



John T. Butler  
 Managing Attorney  
 Florida Power & Light Company  
 700 Universe Boulevard  
 Juno Beach, FL 33408-0420  
 (561) 304-5639  
 (561) 691-7135 (Facsimile)

RECEIVED-FPSC

11 APR 25 PM 4:38

COMMISSION  
 CLERK

April 25, 2011

**VIA HAND DELIVERY**

Ms. Ann Cole, Director  
 Division of the Commission Clerk and  
 Administrative Services  
 Florida Public Service Commission  
 Betty Easley Conference Center, Room 110  
 2540 Shumard Oak Boulevard  
 Tallahassee, Florida 32399-0850

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

For DN 02829-11, which  
 is in locked storage. You must be  
 authorized to view this DN.-CLK

**Re: Florida Power & Light Company's Request for Confidential Classification of  
 Certain Material Provided in Connection with the Monthly Fuel Filings  
Docket No. 110001-EI**

Dear Ms. Cole:

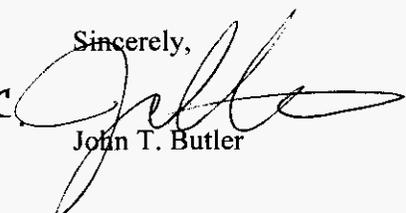
I enclose and hand you herewith for filing in the above-referenced matter, an original and seven (7) copies of Florida Power & Light Company's ("FPL") Request for Confidential Classification. The original includes Attachments A, B, and C.

Attachment A contains the confidential information that is the subject of FPL's Request for Confidential Classification. Attachment A is submitted for filing separately and marked "ATTACHMENT A - CONFIDENTIAL. Attachment B is an edited version of Attachment A, in which the information FPL asserts is confidential has been blocked out. Attachment C contains FPL's justification for its request for confidential classification.

In accordance with Rule 25-22.006(3)(d), FPL requests confidential treatment of the information in Attachment A pending disposition of FPL's request for Confidential Classification.

Also included herewith is a computer diskette containing FPL's Request for Confidential Classification and Attachment C. The diskette is HD density, the operating system is Windows XP, and the processing software is Word. Please contact me should you or your Staff have any questions regarding this filing.

Sincerely,

  
 John T. Butler

cc: containing request and exhibit C  
 JTB/jsb  
 Enclosures  
 cc: Service List (w/out attachments)

COM \_\_\_\_\_  
 APA \_\_\_\_\_  
 ECR 3+  
 GCL \_\_\_\_\_  
 RAD \_\_\_\_\_  
 SSC \_\_\_\_\_  
 ADM \_\_\_\_\_  
 OPC \_\_\_\_\_  
 CLK \_\_\_\_\_

Doc/423 Fuel Filing/February 2011  
 an FPL Group company

DOCUMENT NUMBER-DATE

02828 APR 25 =

FPSC-COMMISSION CLERK

**BEFORE THE  
FLORIDA PUBLIC SERVICE COMMISSION**

In re: Fuel and Purchased Power )  
Cost Recovery Clause and Generating )  
Performance Incentive Factor )  
\_\_\_\_\_ )

DOCKET NO. 110001-EI

FILED: April 25, 2011

**REQUEST FOR CONFIDENTIAL CLASSIFICATION**

**NOW, BEFORE THIS COMMISSION**, through undersigned counsel, comes Florida Power & Light Company ("FPL") and, pursuant to section 25-22.006 of the Florida Administrative Code and section 366.093 of the Florida Statutes, hereby requests confidential classification of certain information on Florida Public Service Commission ("FPSC" or "Commission") Forms 423-1(a), 423-2, 423-2(a) and 423-2(b) for February/January 2011 submitted in Docket No. 110001-EI.

In support of its Request, FPL states as follows:

1. Petitioner's principal business address is as follows:

Florida Power & Light Company  
P.O. Box 029100  
Miami, Florida 33102-9100

Orders, notices, or other pleadings related to this request should be served on:

Kenneth Hoffman  
Vice President Regulatory Support  
Florida Power & Light Company  
215 S. Monroe Street, Suite 810  
Tallahassee, FL 32301-1858  
(850) 521-3919  
(850) 521-3939 Fax

John T. Butler  
Managing Attorney  
Florida Power & Light Company  
700 Universe Boulevard  
Juno Beach, FL 33408-0420  
(561) 304-5639  
(561) 691-7135 Fax

2. The following attachments are included herewith and made a part hereof:
  - a. Attachment A includes the complete and unedited version of FPL's February 2011 Form 423-1(a), St. Johns River Power Park's (SJRPP) February 2011 Forms 423-2, 423-2(a) and 423-2(b) and R.W. Scherer's (Plant Scherer) January 2011 Forms 423-2, 423-2(a) and 423-2(b) which contain certain information that FPL asserts should be accorded confidential treatment. The information in Attachment A for which FPL seeks confidential classification has been highlighted. Attachment A is submitted separately in a sealed envelope marked "**CONFIDENTIAL.**"
  - b. Attachment B is the edited version of Attachment A. All information that FPL asserts is entitled to confidential treatment has been blocked out in Attachment B.
  - c. Attachment C identifies information for which confidential treatment is sought and, with regard to each item or type of information, contains a brief statement that explains the need for confidentiality and refers to the specific statutory basis or bases for the request.

