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September 17, 2009

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COMMISSION
CLERK

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 No. 080677-EI and Docket No. 090130-EI

Dear Ms. Cole:

Enclosed for filing on behalf of Florida Power & Light Company and Intervenor FPL Employees, is an original and 7 copies of their Request for Continued Confidential Treatment of Compensation Information Pending Judicial Review, along with Attachment A.

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

Sincerely,

Jessica Cano
Jessica Cano

Enclosures

cc: Parties of record

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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 17, 2009

**FLORIDA POWER & LIGHT COMPANY'S AND INTERVENOR EMPLOYEES'
REQUEST FOR CONTINUED CONFIDENTIAL TREATMENT
OF COMPENSATION INFORMATION PENDING JUDICIAL REVIEW**

Florida Power & Light Company ("FPL") and Intervenor FPL employees, in accordance with Rule 25-22.006(10), Florida Administrative Code, hereby request continued confidential treatment of competitively sensitive and private employee compensation information pending completion of the appeal of the orders referenced below, and in support thereof state:

1. During the months of July, August, and September, FPL provided confidential compensation information pursuant to discovery requests and pursuant to the Florida Public Service Commission's ("Commission's") decision granting Staff's motion to compel certain discovery responses. *See*, Order No. PSC-09-0569-PCO-EI (issued Aug. 20, 2009), amended by Order No. PSC-09-0569A-PCO-EI (issued Sept. 1, 2009). Confidential information was also provided pursuant to various Commission requests made during the course of the technical hearing in the above referenced dockets. A list of all such filings is attached hereto as Attachment A.

2. By Order No. PSC-09-0568-CFO-EI, issued August 20, 2009 (amended by Order No. PSC-09-0568A-CFO-EI, issued Sept. 1, 2009), the Commission denied FPL's Request for Confidential Classification of competitively sensitive and private employee compensation information. FPL intends to appeal Order No. PSC-09-0568A-CFO-EI and Order No. PSC-09-0569A-PCO-EI. Rule 25-22.006(10), Florida Administrative Code, states that when the

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FPSC-COMMISSION CLERK

Commission denies a Request for Confidential Classification, the material will be kept confidential until the time for filing an appeal has expired. It also provides that a utility may request continued confidential treatment until judicial review is complete. FPL requests continued confidential handling of the material listed in Attachment A, until judicial review is complete, consistent with Rule 25-22.006(10).

Respectfully submitted this 17th day of September, 2009.

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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 Request for Continued Confidential Treatment of Compensation Information Pending Judicial Review has been furnished by United States Mail this 17th day of September, 2009, to the following:

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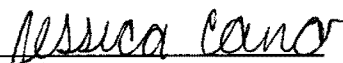
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By: 
Jessica A. Cano

ATTACHMENT A
CONFIDENTIAL COMPENSATION FILINGS

- 7/1/09 Notice of Intent to Request Confidential Classification
- 7/21/09 Request for Confidential Classification of Staff's 3rd Set of Interrogatories No. 16 and 4th Set of Interrogatories No. 32, and request for determination by full Commission
- 7/27/09 Revised Request for Confidential Classification of Staff's 3rd Set of Interrogatories No. 16, 4th Set of Interrogatories No. 32, and 8th Set of Interrogatories No. 97, and request for determination by full Commission
- 8/13/09 Second Revised Request for Confidential Classification of Staff's 3rd Set of Interrogatories No. 16, 4th Set of Interrogatories No. 32, and 8th Set of Interrogatories No. 97, and request for determination by full Commission
- 8/20/09 Notice of Intent to Request Confidential Classification of Requested Compensation Information (Note: duplicative filing made 8/19/09 has been returned)
- 8/24/09 Amended Notice of Intent to Request Confidential Classification of Requested Compensation Information
- 8/25/09 Second Amended Notice of Intent to Request Confidential Classification of Requested Compensation Information
- 8/25/09 Notice of Intent to Request Confidential Classification of Requested Compensation Information in Electronic Format (Interrogatory No. 97)
- 8/26/09 Notice of Intent to Request Confidential Classification of Additional Requested Compensation Information in Electronic Format (Interrogatories No. 16 & 17)
- 8/27/09 Notice of Intent to Request Confidential Classification of documents created by Staff, titled "Bonus as a Percent of Base Salary" and "Overtime as a Percent of Base Salary"
- 9/10/09 Request for Confidential Classification of Requested Compensation Information (incorporating by reference the attachments to FPL's 8/20, 8/24, 8/25, 8/25, and 8/26 Notices of Intent to Request Confidential Classification)
- 9/17/09 Request for Confidential Classification of documents created by Staff, titled "Bonus as a Percent of Base Salary" and "Overtime as a Percent of Base Salary" (incorporating by reference the attachments to FPL's 8/27/09 Notice of Intent to Request Confidential Classification)