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COMMISSION  
CLERK

May 13, 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

Re: Docket No. 110007-EI

Dear Ms. Cole:

claim of confidentiality  
notice of intent  
 request for confidentiality / ext.  
filed by OPC

For DN 03349-11, which  
is in locked storage. You must be  
authorized to view this DN.-CLK

Enclosed for filing on behalf of Florida Power & Light Company ("FPL") are an original and seven (7) copies of FPL's First Request for Extension of Confidential Classification regarding confidential information provided pursuant to Audit No. 08-029-4-1. The original includes Revised Exhibits A through D. The seven (7) copies do not include the exhibits. A compact disc with FPL's Request and Exhibit C in Word format is also included.

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

Sincerely,

Scott A. Goorland

Enclosures  
cc: Parties of record, w/out exhibits

- COM \_\_\_\_\_
- APA
- ECR
- GCL \_\_\_\_\_
- RAD \_\_\_\_\_
- SSC \_\_\_\_\_
- ADM \_\_\_\_\_
- OPC \_\_\_\_\_
- CLK

+1 CD containing request and exhibit C, also filed.

DOCUMENT NUMBER-DATE  
03348 MAY 13 =

**BEFORE THE  
FLORIDA PUBLIC SERVICE COMMISSION**

In re: Environmental cost )  
recovery clause. )  
)  
\_\_\_\_\_ )

DOCKET NO. 110007-EI  
FILED: May 13, 2011

**FLORIDA POWER & LIGHT COMPANY'S FIRST REQUEST FOR  
EXTENSION OF CONFIDENTIAL CLASSIFICATION OF INFORMATION  
PROVIDED PURSUANT TO AUDIT NO. 08-029-4-1**

Pursuant to Section 366.093, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, Florida Power & Light Company ("FPL") hereby submits its First Request for Extension of Confidential Classification of certain material provided to the Florida Public Service Commission ("Commission") in connection with the Audit No. 08-029-4-1 (the "Audit"). In support of this First Request for Extension of Confidential Classification, FPL states as follows:

1. On August 1, 2008, FPL filed a Request for Confidential Classification of certain materials obtained during the Audit. FPL adopts and incorporates by reference the August 1, 2008, Request, including Exhibits A, B, C and D thereto.
2. By Order No. PSC-09-0776-CFO-EI, dated November 18, 2009, the Commission granted FPL's August 1, 2008 Request.
3. The period of confidential treatment granted by Order No. PSC-09-0776-CFO-EI will soon expire. Some of the information that was the subject of FPL's August 1, 2008 Request warrants continued treatment as proprietary and confidential business information within the meaning of Section 366.093(3), F.S. Accordingly, FPL hereby submits its First Request for Extension of Confidential Classification.

4. Included herewith, and made a part hereof, are Revised Exhibits A through D.

5. As noted above, FPL has determined that only some of the information which was confidential at the time of the August 1, 2008, Request warrants continued confidential treatment. Revised Exhibit D contains the affidavits of Roger Messer and Antonio Maceo.

6. FPL has identified all of the information in the working papers that warrants continued confidential treatment in Revised Exhibit C. Revised Exhibit C contains a table identifying the specific pages, and line(s) or column(s) that remain confidential. The table also provides references to the specific statutory basis or bases for the claim of confidentiality, and to the affidavits in support of the requested classification.

7. FPL submits that the information identified in Revised Exhibit C continues to be proprietary and confidential business information within the meaning of Section 366.093(3), F.S. This information is intended to be and is treated by FPL as private, and its confidentiality has been maintained. Pursuant to Section 366.093, F.S., 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.

8. As indicated by Revised Exhibit D, the information that FPL asserts is proprietary and confidential business information includes contractual data, such as pricing and other terms, the disclosure of which would impair FPL's ability to contract for goods or services on favorable terms in the future. Specifically, the information relates to vendor payments for environmental compliance costs and maintenance costs. Such information is protected from disclosure by Section 366.093(3)(d), F.S. The information also relates to competitive interests, the disclosure

of which would impair the competitive business of the provider of the information. Such information is protected from disclosure by Sections 366.093(3)(e), F.S.

9. As also indicated by Revised Exhibit D, the information that FPL asserts is proprietary and confidential business information includes internal auditing controls and reports of internal auditors. Such information is protected from disclosure by Sections 366.093(3)(b), F.S. This information also includes contractual data, such as pricing and other terms, the disclosure of which would impair FPL's ability to contract for goods or services on favorable terms in the future. Such information is protected from disclosure by Sections 366.093(3)(d), F.S. This information also relates to competitive interests, the disclosure of which would impair the competitive business of the provider of the information. Such information is protected from disclosure by Sections 366.093(3)(e), F.S.

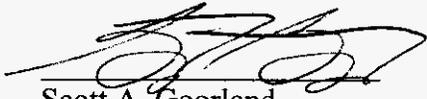
10. Nothing has occurred since the issuance of Order No. PSC-09-0776-CFO-EI to render the confidential information stale or public, such that continued confidential treatment would not be appropriate.

11. 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), F.S.

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

Respectfully submitted,

John T. Butler  
Managing Attorney  
Scott A. Goorland  
Principal Attorney  
Florida Power & Light Company  
700 Universe Boulevard  
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Telephone: (561) 304-5633  
Facsimile: (561) 691-7135

By: 

Scott A. Goorland  
Florida Bar No. 0066834

**CERTIFICATE OF SERVICE**

**Docket No. 110007-EI**

I HEREBY CERTIFY that a true and correct copy of FPL's First Extension for Request of Confidential Information, without attachments, has been furnished by hand delivery\* or U.S. mail this 13th day of May, 2011 to the following:

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By:   
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