3. Pursuant to section 366.093, FPL seeks confidential protection for the information highlighted in Attachment A. FPL submits that such information is proprietary confidential business information within the meaning of section 366.093(3). 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.

4. The statutory bases and support for FPL's assertion of confidentiality with regard to specific items or types of information are set forth in Attachment C. The information for which confidential classification is sought is intended to be and is treated by FPL as confidential and, to the best of FPL's knowledge and belief, has not been publicly disclosed.

5. Upon a finding by the Commission that the material in Attachment A for which FPL seeks confidential treatment is proprietary confidential business information within the meaning of section 366.093(3), pursuant to section 366.093(4) such materials should not be declassified for eighteen (18) months, or as otherwise extended by the Commission. Further, the materials should be returned to FPL as soon as the information is no longer necessary for the Commission to conduct its business.

**WHEREFORE**, for the above and foregoing reasons, including those set forth in the supporting materials included herewith, Florida Power & Light Company respectfully requests that its Request for Confidential Classification be granted.

Respectfully submitted,



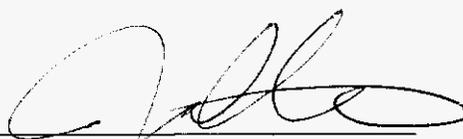
JOHN T. BUTLER  
Managing Attorney  
Florida Bar No. 283479  
Attorney for Florida Power & Light Company  
700 Universe Boulevard  
Juno Beach, Florida 33408-0420  
Tel.: (561) 304-5639  
Fax: (561) 691-7135

## CERTIFICATE OF SERVICE

I, **THE UNDERSIGNED COUNSEL, HEREBY CERTIFY** that a copy of Florida Power & Light Company's Request for Confidential Classification, without Attachment A, has been served via hand delivery\* and/or first class mail, postage prepaid to the parties listed below, this 25th day of April 2011:

<p>Jennifer Crawford, Esq.*          Division of Legal Services          Florida Public Service Commission          2540 Shumard Oak Blvd          Tallahassee, Florida 32399-0850  <a href="mailto:jcrawford@PSC.STATE.FL.US">jcrawford@PSC.STATE.FL.US</a></p>	<p>J. R. Kelly, Esq.          Patricia Christensen, 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:rehwinkle.charles@leg.state.fl.us">rehwinkle.charles@leg.state.fl.us</a></p>
<p>James D. Beasley, Esq          J. Jeffrey Wahlen, Esq.          Ausley &amp; McMullen          Attorneys for Tampa Electric          P.O. Box 391          Tallahassee, Florida 32302  <a href="mailto:jbeasley@ausley.com">jbeasley@ausley.com</a>  <a href="mailto:jwahlen@ausley.com">jwahlen@ausley.com</a></p>	<p>John T. Burnett, Esq./Diane M. Triplett          Progress Energy Service Company, LLC          P.O. Box 14042          St. Petersburg, Florida 33733-4042  <a href="mailto:john.burnett@pgnmail.com">john.burnett@pgnmail.com</a>  <a href="mailto:diane.triplett@pgnmail.com">diane.triplett@pgnmail.com</a></p>
<p>John W. McWhirter, Jr., Esq          McWhirter &amp; Davidson, P.A.          Attorneys for FIPUG          P.O. Box 3350          Tampa, Florida 33602  <a href="mailto:jmcwhirter@mac-law.com">jmcwhirter@mac-law.com</a></p>	<p>Beth Keating, Esq.          Gunster Firm          Attorneys for FPUC          215 So. Monroe St., Suite 618          Tallahassee, Florida 32301- 1804  <a href="mailto:bkeating@gunster.com">bkeating@gunster.com</a></p>
<p>Jeffrey A. Stone, Esq.          Russell A. Badders, Esq.          Beggs &amp; Lane          Attorneys for Gulf Power          501 Commendencia Street          Pensacola, FL 32502  <a href="mailto:jas@beggslane.com">jas@beggslane.com</a>  <a href="mailto:rab@beggslane.com">rab@beggslane.com</a></p>	<p>James W. Brew, Esq / F. Alvin Taylor, Esq.          Attorney for White Springs          Brickfield, Burchette, Ritts &amp; Stone, P.C          1025 Thomas Jefferson Street, NW          Eighth Floor, West Tower          Washington, DC 2007-5201  <a href="mailto:jbrew@bbrslaw.com">jbrew@bbrslaw.com</a>  <a href="mailto:ataylor@bbrslaw.com">ataylor@bbrslaw.com</a></p>

