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August 26, 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

Re: Docket No. 110009-EI

Dear Ms. Cole:

Enclosed for filing on behalf of Florida Power & Light Company ("FPL") are an original and seven (7) copies of its Request for Confidential Classification of Response to Staff's Second Request for Production of Documents No. 4. The seven (7) copies include Exhibits B and C only.

Exhibit A is a compact disc containing the confidential documents. Exhibit B is the affidavit of Steven Sim in support of this request. Exhibit C consists of FPL's justification table for its 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.

Sincerely,

Jessica A. Cano

RECEIVED-PPSC
11 AUG 26 PM 12:50
COMMISSION
CLERK

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

For DN 06184-11, which
is in locked storage. You must be
authorized to view this DN.-CLK

Enclosures

cc: Counsel for Parties of Record (w/out enc.)
containing request and exhibit c.

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DOCUMENT NUMBER-DATE

06183 AUG 26 =

FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Nuclear Power Plant)
Cost Recovery Clause)

Docket No. 110009-EI
Filed: August 26, 2011

**FLORIDA POWER & LIGHT COMPANY'S REQUEST
FOR CONFIDENTIAL CLASSIFICATION OF RESPONSE TO STAFF'S SECOND
REQUEST FOR PRODUCTION OF DOCUMENTS NO. 4 (HEARING EXHIBIT 124)**

Pursuant to Section 366.093, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, Florida Power & Light Company ("FPL") requests confidential classification of certain information included in the documents provided in response to Staff's Second Request for Production of Documents No. 4, which were included with FPL's Response to Staff's Second Request for Production of Documents No. 5 as Hearing Exhibit #124. In support of its request, FPL states as follows:

1. On August 5, 2011 FPL filed a Notice of Intent to Request Confidential Classification of the documents provided in FPL's response. Pursuant to Rule 25-22.006(3)(a), Florida Administrative Code, FPL has 21 days from the date of the Notice of Intent to file a formal request for confidential classification. Accordingly, FPL is filing this Request for Confidential Classification to maintain continued confidential handling of the information contained in the documents provided to Staff with the Notice of Intent and included in Hearing Exhibit #124.

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

a. Exhibit A is a compact disc containing the confidential documents. Pursuant to Rule 25-22.006(4)b, Florida Administrative Code, one unedited version of the compact disc has been provided.

b. Exhibit B includes the affidavit of Steven Sim supporting this request.

b. Exhibit C is a table identifying the specific line, column and page references to the confidential information, and references to the specific statutory basis or bases for the claim of confidentiality and to the affidavit in support of the requested confidential classification.

3. FPL submits that the information in Exhibit A is proprietary confidential business information within the meaning of Section 366.093(3), Florida Statutes. This information is intended to be and is treated by FPL as private in that the disclosure of the information would cause harm to customers or FPL's business operations, and its confidentiality has been maintained. Pursuant to Section 366.093, such information is entitled to confidential treatment and it 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 affidavit included in Exhibit B indicates, the confidential documents provided to Staff contain proprietary, confidential business information that is competitively sensitive to FPL. Disclosure of this information would impair negotiations with vendors and negatively affect FPL's ability to enter into contracts on commercially favorable terms. Additionally, this information could provide competitors with an unfair advantage. Such information is protected from public disclosure by Section 366.093(3)(e), Florida Statutes.

5. 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.

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

Respectfully submitted,

Jessica A. Cano
Principal Attorney
Florida Power & Light Company
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Juno Beach, FL 33408
Telephone: (561) 304-5226
Facsimile: (561) 691-7135

By:


Jessica A. Cano
Fla. Bar No. 0037372

CERTIFICATE OF SERVICE
DOCKET NO. 110009-EI

I HEREBY CERTIFY that a true and correct copy of FPL's Request for Confidential Classification (without attachments) was served by hand delivery* or by U.S. Mail this 26th day of August 2011, to the following:

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REDACTED

EXHIBIT B

DOCUMENT NUMBER-DATE

06183 AUG 26 =

FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Nuclear Power Plant)
Cost Recovery Clause)

Docket No. 110009-EI

STATE OF FLORIDA)
)
MIAMI-DADE COUNTY)

AFFIDAVIT OF STEVEN SIM

BEFORE ME, the undersigned authority, personally appeared Steven Sim who, being first duly sworn, deposes and says:

1. My name is Steven Sim. I am currently employed by Florida Power & Light Company ("FPL") as Senior Manager of Integrated Resource Planning. I have personal knowledge of the matters stated in this affidavit.

