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August 25, 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

Re: Docket Nos. 080677-E and 090130-EI; FPL's Second Amended Notice of Intent to Request Confidential Classification of Requested Compensation Information and Request for Continued Confidential Treatment

Dear Ms. Cole:

Enclosed for filing on behalf of Florida Power & Light Company is an original and seven copies of its Second Amended Notice of Intent to Request Confidential Classification of Requested Compensation Information and Request for Continued Confidential Treatment of Previously Provided Compensation Information Pending Appeal. A copy of the confidential material is included and marked "Confidential".

This filing is intended to supersede and replace FPL's Amended Notice of Intent to Request Confidential Classification of Requested Compensation Information and Request for Continued Confidential Treatment, and Attachment A thereto, filed yesterday. The confidential exhibit provided yesterday (i) did not include line numbers on the worksheet, and (ii) did not include the workpapers supporting MFR Schedule C-1 as indicated. The Attachment A (Confidential) included with this filing does include line numbers and the supporting workpapers.

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

COM _____
ECR 5
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This docketed notice of intent was filed with Confidential Document No. 08838-09. The document has been placed in confidential storage pending timely receipt of a request for confidentiality.

Enclosures
cc: Parties of Record

Sincerely,
Jessica Cano
Jessica Cano

DOCUMENT NUMBER-DATE

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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

Docket No: 080677-EI

In re: 2009 depreciation and dismantlement)
study by Florida Power & Light Company)

Docket No. 090130-EI
Filed: August 25, 2009

**FLORIDA POWER & LIGHT COMPANY'S
SECOND AMENDED NOTICE OF INTENT
TO REQUEST CONFIDENTIAL CLASSIFICATION OF
REQUESTED COMPENSATION INFORMATION AND
REQUEST FOR CONTINUED CONFIDENTIAL TREATMENT OF
PREVIOUSLY PROVIDED COMPENSATION INFORMATION PENDING APPEAL**

Florida Power & Light Company ("FPL") hereby files this Second Amended Notice of Intent to Request Confidential Classification of Requested Compensation Information and Request for Continued Confidential Treatment of Previously Provided Compensation Information Pending Appeal. This filing is intended to supersede and replace FPL's Amended Notice of Intent to Request Confidential Classification of Requested Compensation Information filed August 24, 2009 as well as FPL's Notice of Intent to Request Confidential Classification of Requested Compensation Information filed August 20, 2009, and the confidential attachments ("Attachment A") included with both of those filings. All other attachments to FPL's August 20, 2009 Notice of Intent to Request Confidential Classification of Requested Compensation Information are incorporated herein by reference. FPL requests that the confidential attachments ("Attachment A") provided with FPL's August 24, 2009 filing and provided with FPL's August 20, 2009 filing be returned.

In accordance with the decision on Items 4 and 4a made by the Florida Public Service Commission (the "Commission") in the above-referenced dockets at its Agenda Conference on August 18, 2009, FPL is filing itemized employee compensation information including the

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requested job titles. The itemized employee compensation information without titles was previously provided in response to Staff's Third Set of Interrogatories Nos. 16-17, Staff's Fourth Set of Interrogatories No. 32, and Staff's Eighth Set of Interrogatories No. 97. FPL is also filing workpapers supporting MFR Schedule C-1 "Adjusted Jurisdictional Other O&M Expenses." (Please refer to FPL's response to the Office of Public Counsel's First Request for Production of Documents No. 13 for additional workpapers.) The requested information is enclosed in a separate envelope labeled "**ATTACHMENT A - CONFIDENTIAL INFORMATION.**" FPL, pursuant to Rule 25-22.006(3)(a) and (d), Florida Administrative Code, requests confidential handling of the materials provided herewith.

For all the reasons stated in FPL's Second Revised Request for Confidential Classification dated August 13, 2009, as further articulated by counsel for FPL during the discussion of Items 4 and 4A at the August 18, 2009 Agenda Conference, all of which are incorporated herein by reference, FPL maintains its position that this information is, and should be treated as, confidential. FPL expressly reserves its position that this information is confidential and this filing is intended only to comply with the Commission's decision on Items 4 and 4A at the August 17, 2009 Agenda Conference and should not be interpreted or construed as a waiver by FPL of its position, or any argument in support of its position, that the information filed herewith is "proprietary confidential business information" as defined under Section 366.093(3), Florida Statutes. FPL requests confidential handling of this information pursuant to Rule 25-22.006(3)(a) and (d) and Rule 25-22.006(10), Florida Administrative Code.

FPL continues to consider the information provided with its Second Revised Request for Confidential Classification to be confidential. Because FPL is providing documents today which incorporate the previously provided information, FPL requests that that attachments to its Second

Revised Request for Confidential Classification be returned. In the alternative, consistent with Rule 25-22.006(10), Florida Administrative Code, FPL requests continued confidential handling of the information previously provided, pending final disposition by the Commission, including disposition of any motion for reconsideration, and until judicial review is complete.

Respectfully submitted this 25th day of August, 2009.

R. Wade Litchfield, Vice President of
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By: Jessica Cano
Jessica A. Cano
Florida Bar No. 0037372

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Notice of Intent to Request Confidential Classification of Requested Compensation Information and Request for Confidential Treatment Pending Appeal, without the attachments, has been furnished by United States mail this 25th day of August, 2009, to the following:

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NATHAN A. SKOP



OFFICE OF COMMISSION CLERK
ANN COLE
COMMISSION CLERK
(850) 413-6770

Public Service Commission

ACKNOWLEDGEMENT

DATE: August 25, 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 080677/090130 or, if filed in an undocketed matter, concerning Second Amended Notice of Intent to Request Confidential Classification of Requested Compensation Information and Request for Continued Confidential Treatment of previously provided Compensation Information Pending Appeal, 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.

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