<p>Robert Scheffel Wright, Esq  Jay T. LaVia, III, Esq  Young van Assenderp, P.A  Attorneys for Florida Retail Federation and  City of Marianna  225 South Adams Street, Suite 200  Tallahassee, FL 32301  <a href="mailto:swright@yvlaw.net">swright@yvlaw.net</a>  <a href="mailto:jlavia@yvlaw.net">jlavia@yvlaw.net</a></p>	<p>Jon C. Moyle, Esq. and Vicki Kaufman, Esq.  Keefe, Anchors Gordon &amp; Moyle, P.A.  118 N. Gadsden St.  Tallahassee, FL 32301  Co-Counsel for FIPUG  <a href="mailto:ykaufman@kagmlaw.com">ykaufman@kagmlaw.com</a>  <a href="mailto:jmoyle@kagmlaw.com">jmoyle@kagmlaw.com</a></p>
<p>Patrick K. Wiggins  AFFIRM  P.O. Drawer 1657  Tallahassee, FL 32302  <a href="mailto:wigglaw@gmail.com">wigglaw@gmail.com</a></p>	<p>Michael Barrett  Division of Legal Services  Florida Public Service Commission  2540 Shumard Oak Blvd  Tallahassee, Florida 32399-0850  <a href="mailto:MBARRETT@PSC.STATE.FL.US">MBARRETT@PSC.STATE.FL.US</a></p>
<p>Allan Jungels, Capt, USAF  Utility Litigation &amp; Negotiation Team  Staff Attorney  AFLOA/JACL-ULT/FLOA/JACL-ULT  139 Barnes Drive, Suite 1  Tyndall AFB, FL 32403-5317  Attorney for the Federal Executive Agencies  <a href="mailto:Allan.Jungels@tyndall.af.mil">Allan.Jungels@tyndall.af.mil</a></p>	

By:   
John T. Butler  
Fla. Bar No. 283479

**ATTACHMENT "A"**

**CONFIDENTIAL  
FILED UNDER SEPARATE COVER**

**FPL'S FPSC FORM 423-1(a)**

**SJRPP'S FPSC FORMS**

**423-2**

**423-2 (a)**

**423-2 (b)**

**R.W. SCHERER FPSC FORMS**

**423-2**

**423-2 (a)**

**423-2 (b)**

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**ATTACHMENT "B"**

**REDACTED**

**EDITED VERSION**

**FPL'S FPSC FORM 423-1(a)**

**SJRPP'S FPSC FORMS**

**423-2**

**423-2 (a)**

**423-2 (b)**

**R.W. SCHERER FPSC FORMS**

**423-2**

**423-2 (a)**

**423-2 (b)**

DOCUMENT NUMBER-DATE

02828 APR 25 =

FPSC-COMMISSION CLERK

MONTHLY REPORT OF COST AND QUALITY OF FUEL OIL FOR ELECTRIC PLANTS  
 DETAIL OF INVOICE AND TRANSPORTATION CHARGES

FPSC FORM NO. 423-1 (a)

1. REPORTING MONTH: FEB YEAR: 2011

2. REPORTING COMPANY: FLORIDA POWER LIGHT COMPANY

3. NAME, TITLE, TELEPHONE NUMBER OF CONTACT PERSON CONCERNING DATA  
 SUBMITTED ON THIS FORM: KORY DUBIN, REGULATORY AFFAIRS, (305) 552-4910.

4. SIGNATURE OF OFFICIAL SUBMITTING REPORT: 

5. DATE COMPLETED: 04/13/2011

**EDITED COPY**

(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)	(I)	(J)	(K)	(L)	(M)	(N)	(O)	(P)	(Q)	(R)
LINE NO.	PLANT	SUPPLIER	DELIVERY LOCATION	DELIVERY DATE	TYPE OIL	VOLUME (BBL)	INVOICE PRICE (\$/BBL)	INVOICE AMOUNT (\$)	DISCOUNT (\$)	NET AMOUNT (\$)	NET PRICE (\$/BBL)	QUALITY ADJUST. (\$/BBL)	EFFECTIVE PUR PRICE (\$/BBL)	TRANSP TO TERM (\$/BBL)	ADDITIONAL TRANS CHGS (\$/BBL)	OTHER CHGS (\$/BBL)	DELIVERED PRICE (\$/BBL)
1	PFM	APEC		02/11/2011	F03	10591								0.0000			124.3900
2	PPN	APEC		02/25/2011	F03	4575								0.0000			127.1700
3	PPN	APEC		02/28/2011	F03	1454								0.0000			127.1700
4	PWC	APEC		02/25/2011	F03	715								0.0000			127.6800
5	PWC	APEC		02/28/2011	F03	1519								0.0000			127.6800
6	PPE	AMERIGAS		02/10/2011	PRO	3	163.0900	489	0	489	163.0900	0.0000	163.0900	0.0000	0.0000	0.0000	163.0900

**REDACTED**

DOCUMENT NUMBER-DATE

02828 APR 25 =

FPSC-COMMISSION CLERK

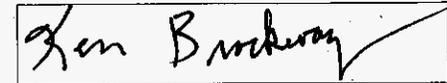
**MONTHLY REPORT OF COST AND QUALITY OF COAL FOR ELECTRIC PLANTS  
ORIGIN, TONNAGE, DELIVERED PRICE AND AS RECEIVED QUALITY**

