



Ilan Kaufer  
 Attorney for  
 Florida Power & Light Company  
 700 Universe Boulevard  
 Juno Beach, FL 33408-0420  
 (561) 304-5675  
 (561) 691-7135 (Facsimile)

April 28, 2010

**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

RECEIVED-FPSC  
 10 APR 28 PM 4:25  
 COMMISSION  
 CLERK

Re: Docket No. 100077-EI; FPL's Notice of Intent to Request Confidential Classification

Dear Ms. Cole:

Enclosed for filing on behalf of Florida Power & Light Company is a Notice of Intent to Request Confidential Classification ("Notice of Intent") for confidential information provided in response to the Florida Public Service Commission Staff's First Request for Production of Documents, Nos. 1 through 3, and First Set of Interrogatories, Nos. 1 through 28. Also enclosed is a compact disc that contains a copy of the Notice of Intent without attachments.

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

Sincerely,

Ilan Kaufer

Enclosures

cc: Parties of record w/out attachment

**This docketed notice of intent was filed with Confidential Document No. 03471-10. The document has been placed in confidential storage pending timely receipt of a request for confidentiality.**

COM \_\_\_\_\_  
 APA \_\_\_\_\_  
 ECR 5  
 GCL 1+CD  
 RAD \_\_\_\_\_  
 SSC \_\_\_\_\_  
 ADM \_\_\_\_\_  
 OPC \_\_\_\_\_  
 CLK 1

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

IN RE: Investigation of the appropriateness )  
of the affiliate product offerings to Florida )  
Power & Light customers. )  
\_\_\_\_\_ )

Docket No: 100077-EI

Filed: April 28, 2010

**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 certain material provided to the Staff of the Florida Public Service Commission ("Staff") in response to its First Set of Interrogatories (Nos. 1-28) and First Request for Production of Documents (Nos. 1-3).

A copy of Staff's discovery requests are attached hereto as Attachment 1. FPL, pursuant to Rule 25-22.006(3)(a), requests confidential handling of the highlighted material furnished in response to this Staff request, which is enclosed in the attached envelope labeled "Attachment 2 – CONFIDENTIAL INFORMATION." This information is intended to be and has been treated as private and confidential and has not been publicly disclosed.

Respectfully submitted this 28<sup>th</sup> day of April, 2010.

John T. Butler, Managing Attorney  
Ilan G. Kaufer, Attorney for  
Florida Power & Light Company  
700 Universe Boulevard  
Juno Beach, Florida 33408-0420  
Telephone: (561) 304-5675  
Facsimile: (561) 691-7135

By: \_\_\_\_\_

*Ilan G. Kaufer*  
for Ilan G. Kaufer  
Florida Bar No. 0065394

DOCUMENT NUMBER-DATE


03462 APR 28 2010

FPSC-COMMISSION CLERK

**CERTIFICATE OF SERVICE  
DOCKET NO. 100077-EI**

**I HEREBY CERTIFY** that a true and correct copy of the foregoing without attachments has been furnished by hand delivery\* or U.S. Mail\*\* this 28th day of April, 2010, to the following:

Lisa Bennett, Esq.* Division of Legal Services Florida Public Service Commission 2540 Shumard Oak Blvd Tallahassee, Florida 32399-0850 LBENNETT@PSC.STATE.FL.US	J. R. Kelly, Esq.** Office of Public Counsel c/o The Florida Legislature 111 West Madison Street, Room 812 Tallahassee, Florida 32399 Kelly.jr@leg.state.fl.us
--	---

By:   
\_\_\_\_\_  
Ian G. Kaufer  
Florida Bar No. 0065394

# Attachment 1

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Investigation of the appropriateness of the affiliate product offerings to Florida Power & Light customers. || DOCKET NO. 100077-EI  
|| DATED: MARCH 29, 2010

STAFF'S FIRST REQUEST FOR PRODUCTION OF DOCUMENTS TO  
FLORIDA POWER & LIGHT COMPANY (NOS. 1 - 3)

Pursuant to Rule 28-106.206, Florida Administrative Code, and Rule 1.350, Florida Rules of Civil Procedure, the Staff of the Florida Public Service Commission, by and through its undersigned attorney, hereby serves the following Request for Production of Documents upon Florida Power & Light Company (FPL).

Please produce the following documents at the Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, no later than thirty days after service of this request for the purpose of inspection and copying.

