



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

Maria J. Moncada
Principal Attorney
Florida Power & Light Company
700 Universe Boulevard
Juno Beach, FL 33408-0420
(561) 304-5795
(561) 691-7135 (Facsimile)
Email: Maria.Moncada@fpl.com

June 14, 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

RECEIVED-PPSC
11 JUN 14 PM 2:47
COMMISSION
CLERK

Re: Docket No. 110001-EI
Request for Confidential Classification (Audit No. 11-006-4-2)

Dear Ms. Cole:

Enclosed for filing on behalf of Florida Power & Light Company ("FPL") are an original and seven (7) copies of FPL's Request for Confidential Classification of Materials Provided Pursuant to Audit No. 11-006-4-2. The original includes Exhibits A, B (two copies), C and D. The seven copies do not include copies of the Exhibits.

Exhibit A consists of the confidential documents, and all the information that FPL asserts is entitled to confidential treatment has been highlighted. Exhibit B is an edited version of Exhibit A, in which the information FPL asserts is confidential has been redacted. Exhibit C consists of a justification table in support of FPL's Request for Confidential Classification. Exhibit D contains eight affidavits in support of FPL's Request for Confidential Classification. Also included in this filing is a compact disc containing FPL's Request for Confidential Classification and Exhibit C only, in Microsoft Word format.

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

COM _____
APA |
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RAD _____
SSC _____
ADM _____
OPC _____
CLK |

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

For DN 04073-11, which is in locked storage. You must be authorized to view this DN-CLK

Sincerely,

Maria J. Moncada
Attorney for
Florida Power & Light Company

Enclosures
cc: parties of record, w/out exhibits

DOCUMENT NUMBER-DATE
04072 JUN 14 =
FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

Fuel and Purchase Power Cost Recovery)
Clause with Generating Performance)
Incentive Factor)
_____)

DOCKET NO. 110001-EI
Date Filed: June 14, 2011

**FLORIDA POWER & LIGHT COMPANY'S
REQUEST FOR CONFIDENTIAL CLASSIFICATION OF
MATERIALS PROVIDED PURSUANT TO AUDIT NO. 11-006-4-2**

Pursuant to Section 366.093, Florida Statutes (2011) ("Section 366.093"), and Rule 25-22.006, Florida Administrative Code (2011) ("Rule 25-22.006"), 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. 11-006-4-2 ("the Audit"). In support of this request, FPL states as follows:

1. During the Audit, FPL provided Staff with various confidential documents. By letter dated May 24, 2011, Staff indicated its intent to retain certain audit work papers. Pursuant to Rule 25-22.006(3)(a), FPL was given 21 days from the date of the letter to file a formal request for confidential classification with respect to the work papers. Accordingly, FPL files this Request for Confidential Classification to maintain continued confidential handling of the confidential work papers.

2. The following exhibits are included with and made a part of this request:

a. Exhibit A includes a copy the confidential documents, on which all information that is entitled to confidential treatment under Florida law has been highlighted.

b. Exhibit B consists of a copy of the confidential documents, on which all information that is entitled to confidential treatment under Florida law has been redacted.

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

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c. Exhibit C is a table that identifies the specific line and page references to the confidential materials for which FPL seeks confidential treatment. The table also references the specific statutory basis or bases for the claim of confidentiality and the affidavits in support of the requested classification.

d. Exhibit D includes the affidavits of Alissa E. Ballot, Antonio Maceo, Damaris Rodriguez and Andrew B. Dillman.