2. I have reviewed Exhibit C and the documents that are included in FPL's Request for Confidential Classification of Responses to Staff's Second Request for Production of Documents No. 4 (Ex. 124), for which I am listed as the affiant. The documents and materials that I have reviewed contain proprietary confidential business information that is competitively sensitive to FPL. Disclosure of this information would impair negotiations with vendors and negatively affect FPL's ability to enter into contracts on commercially favorable terms. Additionally, this information could provide competitors with an unfair advantage. To the best of my knowledge, FPL has maintained the confidentiality of these documents and materials.

3. Consistent with the provisions of the Florida Administrative Code, such materials should remain confidential for a period of not less than 18 months. In addition, they should be returned to FPL as soon as the information is no longer necessary for the Commission to conduct its business so that FPL can continue to maintain the confidentiality of these documents.

4. Affiant says nothing further.

Steven R. Sim

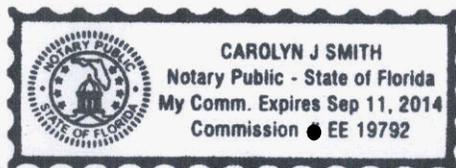
Steven Sim

SWORN TO AND SUBSCRIBED before me this 24th day of August 2011, by Steven Sim, who is personally known to me or who has produced _____ (type of identification) as identification and who did take an oath.

Carolyn J. Smith

Notary Public, State of Florida

My Commission Expires:



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06183 AUG 26 =
FPSC-COMMISSION CLERK

Exhibit C

Florida Power and Light Company

Staff's Exhibit #124: FPL's Responses to Staff's Second Request for Production of Documents Nos. 4 and 5

Docket No. 110009-EI

Document	Bates No.	Conf. Y/N	Line No./Col. No.	Florida Statute 366.093 (3) Subsection	Affiant
POD 4 Response	55837	N			
POD-4 Sim May 2, 2011 Testimony Exhibits	55838-55849	N			
POD-4 Fuel Forecast	55850-55860	N			
POD-4 Reserve Margin Spreadsheet	55861-55875	N			
POD-4 Supplemental Fuel Forecast	55876-55886	N			
POD-4 Supplemental Reserve Margin Spreadsheet	55887-55901	N			
POD-4 Supplemental Sim May 2, 2011 Testimony Exhibits	55902-55912	N			
POD-4 Economic Decision Making Model	55913-56210	Y	ALL	(e)	Steven R. Sim
POD-4 EPU Fixed Cost	56211-56364	Y	ALL	(e)	Steven R. Sim
POD-4 TP 6&7 Fixed Cost	56365-56518	Y	ALL	(e)	Steven R. Sim
POD-4 Supplemental Economic Decision Making Model	56519-56816	Y	ALL	(e)	Steven R. Sim
POD-4 Supplemental EPU Fixed Cost	56817-56970	Y	ALL	(e)	Steven R. Sim
POD-4 Supplemental TP 6&7 Fixed Cost	56971-57124	Y	ALL	(e)	Steven R. Sim
POD 5 Response	57125	N			

DOCUMENT NUMBER-DATE

06183 AUG 26 =

FPSC-COMMISSION CLERK

Document	Bates No.	Conf. Y/N	Line No./Col. No.	Florida Statute 366.093 (3) Subsection	Affiant
Revised POD-4 Response	57242	N			
Revised POD-4 Economic Decision Making Model	57243-57540	Y	ALL	(e)	Steven R. Sim
Revised POD-4 EPU Fixed Cost	57541-57694	Y	ALL	(e)	Steven R. Sim
Revised POD-4 TP 6&7 Fixed Cost	57695-57848	Y	ALL	(e)	Steven R. Sim
Revised POD-4 Fuel Forecast	57849-57884	N			
Revised POD-4 Supplemental Reserve Margin Spreadsheet	57885-57905	N			
Revised POD-4 Supplemental Testimony Exhibits	57906-57909	N			
Revised POD-5 Response	57910	N			