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August 3, 2010

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

CLAIM OF CONFIDENTIALITY
 NOTICE OF INTENT
 REQUEST FOR CONFIDENTIALITY
 FILED BY OPC
 FOR DN 06387-10, WHICH
 IS IN LOCKED STORAGE. YOU MUST BE
 AUTHORIZED TO VIEW THIS DN. - CLK

Re: Docket No. 100009-EI; Nuclear Power Plant Cost Recovery Clause

Dear Ms. Cole:

Enclosed for filing on behalf of Florida Power & Light Company ("FPL") are an original and seven (7) copies of its Request for Confidential Classification of Exhibit SRS-12 to the rebuttal testimony of Witness Steven R. Sim. The original includes Exhibit A through D. The seven (7) copies include Exhibits B through D only.

Exhibit A is the confidential exhibit, and all information that FPL asserts is entitled to confidential treatment has been highlighted. Exhibit B is an edited version of Exhibit A, in which the information FPL asserts is confidential has been redacted. Exhibit C is a justification table supporting FPL's Request for Confidential Classification. Exhibit D contains the affidavit of Terry Jones in support of FPL's Request for Confidential Classification. Also included in this filing is a compact disc containing FPL's Request for Confidential Classification and Exhibit C only in Microsoft Word format.

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

Sincerely,

Jessica Cano
 Jessica A. Cano

- COM _____
- APA _____
- ECR 3 _____
- GCL _____
- RAD _____
- SSC _____
- ADM _____
- OPC _____
- CLK Pena _____

(A, B, C, D containing request and attachments) 06389-10
 Enclosures
 cc: Parties of Record (w/out enc.)

DOCUMENT NUMBER: 0411
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 FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Nuclear Power Plant)
Cost Recovery Clause)

Docket No. 100009-EI
Filed: August 3, 2010

**FLORIDA POWER & LIGHT COMPANY'S
REQUEST FOR CONFIDENTIAL CLASSIFICATION OF
EXHIBIT SRS-12 TO THE REBUTTAL TESTIMONY OF STEVEN R. SIM**

Pursuant to Section 366.093, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, Florida Power & Light Company ("FPL") requests confidential classification of a portion of Exhibit SRS-12 to the rebuttal testimony of FPL Witness Steven R. Sim. In support of its request, FPL states as follows:

1. FPL is filing contemporaneously with this request the rebuttal testimony and exhibits of several witnesses in the above referenced docket, including the testimony and exhibits of FPL witness Steven R. Sim. Certain information within Exhibit SRS-12 is business proprietary, competitively sensitive information. Pursuant to Rule 25-22.006(4), Florida Administrative Code, FPL is filing this Request for Confidential Classification.

2. The following exhibits are included with and made a part of this request:

a) Exhibit A is the confidential copy of Exhibit SRS-12, with the confidential portion highlighted.

b) Exhibit B is a redacted copy of Exhibit SRS-12, with the confidential portion *blacked out*.

c) Exhibit C is a table identifying the specific page and line or column numbers that are confidential, with references to the specific statutory bases for the claim of confidentiality and to the affidavit in support of the requested classification.

d) Exhibit D is the affidavit of Terry Jones in support of this request.

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

3. FPL submits that the information in Exhibit A is proprietary confidential business information within the meaning of Section 366.093(3), Florida Statutes. This information is intended to be and is treated by FPL as private, and its confidentiality has been maintained. Pursuant to Section 366.093, such information is entitled to confidential treatment and it is exempt from the disclosure provisions of the public records law. Thus, once the Commission determines that the information in question is proprietary confidential business information, the Commission is not required to engage in any further analysis or review such as weighing the harm of disclosure against the public interest in access to the information.

4. As the affidavit included in Exhibit D indicates, the information provided by FPL contains competitively sensitive information that will be used in negotiations with vendors and help ensure the reasonableness of vendor cost estimates. Public disclosure of this information would impair FPL's negotiations with vendors for favorable contract terms, to the ultimate detriment of FPL's customers. Such information is protected by Section 366.093(3)(d) and Section 366.093(3)(e), Florida Statutes.

5. Upon a finding by the Commission that the information included in Exhibit A, and referenced in Exhibit C, is proprietary confidential business information, the information should not be declassified for a period of 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. *See* § 366.093(4), Fla. Stat.

WHEREFORE, FPL respectfully requests confidential classification of the confidential portion of Exhibit SRS-12 as described herein.

Respectfully submitted,

Jessica A. Cano
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By: Jessica Cano
Jessica A. Cano
Fla. Bar No. 0037372

**CERTIFICATE OF SERVICE
DOCKET NO. 100009-EI**

I HEREBY CERTIFY that a true and correct copy of FPL's Request for Confidential Classification of Exhibit SRS-12 was served by U.S. Mail this 3rd day of August, 2010 to the following:

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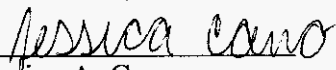
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Public Service Commission

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Re: Acknowledgement of Confidential Filing in Docket No. 100009-EI

This will acknowledge receipt by the Florida Public Service Commission, Office of Commission Clerk, of a CONFIDENTIAL DOCUMENT filed on August 3, 2010, in the above-referenced docket.

Document Number 06387-10 has been assigned to this filing, which 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.