3. FPL submits that the highlighted information in Exhibit A is proprietary confidential business information within the meaning of Section 366.093(3). 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 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. As the affidavits included in Exhibit D indicate, certain information provided by FPL contains information related to internal auditing controls or reports of internal auditors. This information is protected from public disclosure pursuant to Section 366.093(3)(b). Other materials also contain information related to bids or contractual data, such as pricing or other terms, the public disclosure of which would violate nondisclosure terms of FPL's contracts with certain vendors and impair FPL's ability to contract for goods or services on favorable terms in the future. Such information is protected by Section 366.093(3)(d). Additionally, certain information provided by FPL contains information related to Florida Public Service Commission auditors' notes ("FPSC Auditors' Notes") relating to actions taken by the FPL board of directors,

as set forth in FPL board minutes and consents. The portion of the FPSC Auditors' Notes that identifies specific terms of FPL's credit facility competitively sensitive, and could impair FPL's competitive interests of the provider of the information. Such information is protected from public disclosure by Section 366.093(3)(e).

5. Additionally, some documents contain information that relates to 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. The 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, kWh, and bills. FPL's policy is premised upon customers' right to privacy and the potential that disclosure of customer specific information may harm some customers' competitive interests. This information is protected pursuant to Section 366.093(3)(e).

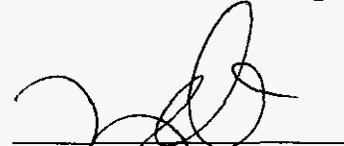
6. Upon a finding by the Commission that the information highlighted in Exhibit A, and referenced in Exhibit C, is proprietary confidential business information, the information should not be declassified for a period of at least eighteen (18) months and should be returned to FPL as soon as the information is no longer necessary for the Commission to conduct its business. *See* § 366.093(4), Fla. Stat. (2011).

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 Request for Confidential Classification be granted

Respectfully submitted,

Maria J. Moncada
Principal Attorney
Florida Power & Light Company
700 Universe Boulevard
Juno Beach, FL 33408
Telephone: (561) 304-5795
Facsimile: (561) 691-7135
Email: maria.moncada@fpl.com

By:



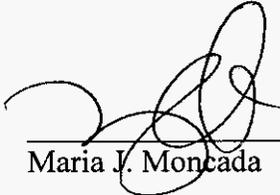
Maria J. Moncada
Fla. Bar No. 0773301

CERTIFICATE OF SERVICE
Docket No. 110001-EI

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by hand delivery (*) or the United States Mail this 14th day of June, 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>
<p>James D. Beasley, Esq J. Jeffrey Wahlen, Esq. Ausley & McMullen Attorneys for Tampa Electric P.O. Box 391 Tallahassee, Florida 32302 jbeasley@ausley.com jwahlen@ausley.com</p>	<p>John T. Burnett, Esq./Diane M. Triplett Progress Energy Service Company, LLC P.O. Box 14042 St. Petersburg, Florida 33733-4042 john.burnett@pgnmail.com diane.triplett@pgnmail.com</p>
<p>John W. McWhirter, Jr., Esq McWhirter & Davidson, P.A. Attorneys for FIPUG P.O. Box 3350 Tampa, Florida 33602 jmcwhirter@mac-law.com</p>	<p>Beth Keating, Esq. Gunster Firm Attorneys for FPUC 215 So. Monroe St., Suite 618 Tallahassee, Florida 32301- 1804 bkeating@gunster.com</p>
<p>Jeffrey A. Stone, Esq. Russell A. Badders, Esq. Beggs & Lane Attorneys for Gulf Power 501 Commendencia Street Pensacola, FL 32502 jas@beggslane.com rab@beggslane.com</p>	<p>James W. Brew, Esq / F. Alvin Taylor, Esq. Attorney for White Springs Brickfield, Burchette, Ritts & Stone, P.C 1025 Thomas Jefferson Street, NW Eighth Floor, West Tower Washington, DC 2007-5201 jbrew@bbrslaw.com ataylor@bbrslaw.com</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 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>
<p>Patrick K. Wiggins AFFIRM P.O. Drawer 1657 Tallahassee, FL 32302 wigglaw@gmail.com</p>	<p>Michael Barrett Division of Legal Services Florida Public Service Commission 2540 Shumard Oak Blvd Tallahassee, Florida 32399-0850 MBARRETT@PSC.STATE.FL.US</p>
<p>Karen S. White 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 Karen.White@tyndall.af.mil</p>	



Maria J. Moncada