DEFINITIONS

As used herein, the word "documents" shall mean the original and any non-identical copies of any writing or record, including but not limited to a book, pamphlet, periodical, letter, memorandum, telegram, report, study, interoffice or intraoffice, handwritten or other notes, working paper, draft, application, permit, chart, paper, graph, survey, index, tape, disc, data sheet or data processing card, computer printout, or any other written, recorded, transcribed, filed or graphic matter, however produced or reproduced.

DOCUMENTS REQUESTED

1. Provide a copy of all scripts that FPL customer service representatives use when a residential/business customer contacts them to establish electric service (see interrogatory request 2).
2. Provide a copy of each FPLES energy-related offering of product or service to FPL customers. (see interrogatory request 1)
3. Provide a copy of each insert included in FPL's bills during 2009.

---

LISA C. BENNETT  
Senior Attorney, Office of the General Counsel

FLORIDA PUBLIC SERVICE COMMISSION  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850  
(850) 413-6199

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Investigation of the appropriateness of the affiliate product offerings to Florida Power & Light customers.      DOCKET NO. 100077-EI  
DATED: MARCH 29, 2010

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the original and one correct copy of STAFF'S FIRST REQUEST FOR PRODUCTION OF DOCUMENTS TO FLORIDA POWER & LIGHT COMPANY (NOS. 1 - 3) has been served by electronic mail and by U. S. mail to Wade Litchfield, Florida Power & Light Company, 215 South Monroe Street, Suite 810, Tallahassee, FL 32301-1858 and that a true copy thereof has been furnished to the following by U. S. mail this 29th day of March, 2010:

J.R. Kelly  
Office of Public Counsel  
c/o The Florida Legislature  
111 West Madison Street, Room 812  
Tallahassee, FL 32399-1400

John T. Butler  
Florida Power & Light Company  
700 Universe Boulevard  
Juno Beach, FL 33408-0420

---

LISA C. BENNETT  
Senior Attorney, Office of the General Counsel

FLORIDA PUBLIC SERVICE COMMISSION  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850  
(850) 413-6199

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Investigation of the appropriateness of the affiliate product offerings to Florida Power & Light customers.      DOCKET NO. 100077-EI  
DATED: MARCH 29, 2010

STAFF'S FIRST SET OF INTERROGATORIES TO  
FLORIDA POWER & LIGHT COMPANY (NOS. 1 - 28)

The Staff of the Florida Public Service Commission, by and through its undersigned attorney, propounds the following interrogatories, pursuant to Rule 1.340, Florida Rules of Civil Procedure, to FLORIDA POWER & LIGHT COMPANY (FPL). These interrogatories shall be answered under oath by you or your agent, who is qualified and who will be identified, with the answers being served as provided by the Rules of Civil Procedure. As provided by Rule 1.340(a), Florida Rules of Civil Procedure, each interrogatory shall be answered separately and fully in writing under oath unless it is objected to. Each answer shall be signed by the person making it.

Give the name, address, and relationship to FPL of those persons providing the answers to each of the following interrogatories.

If an interrogatory contained herein asks for information that has already been provided or is in the process of being provided to the Commission through a Commission audit, please so state, indicating the date provided and the audit document/record request number.

DEFINITIONS

“You”, “your”, “Company” or “FPL” refers to FLORIDA POWER & LIGHT COMPANY, its employees and authorized agents.

“Document” refers to written matter of any kind, regardless of its form, and to information recorded on any storage medium, whether in electrical, optical or electromagnetic form, and capable of reduction to writing by the use of computer hardware and software.



STAFF'S FIRST SET OF INTERROGATORIES TO  
FLORIDA POWER & LIGHT COMPANY (NOS. 1 - 28)  
DOCKET NO. 100077-EI  
PAGE 2

“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.







STAFF'S FIRST SET OF INTERROGATORIES TO  
FLORIDA POWER & LIGHT COMPANY (NOS. 1 - 28)  
DOCKET NO. 100077-EI  
PAGE 6

7. What criteria, if any, does FPL use to select/allow inserts to be included in FPL's bills?

8. List each non-affiliated entity that has included inserts in FPL's bills during 2009.

STAFF'S FIRST SET OF INTERROGATORIES TO  
FLORIDA POWER & LIGHT COMPANY (NOS. 1 - 28)  
DOCKET NO. 100077-EI  
PAGE 7

9. For the years 2008 and 2009 how many FPLES customers were also FPL customers?

10. For the years 2008 and 2009, how many FPLES customers were billed using FPL's bills?









STAFF'S FIRST SET OF INTERROGATORIES TO  
FLORIDA POWER & LIGHT COMPANY (NOS. 1 - 28)  
DOCKET NO. 100077-EI  
PAGE 11

17. In 2008, how many claims for damage recovery were filed under FPLES's SurgeShield program? How many of these claims were denied?

