow FPL to hedge the purchase of fuel on favorable terms for FPL and its customers. The disclosure of that trade-secret information would provide other market participants insight into FPL's marketing and trading practices that would allow them to anticipate FPL's marketing and trading decisions and/or impair FPL's ability to negotiate, to the detriment of FPL and its customers. *See* § 366.093(3)(a), Fla. Stat. Additionally, the information contained in Hedging Plan includes information related to hedging-related bids or other contractual data, the disclosure of which would impair the efforts of FPL to hedge on favorable terms, to the detriment of FPL and its customers. *See* § 366.093(3)(d), Fla. Stat. This information is also related to competitive interests, and its disclosure would impair the competitive business of FPL. *See* § 366.093(3)(e), Fla. Stat.

4. FPL submits that the Confidential Information is proprietary confidential business information within the meaning of Section 366.093(3). Pursuant to Section 366.093, such information is entitled to confidential treatment and is exempt from disclosure provisions of the public records law.

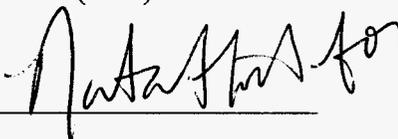
6. The Confidential Information is intended to be and is treated by FPL as private, and its confidentiality has been maintained.

7. Upon a finding by the Commission that the Confidential Information is proprietary confidential business information within the meaning of Section 366.093(3), pursuant to Section 366.093(4) such materials should not be declassified for 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.

WHEREFORE, FPL respectfully requests confidential classification of the Confidential Information contained in the Hedging Plan.

Respectfully submitted,

R. Wade Litchfield, Esq.
Vice President and Chief Regulatory Counsel
John T. Butler, Esq.
Managing Attorney
Florida Power & Light Company
700 Universe Boulevard
Juno Beach, FL 33408
Telephone: (561) 304-5639
Facsimile: (561) 691-7135

BY: 

John T. Butler
Fla. Bar No. 283479

CERTIFICATE OF SERVICE

Docket No. 090001-EI

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by hand delivery (*) or United States Mail on this 4th day of August 2009, to the following:

Lisa Bennett, Esq. (*)
Division of Legal Services
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850

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

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McWhirter & Davidson, P.A.
Attorneys for FIPUG
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Tampa, Florida 33602

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

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Young van Assenderp, P.A.
Attorneys for Florida Retail Federation
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Tallahassee, FL 32301

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AFLSA/JACL-ULT
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Charles J. Rehwinkel, Esq.
Charles Beck, Esq.
Office of Public Counsel
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111 West Madison Street, Room 812
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John T. Burnett, Esq.
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P.O. Box 14042
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Floyd R. Self, Esq.
Messer, Caparello & Self
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118 N. Gadsden St.
Tallahassee, FL 32301
Co-Counsel for FIPUG

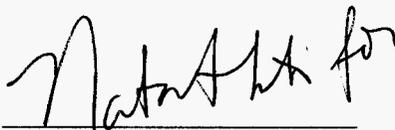
By: 
John T. Butler
Fla. Bar No. 283479

EXHIBIT C

COMPANY: Florida Power & Light Company
TITLE: List of Confidential Exhibits
DOCKET NO.: 090001-EI
DOCKET TITLE: Levelized Fuel Cost Recovery and Capacity Cost Recovery.
SUBJECT: FPL's 2010 Risk Management Plan
DATE: August 4, 2009

Description	Page No.	Conf. Y/N	Line Nos.	Florida Statute 366.093(3) Subsection	Affiant
FPL 2010 Risk Management Plan	1 through 4	No			
FPL 2010 Risk Management Plan	5	Yes	Lines 9, 12, 14, 16-17, 19-20, & 30-31.	(a),(d),(e)	G. Yupp
FPL 2010 Risk Management Plan	6	Yes	Lines 2-4, 7-9, 11, 21, 23-24, 26-27, 29, & 37-38.	(a),(d),(e)	G. Yupp
FPL 2010 Risk Management Plan	7 through 8	No			
Trading and Risk Management Procedures Manual	1	No			
Trading and Risk Management Procedures Manual	2 through 80	Yes	All	(a),(d),(e)	G. Yupp
Energy Trading and Risk Management Policy	1	No			
Energy Trading and Risk Management Policy	2 through 27	Yes	All	(a),(d),(e)	G. Yupp
Planned Position Strategy	1 through 7	Yes	All	(a),(d),(e)	G. Yupp

EXHIBIT D

**BEFORE THE FLORIDA
PUBLIC SERVICE COMMISSION**

In re: Fuel and Purchase Power Cost)
Recovery Clause with Generating)
Performance Incentive Factor)

Docket No. 090001-EI

STATE OF FLORIDA)
)
COUNTY OF PALM BEACH)

AFFIDAVIT OF GERARD J. YUPP

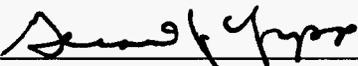
BEFORE ME, the undersigned authority, personally appeared Gerard J. Yupp who, being first duly sworn, deposes and says:

1. My name is Gerard J. Yupp. I am currently employed by Florida Power & Light Company ("FPL") as Senior Director of Wholesale Operations in the Energy Marketing and Trading Division. I have personal knowledge of the matters stated in this affidavit.

2. I have reviewed the documents and information included in Exhibit A to FPL's Request for Confidential Classification of its 2010 Risk Management Plan. The documents and material in Exhibit A which are asserted by FPL to be proprietary confidential business information are comprised of the details of FPL's strategy and plans for hedging fuel purchases in 2010 and beyond. This information constitutes trade secrets of FPL, which allow FPL to hedge its fuel purchases on favorable terms for FPL and its customers. The disclosure of this trade-secret information would provide other market participants insight into FPL's marketing and trading practices as well as internal policy and procedures that would allow them to anticipate FPL's marketing and trading decisions and/or impair FPL's ability to negotiate, to the detriment of FPL and its customers. Additionally, the information contained in the 2010 Risk Management Plan relates to competitive interests and hedging-related bids or other contractual data, the disclosure of which would impair the competitive business as well as the efforts of FPL to contract for goods and services on favorable terms. To the best of my knowledge, FPL has maintained the confidentiality of these documents and materials

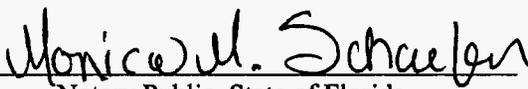
3. Consistent with the provisions of the Florida Administrative Code, such materials should remain confidential for a period of eighteen (18) months. In addition, they should be returned to FPL as soon as the information is no longer necessary for the Commission to conduct its business so that FPL can continue to maintain the confidentiality of these documents

4. Affiant says nothing further.



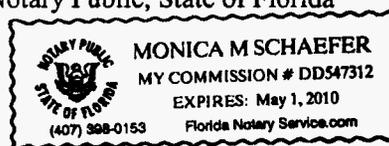
Gerard J. Yupp

SWORN TO AND SUBSCRIBED before me this 4th day of August 2009, by Gerard J. Yupp, who is personally known to me or who has produced personally known type of identification) as identification and who did take an oath.



Notary Public, State of Florida

My Commission Expires: 5/1/2010



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: August 4, 2009

TO: Scott A. Goorland, 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 090001 or, if filed in an undocketed matter, concerning certain information on 2010 Risk Management Plan (Hedging Plan) contained in Appendix III, 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 Leckard, Deputy Clerk, at (850) 413-6770.

DOCUMENT NUMBER-DATE
08006 AUG -4
FPSC-COMMISSION CLERK

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