1. Report For Month/Yr: **February 2011**

4. Name, Title & Telephone Number of Contact  
Person Concerning Data Submitted on this Form: **Terry Keith (305-552-4334)**

2. Reporting Company: **Florida Power & Light**

5. Signature of Official Submitting Report:



3. Plant Name: **St. Johns River Power Park (SJRPP)**

6. Date Completed:

**March 15, 2011**

Line No.	Supplier Name	Mine Location	Purchase Type	Transportation Mode	Tons	Effective Purchase Price (\$/Ton)	Total Trans Cost (\$/Ton)	FOB Plant Price (\$/Ton)	As Received Coal Quality			
									Sulfur Content (%)	Btu Content (%)	Ash Content (%)	Moisture Content (%)
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)	(k)	(l)	(m)
1	CONSOL Energy Sales Compan	02,PA,059	LTC	UR	2,125			147.08	2.20	12,956	7.45	6.42
2	Coal Marketing Company	45,IM,999	LTC	OC	20,097			104.08	0.66	10,633	11.10	13.69
3	Prosperity	,IN,	S	UR	11,346			73.90	1.84	11,528	6.60	15.06

**EDITED COPY**

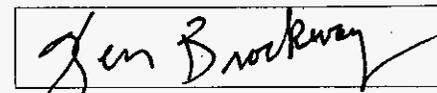
MONTHLY REPORT OF COST AND QUALITY OF COAL FOR ELECTRIC PLANTS  
 DETAIL OF INVOICE PURCHASE PRICE

1. Report For Month/Yr: **February 2011**

4. Name, Title & Telephone Number of Contact  
 Person Concerning Data Submitted on this Form: **Terry Keith (305-552-4334)**

2. Reporting Company: **Florida Power & Light**

5. Signature of Official Submitting Report:



3. Plant Name: **St. Johns River Power Park (SJRPP)**

6. Date Completed: **March 15, 2011**

Line No.	Supplier Name	Mine Location	Purchase Type	Tons	FOB Mine Price (\$/Ton)	Short Haul & Loading Charge	Original Invoice Price (\$/Ton)	Retro-active Price Increases (\$/Ton)	Base Price (\$/Ton)	Quality Adjustments (\$/Ton)	Effective Purchase Price (\$/Ton)
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)	(k)	(l)
1	CONSOL Energy Sales Company	02,PA,059	LTC	2,125		0.00		0.00		0.00	
2	Coal Marketing Company	45,IM,999	LTC	20,097		0.00		0.00		0.00	
3	Prosperity	,IN,	S	11,346		0.00		0.00		0.00	

**EDITED COPY**

MONTHLY REPORT OF COST AND QUALITY OF COAL FOR ELECTRIC PLANTS  
 DETAIL OF TRANSPORTATION CHARGES

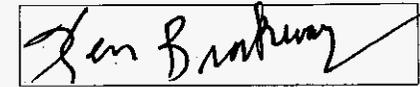
1. Report For Month/Yr: **February 2011**

4. Name, Title & Telephone Number of Contact

Person Concerning Data Submitted on this Form: **Terry Keith (305-552-4334)**

2. Reporting Company: **Florida Power & Light**

5. Signature of Official Submitting Report:



3. Plant Name: **St. Johns River Power Park (SJRPP)**

6. Date Completed:

**March 15, 2011**

Line No.	Supplier Name	Mine Location	Shipping Point	Transportation Mode	Tons	Effective Purchase Price (\$/Ton)	Short Haul & Loading Charge (\$/Ton)	Rail Charges		Waterborne Charges				Total Transport Charges (\$/Ton)	FOB Plant Price (\$/Ton)	
								Rail Rate (\$/Ton)	Other Rail Charges (\$/Ton)	River Barge Rate (\$/Ton)	Trans-loading Rate (\$/Ton)	Ocean Barge Rate (\$/Ton)	Other Water Charges (\$/Ton)			Related Charges (\$/Ton)
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)	(k)	(l)	(m)	(n)	(o)	(p)	(q)
1	CONSOL Energy Sales Comp	02,PA,059	BAILEY	UR	2,125		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		147.08
2	Coal Marketing Company	45,IM,999	EL CERREJON	OC	20,097		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		104.08
3	Prosperity	,IN,	PROSPERITY MI	UR	11,346		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		73.90

**EDITED COPY**

MONTHLY REPORT OF COST AND QUALITY OF COAL FOR ELECTRIC PLANTS  
ORIGIN, TONNAGE, DELIVERED PRICE, AND AS RECEIVED QUALITY

1. Reporting Month: **January** Year: **2011**  
 2. Reporting Company: **FLORIDA POWER & LIGHT COMPANY**  
 3. Plant Name: **R.W.SCHERER**

