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COMMISSION  
CLERK

February 16, 2011

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

claim of confidentiality  
 notice of intent  
 request for confidentiality  
 filed by OPC

Re: Docket No. 110001-EI

For DN 08274-10 E  
00685-11; which  
is in locked storage. You must be  
authorized to view this DN.-CLK

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 Information Provided in Response to Staff's Sixth Set of Interrogatories. Also included in this filing is a compact disc containing FPL's Revised Request for Confidential Classification in Microsoft Word format.

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

Sincerely,

*Scott A. Goorland*  
Scott A. Goorland

cc: parties of record

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*CD containing request fwd to ECR*

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FPSC-COMMISSION CLERK

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

IN RE: Fuel and Purchased Power )  
Cost Recovery Clause with Generating )  
Performance Incentive Factor )

Docket No: 110001-EI

Filed: February 16, 2011

**FLORIDA POWER AND LIGHT COMPANY'S REVISED REQUEST FOR  
CONFIDENTIAL CLASSIFICATION OF INFORMATION PROVIDED  
IN RESPONSE TO STAFF'S SIXTH 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 Sixth Set of Interrogatories Nos. 53, 57 and 61 ("Confidential Discovery Responses") which was served by Staff on September 10, 2010. In support of its Request, FPL states as follows:

1. FPL served its responses to Staff's Sixth Set of Interrogatories on September 30, 2010, for overnight delivery to Staff on October 1, 2010.
2. On October 1, 2010, FPL requested confidential classification of the Confidential Discovery Responses. *See* Document No. 08275-10.
3. FPL incorporates its October 1, 2010 request, and exhibits A through D attached thereto, herein by reference.
4. On January 26, 2011, on Staff motion, the Commission admitted the Confidential Discovery Responses into the record as Staff Exhibit No. 22. *See* Document No. 00685-11 at pg. 8.
5. FPL amends its October 1, 2010 request to include Staff Exhibit No. 22. All of the information that was the subject of FPL's October 1, 2010 request, including Staff Exhibit No. 22, warrants continued treatment as proprietary confidential business information within the

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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.

6. As the affidavit included in Exhibit D indicates, the information provided by FPL contains information concerning bids or other contractual data about FPL's hedging trades with various counterparties, 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 data provided includes specific information about FPL's procedures and activities related to managing credit risk exposure to financial counterparties, this information relates to competitive interests, the disclosure of which would impair the competitive business of FPL's counterparties. Such information is protected by Section 366.093(3)(e).

7. Upon a finding by the Commission that the information provided in the Confidential Discovery Responses 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.*



**CERTIFICATE OF SERVICE**  
**Docket No. 110001-EI**

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by electronic mail on February 16, 2011, to the following:

<p>Erik Sayler, Esq. Division of Legal Services Florida Public Service Commission 2540 Shumard Oak Blvd Tallahassee, Florida 32399-0850 <a href="mailto:esayler@PSC.STATE.FL.US">esayler@PSC.STATE.FL.US</a></p>	<p>J. R. Kelly, Esq. Patricia Christensen, Esq. Charles Beck, Esq. Charles Rehwinkel, Esq. Office of Public Counsel c/o The Florida Legislature 111 West Madison Street, Room 812 Tallahassee, Florida 32399 <a href="mailto:Kelly.jr@leg.state.fl.us">Kelly.jr@leg.state.fl.us</a> <a href="mailto:Christensen.patty@leg.state.fl.us">Christensen.patty@leg.state.fl.us</a> <a href="mailto:beck.charles@leg.state.fl.us">beck.charles@leg.state.fl.us</a> <a href="mailto:rehwinkle.charles@leg.state.fl.us">rehwinkle.charles@leg.state.fl.us</a></p>
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