18. In 2009, how many claims for damage recovery were filed under FPLES's SurgeShield program? How many of these claims were denied?



STAFF'S FIRST SET OF INTERROGATORIES TO  
FLORIDA POWER & LIGHT COMPANY (NOS. 1 - 28)  
DOCKET NO. 100077-EI  
PAGE 13

21. In 2008, how many claims for damage recovery were filed under FPLES's UtilityGard program? How many of these claims were denied?

22. In 2009, how many claims for damage recovery were filed under FPLES's UtilityGard program? How many of these claims were denied?

STAFF'S FIRST SET OF INTERROGATORIES TO  
FLORIDA POWER & LIGHT COMPANY (NOS. 1 - 28)  
DOCKET NO. 100077-EI  
PAGE 14

23. In 2008, how many claims for damage recovery were filed under FPLES's Power Surge Protection program? How many of these claims were denied?

24. In 2009, how many claims for damage recovery were filed under FPLES's Power Surge Protection program? How many of these claims were denied?



27. If FPL provides billing and collection services for FPLES, provide a sample bill that includes charges for non-regulated services.
28. If non-regulated services are included on FPL's bills and the customer only makes a partial payment, is that payment apportioned between the regulated and non-regulated charges or applied to the regulated charges first? If it is apportioned, how are the apportioned amounts determined?

---

LISA C. BENNETT  
Senior Attorney, Office of the General Counsel

FLORIDA PUBLIC SERVICE COMMISSION  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850  
(850) 413-6199

**AFFIDAVIT**

STATE OF FLORIDA)

COUNTY OF \_\_\_\_\_)

I hereby certify that on this \_\_\_\_\_ day of \_\_\_\_\_, 2010, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared \_\_\_\_\_, who is personally known to me, and he/she acknowledged before me that he/she provided the answers to interrogatory number(s) \_\_\_\_\_ from STAFF'S FIRST SET OF INTERROGATORIES TO FLORIDA POWER & LIGHT COMPANY (NOS. 1 - 28) in Docket No(s). 100077-EI, and that the responses are true and correct based on his/her personal knowledge.

In Witness Whereof, I have hereunto set my hand and seal in the State and County aforesaid as of this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_  
Notary Public  
State of Florida, at Large

My Commission Expires:  
\_\_\_\_\_



BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Investigation of the appropriateness of the affiliate product offerings to Florida Power & Light customers.      DOCKET NO. 100077-EI  
DATED: MARCH 29, 2010

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the original and one correct copy of STAFF'S FIRST SET OF INTERROGATORIES TO FLORIDA POWER & LIGHT COMPANY (NOS. 1 - 28) has been served by electronic mail and by U. S. mail to Wade Litchfield, Florida Power & Light Company, 215 South Monroe Street, Suite 810, Tallahassee, FL 32301-1858, and that a true copy thereof has been furnished to the following by electronic mail and by U. S. mail this 29th day of March, 2010:

J.R. Kelly/Joseph McGlothlin  
Office of Public Counsel  
c/o The Florida Legislature  
111 West Madison Street, Room 812  
Tallahassee, FL 32399-1400

John T. Butler  
Florida Power & Light Company  
700 Universe Boulevard  
Juno Beach, FL 33408-0420

---

LISA C. BENNETT  
Senior Attorney, Office of the General Counsel

FLORIDA PUBLIC SERVICE COMMISSION  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850  
(850) 413-6199

COMMISSIONERS:  
NANCY ARGENZIANO, CHAIRMAN  
LISA POLAK EDGAR  
NATHAN A. SKOP  
DAVID E. KLEMENT  
BEN A. "STEVE" STEVENS III

STATE OF FLORIDA



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

# Public Service Commission

## ACKNOWLEDGEMENT

DATE: April 28, 2010

TO: Ilan Kaufer

FROM: Diamond Williams, Office of Commission Clerk

RE: **Acknowledgement of Receipt of Confidential Filing**

---

This will acknowledge receipt of a **CONFIDENTIAL DOCUMENT** filed in Docket Number 100077-EI or, if filed in an undocketed matter, concerning Response to the FPSC Staff's First Request for Production of Documents Nos. 1 through 3, and the First Set of Interrogatories, Nos. 1 through 28, and filed on behalf of Florida Power And Light Company. The document will be maintained in locked storage.

If you have any questions regarding this document, please contact Kim Peña, Records Management Assistant, at (850) 413-6393.

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](mailto:contact@psc.state.fl.us)