4. Name, Title & Telephone Number of Contact Person Concerning Data  
Submitted on this Form: **Terry Keith**  
**(305) 552-4334**  
 5. Signature of Official Submitting Report: *Terry Keith*  
 6. Date Completed: **31-Mar-11**

Line No.	Supplier Name	Mine Location	Purchase Type	Transport Mode	Tons	Purchase Price (\$/Ton)	Effective Transport Charges (\$/Ton)	Total FOB Plant Price (\$/Ton)	Sulfur Content (%)	Btu Content (Btu/lb)	Ash Content (%)	Moisture Content (%)
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)	(k)	(l)	(m)
(1)	BUCKSKIN MINING CO	19/WY/5	S	UR	5,545.06			37.653	0.36	8,374	4.60	30.04
(2)	COAL SALES, LLC	19/WY/5	S	UR	27,503.67			38.717	0.23	8,724	4.47	27.40
(3)	KENNECOTT COAL SALE	19/WY/5	S	UR	8,370.49			40.368	0.27	8,893	5.29	25.65
(4)	KENNECOTT COAL SALE	19/WY/5	S	UR	3,002.84			37.843	0.30	8,332	5.40	30.00
(5)	BUCKSKIN MINING CO	19/WY/5	S	UR	33,189.12			36.911	0.30	8,407	4.55	29.69
(6)	ALPHA COAL WEST, INC	19/WY/5	S	UR	19,932.08			37.809	0.25	8,566	4.11	29.33
(7)	ALPHA COAL WEST, INC	19/WY/5	S	UR	72,527.76			37.325	0.46	8,333	5.03	29.73
(8)	KENNECOTT COAL SALE	19/WY/5	S	UR	6,803.11			38.062	0.36	8,372	5.42	29.66
(9)	BUCKSKIN MINING CO	19/WY/5	S	UR	2,272.72			37.400	0.32	8,315	4.43	30.62
(10)	ALPHA COAL WEST, INC	19/WY/5	S	UR	21,827.73			37.640	0.27	8,506	3.84	30.03
(11)	KENNECOTT COAL SALE	19/WY/5	S	UR	21,403.20			36.855	0.35	8,338	5.54	29.71
(12)	ARCH COAL SALES CO,	19/WY/5	S	UR	20,389.47			37.058	0.33	8,368	5.21	30.40

**EDITED COPY**

**MONTHLY REPORT OF COST AND QUALITY OF COAL FOR ELECTRIC PLANTS  
DETAILED PURCHASED COAL INVOICE INFORMATION**

1. Reporting Month:	January	Year:	2011	4. Name, Title & Telephone Number of Contact Person Concerning Data Submitted on this Form: Terry Keith (305) 552-4334
2. Reporting Company:	FLORIDA POWER & LIGHT COMPANY			5. Signature of Official Submitting Report: <i>Ken Brookway</i>
3. Plant Name:	R.W.SCHERER			6. Date Completed: 31-Mar-11

Line No.	Supplier Name	Mine Location	Purch. Type	Tons	FOB Mine Price (\$/Ton)	Shorthaul & Loading Charges (\$/Ton)	Original Invoice Price (\$/Ton)	Retroactive Price Increase (\$/Ton)	Base Price (\$/Ton)	Quality Adjustments (\$/Ton)	Effective Purchase Price (\$/Ton)
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)	(k)	(l)
(1)	BUCKSKIN MINING CO	19/WY/5	S	5,545.06		-		-		0.169	
(2)	COAL SALES, LLC	19/WY/5	S	27,503.67		-		-		0.052	
(3)	KENNECOTT COAL SALE	19/WY/5	S	8,370.49		-		-		(0.330)	
(4)	KENNECOTT COAL SALE	19/WY/5	S	3,002.84		-		-		0.098	
(5)	BUCKSKIN MINING CO	19/WY/5	S	33,189.12		-		-		(0.076)	
(6)	ALPHA COAL WEST, INC	19/WY/5	S	19,932.08		-		-		0.519	
(7)	ALPHA COAL WEST, INC	19/WY/5	S	72,527.76		-		-		(0.085)	
(8)	KENNECOTT COAL SALE	19/WY/5	S	6,803.11		-		-		0.000	
(9)	BUCKSKIN MINING CO	19/WY/5	S	2,272.72		-		-		0.000	
(10)	ALPHA COAL WEST, INC	19/WY/5	S	21,827.73		-		-		0.000	
(11)	KENNECOTT COAL SALE	19/WY/5	S	21,403.20		-		-		0.000	
(12)	ARCH COAL SALES CO, II	19/WY/5	S	20,389.47		-		-		0.000	

**EDITED COPY**

MONTHLY REPORT OF COST AND QUALITY OF COAL FOR ELECTRIC PLANTS  
 DETAILED TRANSPORTATION INVOICE INFORMATION

1. Reporting Month: **January** Year: **2011**  
 2. Reporting Company: **FLORIDA POWER & LIGHT COMPANY**  
 3. Plant Name: **R.W.SCHERER**

4. Name, Title & Telephone Number of Contact Person Concerning Data  
 Submitted on this Form: Terry Keith  
 (305) 552-4334

5. Signature of Official Submitting Report: *Ken Brockway*  
 6. Date Completed: **31-Mar-11**

Line No. (a)	Supplier Name (b)	Mine Location (c)	Shipping Point (d)	Transport Mode (e)	Tons (f)	Effective Purchase Price (\$/Ton) (g)	Additional Shorthaul & Loading Charges (\$/Ton) (h)	Rail Charges		Waterborne Charges			Other Related Charges (\$/Ton) (o)	Total Transportation Charges (\$/Ton) (p)	FOB Plant Price (\$/Ton) (q)
								Rail Rate (\$/Ton) (i)	Other Rail Charges (\$/Ton) (j)	River Barge Rate (\$/Ton) (k)	Trans-loading Rate (\$/Ton) (l)	Ocean Barge Rate (\$/Ton) (m)			
(1)	BUCKSKIN MINING CO	19/WY/5	BUCKSKIN JCT, W	UR	5,545.06	-	-	-	-	-	-	-	-	37.853	
(2)	COAL SALES, LLC	19/WY/5	NACCO JCT, WY	UR	27,503.67	-	-	-	-	-	-	-	-	38.717	
(3)	KENNECOTT COAL SAL	19/WY/5	CONVERSE JCT, W	UR	8,370.49	-	-	-	-	-	-	-	-	40.368	
(4)	KENNECOTT COAL SAL	19/WY/5	CORDERO JCT, W	UR	3,002.84	-	-	-	-	-	-	-	-	37.843	
(5)	BUCKSKIN MINING CO	19/WY/5	BUCKSKIN JCT, W	UR	33,189.12	-	-	-	-	-	-	-	-	36.911	
(6)	ALPHA COAL WEST, INC	19/WY/5	BELLE AYR, WY	UR	19,932.08	-	-	-	-	-	-	-	-	37.809	
(7)	ALPHA COAL WEST, INC	19/WY/5	EAGLE BUTTE, W	UR	72,527.76	-	-	-	-	-	-	-	-	37.325	
(8)	KENNECOTT COAL SAL	19/WY/5	CORDERO JCT, W	UR	6,803.11	-	-	-	-	-	-	-	-	38.062	
(9)	BUCKSKIN MINING CO	19/WY/5	BUCKSKIN JCT, W	UR	2,272.72	-	-	-	-	-	-	-	-	37.400	
(10)	ALPHA COAL WEST, INC	19/WY/5	BELLE AYR, WY	UR	21,827.73	-	-	-	-	-	-	-	-	37.640	
(11)	KENNECOTT COAL SAL	19/WY/5	EAGLE BUTTE, W	UR	21,403.20	-	-	-	-	-	-	-	-	36.855	
(12)	ARCH COAL SALES CO,	19/WY/5	COAL CREEK, WY	UR	20,389.47	-	-	-	-	-	-	-	-	37.058	

**EDITED COPY**

**Justification for Confidentiality for Florida Power & Light Company Report of February 2011:**

<u>FORM</u>	<u>LINE(S)</u>	<u>COLUMN</u>	<u>RATIONALE</u>
423-1(a)	1-5	H	(1)
423-1(a)	1-5	I	(2)
423-1(a)	1-5	J	(2), (3)
423-1(a)	1-5	K	(2)
423-1(a)	1-5	L	(2)
423-1(a)	1-5	M	(2), (4)
423-1(a)	1-5	N	(2), (5)
423-1(a)	1-5	P	(6), (7), (8)
423-1(a)	1-5	Q	(6), (7), (8)

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**Rationale for confidentiality:**

- (1) This information is contractual information which, if made public, "would impair the efforts of [FPL] to contract for goods or services on favorable terms." Section 366.093(3)(d), Fla. Stat. The information delineates the price per barrel FPL has paid for fuel oil for specific shipments from specific suppliers. This information would allow suppliers to compare an individual supplier's price with the market quote for that date of delivery and thereby determine the contract pricing formula between FPL and that supplier.

Contract pricing formulas generally contain two components, which are: (1) a markup in the market quoted price for that day; and (2) a transportation charge for delivery at an FPL chosen port of delivery. Discounts and quality adjustment components of fuel price contract formulas are discussed in paragraphs 3 and 4. Disclosure of the invoice price would allow suppliers to determine the contract price formula of their competitors. The knowledge of others' prices (*i.e.*, contract formulas) among fuel oil suppliers is reasonably likely to cause

the suppliers to converge on a target price, or to follow a price leader, effectively eliminating any opportunity for a major buyer like FPL to obtain price concessions from any one supplier. The end result is reasonably likely to be increased fuel oil prices and therefore increased electric rates.

- (2) The contract data found in Columns I through N are an algebraic function of Column H. That is, the publication of these Columns together, or independently, could allow a supplier to derive the invoice price of oil.
- (3) If FPL fuel contracts provide for an early payment incentive in the form of a discount from the invoice price, the existence and amount of such discount is confidential for the reasons stated in paragraph (1) relative to price concessions.
- (4) For fuel that does not meet contract requirements, FPL may reject the shipment, or accept the shipment and apply a quality adjustment. The amount of the quality adjustment is, in effect, a pricing term which is as important as the price itself and is therefore confidential for the reasons stated in paragraph (1) relative to price concessions.
- (5) Column N is as important as H from a confidentiality standpoint because of the relatively few times that there are quality or discount adjustments. That is, Column N will equal Column H most of the time. Consequently, Column N needs to be protected for the same reasons as set forth in paragraph (1).
- (6) Column R is used to mask the delivered price of fuel such that the invoice or effective price of fuel cannot be determined. Columns P and Q are algebraic variables of Column R. Consequently, disclosure of Columns P and Q would allow a supplier to calculate the invoice or effective purchase price of oil (Columns H and N) by subtracting these columnar variables from Column R.
- (7) Terminaling and transportation services in Florida tend to have the same, if not more severe, oligopolistic attributes of fuel oil suppliers. Due to the small demand in Florida for both of these services, market entry is difficult. In instances in which FPL has attempted to determine the level of interest in bidding either or both of these services, FPL has found only a very few qualified parties with such an interest. Consequently, disclosure of these contract data is reasonably likely to result in increased prices for terminaling and transportation services.

Petroleum inspection services also have the market characteristics of an oligopoly. Due to the limited number of fuel terminal operations, there are correspondingly few requirements for fuel inspection services. In FPL's last bidding process for petroleum inspection services, only six qualified bidders were found for FPL's bid solicitations. Consequently, disclosure of these contract data is reasonably likely to result in increased prices for petroleum inspection services.

**Justification for Confidentiality for St. Johns River Power Park (SJRRP) Report of February 2011:**

<u>FORM</u>	<u>LINE(S)</u>	<u>COLUMNS</u>	<u>RATIONALE</u>
423-2	1-3	G, H	(1)
423-2	1-3	H	(2)

**Rationale for Confidentiality:**

- (1) Disclosure of the effective purchase price “would impair the efforts of [JEA, acting on its own behalf and as agent for FPL] to contract for goods or services [at the St. Johns River Power Park (SJRRP)] on favorable terms.” Section 366.093(3)(d), Fla. Stat. The data informs other potential coal suppliers as to the price SJRRP is paying for coal. Disclosure of this information, which is particularly sensitive given SJRRP’s reliance on long term contracts with fixed price provisions or short term spot transactions, could adversely affect FPL’s interests in subsequent solicitations for coal and/or in negotiating coal supply agreements. JEA maintains this information as confidential pursuant to section 163.01(15)(m), Fla. Stat. Additionally, providing the purchase price would enable one to ascertain the total transportation charges in Column H by subtracting the effective purchase price from the delivered price at the transfer facility, shown in Column I.
- (2) Disclosure of the total transportation cost “would impair the efforts of [JEA acting on its own behalf and as agent for FPL] to contract for goods or services [at SJRRP] on favorable terms.” Section 366.093(3)(d), Fla Stat. Moreover, the service provider itself typically designates the transportation costs in the contract as confidential. JEA maintains this information as confidential pursuant to section 163.01(15)(m), Fla. Stat. Further, disclosure of this information would enable potential coal suppliers to calculate Column G which FPL seeks to protect by subtracting Column H from Column I.

**Justification for Confidentiality for St. Johns River Power Park (SJRRP) Report of February 2011:**

<u>FORM</u>	<u>LINE(S)</u>	<u>COLUMN</u>	<u>RATIONALE</u>
423-2(a)	1-3	F	(1)
423-2(a)	1-3	H	(1)
423-2(a)	1-3	J	(1)
423-2(a)	1-3	L	(2)

**Rationale for Confidentiality:**

- (1) The information presented in these columns are algebraic derivations of the information in column L that FPL seeks to protect.
- (2) Disclosure of the effective purchase price “would impair the efforts of [JEA, acting on its own behalf and as agent for FPL] to contract for goods or services [at the St. Johns River Power Park (SJRPP)] on favorable terms.” Section 366.093(3)(d), Fla. Stat. The data informs other potential coal suppliers as to the price SJRPP is paying for coal. Disclosure of this information could adversely affect FPL’s interests in subsequent solicitations for coal and/or in negotiating coal supply agreements. JEA maintains this information as confidential pursuant to section 163.01(15)(m), Fla. Stat. Additionally, providing the purchase price would enable one to ascertain the total transportation charges in Column H on Form 423-2, which FPL seeks to protect, by subtracting the effective purchase price from the delivered price at the transfer facility shown in Column I on Form 423-2.

