



Florida Power & Light Company, P. O. Box 14000, Juno Beach, FL 33408-0420
Law Department

RECEIVED-FPSC

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11 MAY 18 AM 11:13

COMMISSION
CLERK

May 18, 2011

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

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

For DN 09072-08, which
is in locked storage. You must be
authorized to view this DN.-CLK

Re: Docket No. 110001-EI

Dear Ms. Cole:

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 of Certain Information Contained in Forms 423-2, 423-2(a) and 423-2(b) for July 2008. A compact disc with FPL's Request in Word format is also included.

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

Sincerely,

John T. Butler

Enclosures
cc: Parties of record (w/encl.)

COM _____
APA _____
ECR 3 + 1 CD containing request also fwd.
GCL _____
RAID _____
SSC _____
ADM _____
OPC _____
CLK _____

DOCUMENT NUMBER-DATE

03455 MAY 18 =

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Fuel and purchased power) Docket No. 110001-EI
cost recovery clause with)
generating performance incentive) Filed: May 18, 2011
factor.)
_____)

**FLORIDA POWER AND LIGHT COMPANY'S FIRST REQUEST FOR EXTENSION
OF CONFIDENTIAL CLASSIFICATION OF CERTAIN INFORMATION CONTAINED
IN FORMS 423-2, 423-2(a) and 423-2(b) FOR JULY 2008**

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 its Forms 423-2, 423-2(a) and 423-2(b) for July 2008. In support of this First Request for Extension of Confidential Classification, FPL states as follows:

1. On September 25, 2008 FPL filed a Request for Confidential Classification of certain materials contained in its Forms 423-2, 423-2(a) and 423-2(b), which included Exhibits A, B and C. ("September 25, 2008 Request"). By Order No. PSC-09-0767-CFO-EI, dated November 18, 2009, the Commission granted FPL's September 25, 2008 Request.
2. FPL adopts and incorporates by reference the September 25, 2008 Request.
3. The period of confidential treatment granted by Order No. PSC-09-0767-CFO-EI will soon expire. The Confidential Information that was the subject of FPL's September 25, 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.

DOCUMENT NUMBER-DATE

03455 MAY 18 =

FPSC-COMMISSION CLERK

4. FPL submits that the information contained in Exhibit A and referenced in Exhibits B and C continues to be proprietary confidential business information within the meaning of Section 366.093(3), F.S. The Confidential Information is intended to be and has been treated by FPL as private, its confidentiality has been maintained, and its disclosure would cause harm to FPL and its customers. 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.

5. Nothing has changed since the filing of FPL's September 25, 2008 Request to render the Confidential Information stale or public, such that continued confidential treatment would not be appropriate.


6. 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
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Facsimile: (561) 691-7135

By:



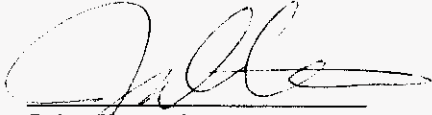
John T. Butler
Florida Bar No. 283479

CERTIFICATE OF SERVICE
Docket No. 110001-EI

I HEREBY CERTIFY that a true and correct copy of the foregoing First Request for Extension of Confidential Classification has been furnished by hand delivery (*) or the United States Mail this 18th day of May, 2011 to the following:

<p>Lisa Bennett, Esq.* Jennifer Crawford, Esq. Division of Legal Services Florida Public Service Commission 2540 Shumard Oak Blvd Tallahassee, Florida 32399-0850 lbennett@psc.state.fl.us jcrawford@PSC.STATE.FL.US</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 Kelly.jr@leg.state.fl.us Christensen.patty@leg.state.fl.us rehwinkle.charles@leg.state.fl.us</p>
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<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 swright@yvlaw.net jlavia@yvlaw.net</p>	<p>Jon C. Moyle, Esq. and Vicki Kaufman, Esq. Keefe, Anchors Gordon & Moyle, P.A. 118 N. Gadsden St. Tallahassee, FL 32301 Co-Counsel for FIPUG vkaufman@kagmlaw.com jmoyle@kagmlaw.com</p>
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<p>Allan Jungels, Capt, USAF Utility Litigation & 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 Allan.Jungels@tyndall.af.mil</p>	



John T. Butler