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November 10, 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. 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 in connection with information contained in Schedule A12 of Appendix II to the prepared testimony of FPL witness Terry J. Keith. 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,


John T. Butler

COM _____
APA 1 _____
ECB 3 + CD Enclosures
GCL 1 cc: Parties of record (w/encl.)
RAD 1 _____
SRC _____
ADM _____
OPC _____
CLK McKeown

DOCUMENT NUMBER DATE
08337 NOV 10 =
FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Fuel and purchased power cost)
recovery clause with generating)
performance incentive factor.)
_____)

Docket No. 110001-EI
Date Filed: November 10, 2011

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

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 contained in Schedule A12 of Appendix II to the prepared testimony of FPL witness Terry J. Keith ("Confidential Information"). In support of this request, FPL states as follows:

1. On March 12, 2010 FPL filed a Request for Confidential Classification of the Confidential Information, which included Exhibits A, B, C, and D ("March 12, 2010 Request"). By Order No. PSC-10-0338-CFO-EI, dated June 1, 2010 ("Order 0338"), the Commission granted FPL's March 12, 2010 Request. FPL adopts and incorporates by reference the March 12, 2010 Request and Order 0338.

2. The period of confidential treatment granted by Order 0338 will soon expire. The Confidential Information that was the subject of FPL's March 12, 2010 Request and Order 0338 warrants continued treatment as proprietary and confidential business information within the 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 Gerard J. Yupp 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 Section 366.093(3). 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 information provided by FPL contains information concerning contractual data, the disclosure of which would impair the efforts of FPL or its affiliates to contract for goods or services on favorable terms. Section 366.093(3)(d). Specifically, the information contains information related to the pricing for short-term capacity purchases, the disclosure of which would impair FPL's ability to contract for capacity on favorable terms. Additionally, the information provided by FPL contains information related to competitive interests of FPL and of suppliers from whom FPL purchases capacity, the disclosure of which would impair the competitive businesses of the provided of the information. Section 366.093(3)(e).

6. Nothing has changed since the Commission entered Order 0338 to render the Confidential Information stale or public, such that continued confidential treatment would not be appropriate.

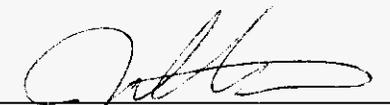
7. Upon a finding by the Commission that the Confidential Information remains proprietary and confidential business information, the information should not be declassified for at least an additional eighteen (18) month period and should be returned to FPL as soon as it is no longer necessary for the 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 this 10th day of November, 2011.

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By: _____



John T. Butler
Fla. Bar No. 283479

CERTIFICATE OF SERVICE

Docket No. 110001-EI

I HEREBY CERTIFY that a true and correct copy of the foregoing First Extension for Request of Confidential Classification* has been furnished by hand delivery ** or United States Mail on this 10th day of November, 2011, to the following persons:

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Jennifer Crawford, Esq.
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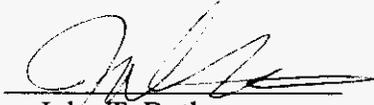
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By: 
John T. Butler
Fla. Bar No. 283479

*Copies of the Exhibits are not included with this filing, however, Revised Exhibit D is available upon request.

REVISED EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Fuel and Purchased Power) DOCKET NO. 110001-EI
Cost Recovery Clause with Generating)
Performance Incentive Factor)

STATE OF FLORIDA)
) **AFFIDAVIT OF GERARD J. YUPP**
PALM BEACH COUNTY)

BEFORE ME, the undersigned authority, personally appeared Gerard J. Yupp who, being first duly sworn, deposes and says:

1. My name is Gerard J. Yupp. I am currently employed by Florida Power & Light Company ("FPL") as Senior Director of Wholesale Operations in the Energy Marketing and Trading Division. I have personal knowledge of the matters stated in this affidavit.

2. I have reviewed the documents and information which are included in Exhibit A to FPL's March 12, 2010 Request for Confidential Classification of certain information contained in Schedule A12 of Appendix II to the prepared testimony of witness Terry J. Keith, which is adopted by reference in FPL's First Request for Extension of Confidential Classification of certain information contained in Schedule A12 of Appendix II to the prepared testimony of witness Terry J. Keith for which I am identified on Exhibit C as the affiant. The documents and materials in Exhibit A which are asserted by FPL to be proprietary confidential business information contain contractual data, the disclosure of which would impair the efforts of FPL to contract for goods and services on favorable terms. Specifically, the information contains information related to the pricing for short-term capacity purchases, the disclosure of which would impair FPL's ability to contract for capacity on favorable terms. Additionally, the information provided by FPL contains information related to competitive interests of FPL and of suppliers from whom FPL purchases capacity, the disclosure of which would impair their competitive businesses. To the best of my knowledge, FPL has maintained the confidentiality of this information.

3. Consistent with the provisions of the Florida Administrative Code, such information should remain confidential for a period of at least eighteen (18) months. In addition, it 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.



Gerard J. Yupp

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FPSC-COMMISSION CLERK

SWORN TO AND SUBSCRIBED before me this 8th day of November, 2011, by Gerard J. Yupp, who is personally known to me or who has produced _____ (type of identification) as identification and who did take an oath.


Notary Public, State of Florida

My Commission Expires:

