



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

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

September 29, 2010

VIA HAND DELIVERY

Ms. Ann Cole
Commission Clerk
Florida Public Service Commission
Betty Easley Conference Center
2540 Shumard Oak Boulevard, Room 110
Tallahassee, FL 32399-0850

Re: Docket No. 100002-EG

Dear Ms. Cole:

Enclosed for filing on behalf of Florida Power & Light Company ("FPL") are an original and seven (7) copies of FPL's Revised First Request for Extension of Confidential Classification of Materials Provided Pursuant to Audit No. 08-037-4-2. FPL is filing this Revised First Request for Extension of Confidential Classification to correct an error in the title. Revised Exhibits A through D were filed on September 27, 2010. This Revised Request replaces FPL's Fourth Request for Extension of Confidential Classification of Materials Provided Pursuant to Audit No. 08-037-4-2 filed on September 27, 2010.

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

Sincerely,

Ilan G. Kaufer, Esq.
Attorney for
Florida Power & Light Company

Enclosures
cc: Counsel for parties of record, w/out exhibits

CLAIM OF CONFIDENTIALITY
 NOTICE OF INTENT
 REQUEST FOR CONFIDENTIALITY
 FILED BY OPC

FOR DN 080911-10, WHICH IS IN LOCKED STORAGE. YOU MUST BE AUTHORIZED TO VIEW THIS DN. - CLK

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FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Energy Conservation Cost)
Recovery Clause _____)

Docket No. 100002-EG
Filed: September 29, 2010

**FLORIDA POWER & LIGHT COMPANY'S REVISED FIRST REQUEST
FOR EXTENSION OF CONFIDENTIAL CLASSIFICATION
OF MATERIALS PROVIDED PURSUANT TO AUDIT NO. 08-037-4-2**

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 material provided to the Staff of the Florida Public Service Commission ("Staff") pursuant to Audit Control No. 08-037-4-2 ("the Audit"). In support of its request, FPL states as follows:

1. On September 27, 2010, FPL filed its Fourth Request for Extension of Confidential Classification of Materials Provided Pursuant to Audit No. 08-037-4-2. FPL inadvertently titled the Request for Confidential Classification as FPL's Fourth Request for Extension of Confidential Classification. This revised request is being filed to correct the title to read FPL's First Request for Extension of Confidential Classification, and should replace the Fourth Request for Extension of Confidential Classification filed on September 27, 2010.

2. Revised Exhibits A through D were filed with FPL's Fourth Request for Confidential Classification of Materials Provided Pursuant to Audit No. 08-037-4-2 on September 27, 2010, and are incorporated as referenced herein and made a part of this revised request.

3. On August 12, 2008, FPL filed its Request for Confidential Classification of certain materials obtained during the audit, with attached Exhibits A through D ("August 12, 2008 Request"). By Order No. PSC-09-0193-CFO-EG, dated March 27, 2009, the Commission granted FPL's August 12, 2008 Request. FPL adopts and incorporates by reference its August 12, 2008 Request and exhibits.

DOCUMENT IDENTIFICATION
08146 SEP 29 2010
FPSC-CONFIDENTIAL

4. The period of confidential treatment granted by Order No. PSC-09-0193-CFO-EG will soon expire. Some of the information that was the subject of August 12, 2008 Request warrants continued treatment as proprietary and confidential business information within the meaning of section 366.093(3), Florida Statutes. Accordingly, FPL hereby submits its First Request for Extension of Confidential Classification.

5. Included herewith and made a part hereof, is Revised Exhibit A, Revised Exhibit B, Revised Exhibit C, and Revised Exhibit D.

6. As noted above, FPL has determined that only some of the information, which was confidential at the time of the August 12, 2008 Request, warrants continued confidential treatment. Revised Exhibits A and B are not intended to replace Exhibits A and B, which were filed with FPL's August 12, 2008 Request, in their entirety. Revised Exhibits A consists of modified highlighted copies of the specific working papers where FPL has determined that a portion of the information previously designated as confidential no longer requires confidential treatment. The information in Revised Exhibit A for which FPL seeks confidential classification has been highlighted. Revised Exhibit A is submitted separately in a sealed envelope marked "Revised Exhibit A – Confidential." Revised Exhibit B is an edited version of Revised Exhibit A, in which the information FPL asserts remains confidential has been redacted. The revised highlighted and redacted pages in Revised Exhibits A and B are intended to replace the correspondingly numbered working papers FPL filed in Exhibits A and B with its original August 12, 2008 Request. Due to the voluminous nature of the original Exhibits A and B, FPL has included in Revised Exhibits A and B only the specific pages on which the confidentiality designation has changed. The following working papers were revised, and are identified in Revised Exhibits A, B, and C: 43-1/1-7/2 and 43-1/1-9/1. These revised pages are subject to, and should be handled consistent with, FPL's August 12, 2008 request.

7. FPL has identified all of the information that warrants continued confidential treatment in Revised Exhibit C. Revised Exhibit C contains a table identifying the specific pages, and the line(s) or column(s) on those pages, which remain confidential. The table also contains references to the specific statutory basis or bases for the claim of confidentiality, and to the affidavits in support of the requested classification. Revised Exhibit C reflects that Damaris Rodriguez, Antonio Maceo, and Anita Sharma have been added as affiants in support of the continued confidential classification of the confidential documents

8. Revised Exhibit D contains the affidavits of Damaris Rodriguez, Antonio Maceo, and Anita Sharma.

9. FPL submits that the information identified in Revised Exhibit C (“Confidential Information”) continues to be proprietary confidential business information within the meaning of section 366.093(3), Florida Statutes. Pursuant to section 366.093, such materials are entitled to confidential treatment and are 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.

10. As the affidavits included in Exhibit D indicate, certain information provided by FPL contains information related to internal auditing controls and reports of internal auditors. Specifically, the documents or materials contain information related to internal auditing reports issued in 2007. Such information is protected from public disclosure pursuant to Section 366.093(3)(b), Florida Statutes.

11. Certain information provided by FPL also contains or constitutes contractual vendor data, such as pricing and other terms, the disclosure of which would impair the efforts of

FPL to contract for goods and services on favorable terms in the future. Additionally, certain information is related to competitive interests, the disclosure of which would impair the competitive business of the provider of the information. Specifically, the documents or materials contain or constitute vendor pricing information and contractual obligations for specific services, the disclosure of which would harm the competitive interest of FPL or its vendors. Such information is protected from disclosure pursuant to sections 366.093(3)(d) and (e), Florida Statutes.

12. Certain information also contains or constitutes customer specific account information. It is FPL's policy not to disclose customer-specific information, except as required by law, to entities or persons other than the customer absent the customer's consent. This policy includes, but is not limited to: customer names, addresses, telephone numbers, account numbers, rates, billing determinants (kW and kWh usage), conservation savings in kW and kWh, and customer bills. FPL's policy is premised upon customers' right to privacy and the potential that the disclosure of customer specific information may harm some customers' competitive interests. This information is protected from disclosure pursuant to section 366.093(3)(e), Florida Statutes.

13. Nothing has changed since the filing of FPL's August 12, 2008 request to render the Confidential Information stale or public, such that continued confidential treatment would not be appropriate.

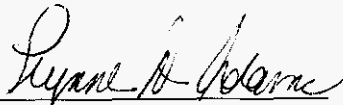
14. Upon a finding by the Commission that the Confidential Information remains proprietary and confidential business information, the information should not be declassified for at least an additional eighteen (18) month period and should be returned to FPL as soon as it is no longer necessary for the Commission to conduct its business. *See* § 366.093(4), Fla. Stat.

WHEREFORE, for the above and forgoing reasons, as more fully set forth in the supporting materials and affidavits included herewith and incorporated herein by reference, Florida Power & Light Company respectfully requests that its First Request for Extension of Confidential Classification be granted.

Respectfully submitted,

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

By:


Ilan G. Kaufer
Florida Bar No. 65394

CERTIFICATE OF SERVICE
DOCKET NO. 100002-EG

I HEREBY CERTIFY that a true and correct copy of Florida Power & Light Company's First Request for Extension of Confidential Classification was served via hand delivery* and/or by U.S. mail this 29th day of September, 2010 to the following (exhibits are not being served but are available upon request):

Katherine Fleming*
Lee Eng Tan
Office of General Counsel
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Office of Public Counsel
J. R. Kelly, Esq.
Patricia Ann Christensen, Esq.
Charlie Beck, Esq.
c/o The Florida Legislature
111 West Madison St., Room 812
Tallahassee, FL 32399-1400

Beggs & Lane Law Firm
Jeffrey Stone/Russell Badders/
Steven Griffin
Attorneys for Gulf Power Company
P.O. Box 12950
Pensacola, FL 32591-2950

Ausley Law Firm
James Beasley/J. Jeffrey Wahlen
Attorneys for Tampa Electric Company
(TECO)
P.O. Box 391
Tallahassee, FL 32302

Gulf Power Company
Ms. Susan D. Ritenour
One Energy Place
Pensacola, FL 32520-0780

Tampa Electric Company
Paula K. Brown
Regulatory Affairs
P. O. Box 111
Tampa, FL 33601-0111

Florida Industrial Power Users Group
John W. McWhirter, Jr.
c/o McWhirter Law Firm
P.O. Box 3350
Tampa, FL 33601-3350

Keefe Law Firm
Vicki Gordon Kaufman/Jon C. Moyle, Jr.
Attorneys for Florida Industrial Power
Users Groups (FIPUG)
118 North Gadsen Street
Tallahassee, FL 32301

Beth Keating, Esq.
Akerman Senterfitt
Attorneys for Florida Public Utilities
Company
106 East College Ave., Ste 1200
Tallahassee, FL 3230
Beth.keating@akerman.com

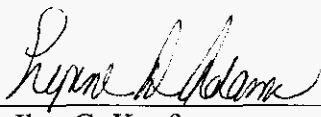
Florida Public Utilities Company
Joseph Eysie
P. O. Box 3395
West Palm Beach, FL 33402-3395

Progress Energy Service Company, LLC
John T. Burnett
P.O. Box 14042
St. Petersburg, FL 33733-4042

Progress Energy Florida, Inc.
Mr. Paul Lewis, Jr.
106 East College Avenue, Suite 800
Tallahassee, FL 32301-7740

James W. Brew
F. Alvin Taylor
Attorneys for White Springs Agricultural
Chemicals, Inc.
Brickfield, Burchette, Ritts & Stone, P.C.
1025 Thomas Jefferson St., NW
Eighth Floor, West Tower
Washington, DC 20007

Randy Miller
White Springs Agricultural Chemicals,
Inc.
P.O. Box 300
15843 Southeast 78th Street
White Springs, FL 32096

By: 
Ilan G. Kaufer
Fla. Bar No. 65394