



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

RECEIVED-FPSC
11 JUN 15 AM 10:37

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

COMMISSION
CLERK

June 15, 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

_____ date of confidentiality
_____ notice of filing
 removed for confidentiality /ext
_____ filed by O/C

For DN 02948-09 which
is in locked format. 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 Hedging Information. The original includes Revised Exhibit D. The seven (7) copies do not include the exhibits. 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,

Maria J. Moncada

COM _____
APA 1
ECR 3/10P
GCL _____
RAD _____
SSC _____
ADM _____
OPC _____
CLK 1

Enclosures
cc: Parties of record (w/out exhibits)
→ containing request.

DOCUMENT NUMBER-DATE

04104 JUN 15 =

FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Fuel and purchased power) Docket No. 110001-EI
cost recovery clause with) Filed: June 15, 2011
generating performance incentive)
factor.)
_____)

**FLORIDA POWER AND LIGHT COMPANY'S
FIRST REQUEST FOR EXTENSION OF CONFIDENTIAL
CLASSIFICATION OF FUEL HEDGING INFORMATION**

Pursuant to Section 366.093, Florida Statutes (2011) ("Section 366.093"), 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 information on fuel hedging activities and market comparisons that is contained in Exhibit GJY-1 to the prepared testimony of Gerard J. Yupp ("Confidential Information"). In support of this request, FPL states as follows:

1. On April 3, 2009 FPL filed a Request for Confidential Classification of the Confidential Information, which included Exhibits A, B, C, and D ("April 3, 2009 Request"). By Order No. PSC-09-0826-CFO-EI, dated December 15, 2009 ("Order 0826"), the Commission granted FPL's April 3, 2009 Request. FPL adopts and incorporates by reference the April 3, 2009 Request and Order 0826.

2. The period of confidential treatment granted by Order 0826 will soon expire. The Confidential Information that was the subject of FPL's April 3, 2009 Request and Order 0826 warrants continued treatment as proprietary and confidential business information within the

DOCUMENT NUMBER DATE
04104 JUN 15 =
FPSC-COMMISSION CLERK

meaning of Section 366.093(3). Accordingly, FPL hereby submits its First Request for Extension of Confidential Classification.

3. Included herewith and made a part hereof, is Revised Exhibit D. Revised Exhibit D contains that affidavit of Andrew B. Dillman in support of this request.

4. FPL submits that the information contained in Exhibit A and referenced in Exhibits B, C, and Revised Exhibit D continues to be proprietary confidential business information within the meaning of s. 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, 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. As the affidavit included in Revised Exhibit D indicates, the Confidential Information includes proprietary information of FPL, which allows FPL to purchase and sell fuel and electric power on favorable terms to FPL and its customers. The disclosure of that information would provide other participants in the fuel and electric power markets insight into FPL's marketing and trading practices that would allow them to anticipate FPL's marketing and trading decisions and/or impair FPL's ability to negotiate, to the detriment of FPL and its customers. Such information is protected by Section 366.093(3)(d) and (e).

6. Nothing has changed since the Commission entered Order 0826 to render the Confidential Information stale or public, such that continued confidential treatment would not be appropriate.

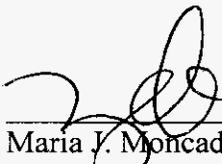
7. Upon a finding by the Commission that the Confidential Information remains proprietary and confidential business information, the information should not be declassified for at least an additional eighteen (18) month period and should be returned to FPL as soon as it is no longer necessary for the Commission to conduct its business. *See* § 366.093(4), 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 First Request for Extension of Confidential Classification be granted.

Respectfully submitted,

John T. Butler
Managing Attorney
Mara 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:



Mara J. Moncada
Florida 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 15th 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 Commendancia 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