



Florida Power & Light Company, 215 S. Monroe Street, Suite 810, Tallahassee, FL 32301

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September 8, 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

100007-EI


Re: Docket No. 100007-EI; Environmental 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 Revised Request for Confidential Classification of Staff's Fourth Set of Interrogatories. FPL is filing this Revised Request for Confidential Classification to correct an error in the title. The original Exhibits A through D were filed on August 30, 2010. This Revised Request for Confidential Classification replaces the Request filed on August 30, 2010.

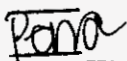
Please contact me if you or your Staff has any questions regarding this filing.

Sincerely,


Scott Goorland

Enclosure
cc: Parties of Record

COM _____
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ECR _____
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ADM _____
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an FPL Group company

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FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

**IN RE: Environmental Cost)
Recovery Clause)**

**DOCKET NO. 100007-EI
Filed: September 8, 2010**

**REVISED REQUEST FOR CONFIDENTIAL CLASSIFICATION OF INFORMATION
PROVIDED IN RESPONSE TO STAFF'S FOURTH SET OF INTERROGATORIES**

Pursuant to Section 366.093, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, Florida Power & Light Company ("FPL") requests confidential classification of certain information provided in response to Staff's Fourth Set of Interrogatories No. 36 ("Confidential Discovery Response") which was served by Staff on July 28, 2010. In support of this Revised Request, FPL states as follows:

1. On August 30, 2010, FPL filed its Request for Confidential Classification of Staff's Third Interrogatories. FPL inadvertently titled the Request for Confidential Classification as Staff's Third Set of Interrogatories. This revised request is being filed to correct the title to read Staff's Fourth Interrogatories and should replace the original Request for Confidential Classification filed August 30, 2010.

2. The following exhibits were filed on August 30, 2010 and are incorporated as referenced herein and made a part of this revised request:

a. Exhibit A consists of a copy of the Confidential Discovery Response on which all information that FPL asserts is entitled to confidential treatment has been highlighted.

b. Exhibit B consists of an edited version of Exhibit A on which all information that FPL asserts is entitled to confidential treatment has been redacted.

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c. Exhibit C is a table containing an identification of the information highlighted in Exhibit A, together 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 Mark Cifone, Manager of Construction, in the Engineering and Construction Business Unit for FPL.

3. FPL submits that the highlighted 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 is exempt from the disclosure provisions of the public records law. Thus, once the Commission determined 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 hard 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 information concerning bids or other contractual data, the disclosure of which would impair FPL's ability to contract for goods or services on favorable terms within the meaning of Section 366.093(3)(d). Additionally the information provided relates to competitive interests, the disclosure of which would impair the competitive business of FPL's counter-party. Such information is protected by Section 366.093(3)(e). Specifically, the information relates to cost estimates for FPL's 800 MW ESP Project, including contractor labor and material cost estimates.

5. Upon a finding by the Commission that the information provided in Exhibit A, and referenced in Exhibits B, C, and D 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 S.366.093(4), F.S.*

WHEREFORE, FPL respectfully requests confidential classification of the Confidential Discovery Responses as described herein.

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BY: 
Scott A. Goorland
tox Fla. Bar No. 0066834

CERTIFICATE OF SERVICE
Docket No. 100007-EI

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by hand delivery(*) or United States mail on September 8, 2010 to the following:

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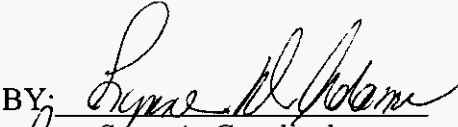
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