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September 2, 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 Notice of Intent to Request
Confidential Classification of Requested Benchmarking Data

Dear Ms. Cole:

Enclosed for filing on behalf of Florida Power & Light Company are an original
and seven copies of its Notice of Intent to Request Confidential Classification of
Requested Benchmarking Data. A copy of the confidential material is included and
marked "Confidential".

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

This docketed notice of intent was filed with
Confidential Document No. 09118-09. The document
has been placed in confidential storage pending timely
receipt of a request for confidentiality.

Sincerely,

Jessica Cano
Jessica Cano

Enclosures

COM _____
BCR 5
GCL 1
OPC _____
RCP _____
NSC _____
NGA _____
ADM _____
CLK 1

cc: Parties of record w/out attachment

DOCUMENT NUMBER-DATE

09117 SEP-2 8

FPSC-COMMISSION CLERK

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: September 2, 2009

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

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 for certain compensation benchmarking data that was requested by the Florida Public Service Commission on the evening of August 31, 2009. This information relates to competitive interests, the disclosure of which would impair the competitive business of the provider of the information. This information is competitively sensitive to both FPL and its vendor, the provider of the information. *See*, Section 366.093(3)(e), Fla. Stat. Additionally, this information is subject to a non-disclosure agreement between FPL and its vendor. Accordingly, disclosure of this information would violate the terms of FPL's contract with its vendor and impair FPL's ability to contract on favorable terms in the future. *See*, Section 366.093(3)(d), Fla. Stat. This information has been treated by FPL as confidential and has not been publicly disclosed.

The confidential information being provided herewith includes:

- 1) Salary benchmarking data for executive employees (titled "Energy Industry Peer Group Survey Data") (produced on April 20, 2009 in response to OPC's 2nd POD No. 59)
- 2) A compact disc containing approximately 2300 pages of salary benchmarking data for non-executive jobs (titled "Finalized Bench Mark Report")
- 3) A compact disc containing relevant officer market data point information as well as market reference points for base salaries for non-officers.

DOCUMENT NUMBER-DATE

09117 SEP-28

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Additionally, the following documents previously provided in response to the Office of Public Counsel's ("OPC's") 2nd request for production of documents Nos. 14 and 59 (produced on April 20, 2009) and OPC's 3rd request for production of documents No. 139 (produced on April 24, 2009) are being provided to facilitate Staff's review of the compensation benchmarking data:

- 4) Bench Marking Studies: Survey Sources
- 5) Market Assessment Scope Matrix
- 6) Hewitt Benefit Index (on a compact disc)
- 7) Salary Budget Survey World at Work 35th Annual
- 8) Ad hoc Special Survey Report SRO/RO Pay practices
- 9) Ad hoc Special Survey Report - Nuclear Engineer Overtime Practices
- 10) Retention Plan Practices in the Nuclear Power Industry
- 11) Ad hoc Special Survey Report - 2009 Nuclear Merit Budget Survey
- 12) NHRG Survey
- 13) Ad hoc Special Survey Report - Nuclear Shift Manager
- 14) Ad hoc Special Survey Report - SRO & RO Retention Programs

The requested data is labeled "**CONFIDENTIAL INFORMATION.**" FPL, pursuant to Rule 25-22.006(3)(a) and (d), requests confidential handling of the materials provided herewith.

Respectfully submitted this 2nd day of September, 2009.

R. Wade Litchfield, Vice President of
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John T. Butler, Managing Attorney
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By: Jessica Cano
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Florida Bar No. 0037372

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished electronically and by United States Mail this 2nd day of September, 2009, to the following:

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STATE OF FLORIDA



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

Public Service Commission

ACKNOWLEDGEMENT

DATE: September 2, 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 response to OPC's 2nd PODs (No. 59); 3 CDs - items 2,3, and 6; documents previously provided to OPC's 2nd Request for PODs, Nos. 14 and 59; OPC's 3rd Request for PODs, No. 139. [14 items listed on request], 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
09118 SEP -2 09
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