**Justification for Confidentiality for St. Johns River Power Park (SJRPP) Report of February 2011:**

<u>FORM</u>	<u>LINE(S)</u>	<u>COLUMN</u>	<u>RATIONALE</u>
423-2(b)	1-3	G	(1)
423-2(b)	1-3	I	(2)
423-2(b)	1-3	P	(2)

**Rationale for Confidentiality:**

- (1) Disclosure of the effective purchase price “would impair the efforts of [JEA, acting on its own behalf and as agent for FPL] to contract for goods or services [at the St. Johns River Power Park (SJRPP)] on favorable terms.” Section 366.093(3)(d), Fla. Stat. The data informs other potential coal suppliers as to the price SJRPP is paying for coal. Disclosure of this information, which is particularly sensitive given SJRPP’s reliance on long term contracts with fixed price provisions or short term spot transactions, could adversely affect FPL’s interests in subsequent solicitations for coal and/or in negotiating coal supply agreements. JEA maintains this information as confidential pursuant to section 163.01(15)(m), Fla. Stat. Additionally, providing the purchase price would enable one to ascertain the total transportation charges in Column P, which FPL seeks to protect, by subtracting the effective purchase price from the delivered price at the transfer facility shown in Column Q.

- (2) Disclosure of the total transportation cost “would impair the efforts of [JEA acting on its own behalf and as agent for FPL] to contract for goods or services [at SJRPP] on favorable terms.” Section 366.093(3)(d), Fla Stat. Moreover, the service provider itself typically designates the transportation costs in the contract as confidential. JEA maintains this information as confidential pursuant to section 163.01(15)(m), Fla. Stat. Further, disclosure of this information would enable potential coal suppliers to calculate Column G which FPL seeks to protect, by subtracting Column P from Column Q.

**Justification for Confidentiality for R.W. Scherer (Plant Scherer) Report of January 2011:**

<u>FORM</u>	<u>LINE(S)</u>	<u>COLUMNS</u>	<u>RATIONALE</u>
423-2	1-12	G, H	(1)

**Rationale for Confidentiality:**

- (1) On April 1, 2010, FPL was contacted by the BNSF Railway, which transports coal to Plant Scherer, concerning FPL’s disclosure of BNSF transportation rate information on FPL’s Form 423 filing. BNSF has asserted that the transportation rate information is confidential pursuant to its Rail Transportation Agreement BNSF-C-12339 with Georgia Power Company (“GPC”) and that FPL is obligated to maintain the confidentiality of that information. Accordingly, FPL is designating as confidential certain information in the Form 423 filing that, by itself or in conjunction with other information in the filing, would reveal publicly BNSF transportation rate information. FPL argues that this information is confidential under Sections 366.093(3)(d) and 366.093(3)(e), Fla. Stat., because its disclosure would “impair the efforts of [GPC, as agent for FPL] to contract for goods and services on favorable terms” and would “impair the competitive business of” BNSF.

**Justification for Confidentiality for R.W. Scherer (Plant Scherer) Report of January 2011:**

<u>FORM</u>	<u>LINE(S)</u>	<u>COLUMNS</u>	<u>RATIONALE</u>
423-2(a)	1-12	F, H, J, L	(1)

**Rationale for Confidentiality:**

- (1) On April 1, 2010, FPL was contacted by the BNSF Railway, which transports coal to Plant Scherer, concerning FPL’s disclosure of BNSF transportation rate information on FPL’s Form 423 filing. BNSF has asserted that the transportation rate information is confidential pursuant to its Rail Transportation Agreement BNSF-C-12339 with Georgia Power Company (“GPC”) and that FPL is obligated to maintain the confidentiality of that information.

Accordingly, FPL is designating as confidential certain information in the Form 423 filing that, by itself or in conjunction with other information in the filing, would reveal publicly BNSF transportation rate information. FPL argues that this information is confidential under Sections 366.093(3)(d) and 366.093(3)(e), Fla. Stat., because its disclosure would “impair the efforts of [GPC, as agent for FPL] to contract for goods and services on favorable terms” and would “impair the competitive business of” BNSF.

**Justification for Confidentiality for R.W. Scherer (Plant Scherer) Report of January 2011:**

<u>FORM</u>	<u>LINE(S)</u>	<u>COLUMNS</u>	<u>RATIONALE</u>
423-2(b)	1-12	G, I, P	(1)

**Rationale for Confidentiality:**

- (1) On April 1, 2010, FPL was contacted by the BNSF Railway, which transports coal to Plant Scherer, concerning FPL’s disclosure of BNSF transportation rate information on FPL’s Form 423 filing. BNSF has asserted that the transportation rate information is confidential pursuant to its Rail Transportation Agreement BNSF-C-12339 with Georgia Power Company (“GPC”) and that FPL is obligated to maintain the confidentiality of that information. Accordingly, FPL is designating as confidential certain information in the Form 423 filing that, by itself or in conjunction with other information in the filing, would reveal publicly BNSF transportation rate information. FPL argues that this information is confidential under Sections 366.093(3)(d) and 366.093(3)(e), Fla. Stat., because its disclosure would “impair the efforts of [GPC, as agent for FPL] to contract for goods and services on favorable terms” and would “impair the competitive business of” BNSF.