



Florida Power & Light Company, 215 S. Monroe Street, Suite 810, Tallahassee, FL 32301

Jessica Cano
Principal Attorney
Florida Power & Light Company
700 Universe Boulevard
Juno Beach, FL 33408-0420
(561) 304-5226
(561) 691-7135 (Facsimile)

June 11, 2012

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
 filed by OPC

For DN 03806-12, which
is in locked storage. You must be
authorized to view this DN.-CLK

RECEIVED-FPSC
12 JUN 11 PM 4: 16
COMMISSION
CLERK

Re: Docket No. 120009-EI; Nuclear Power Plant Cost Recovery Clause

Dear Ms. Cole:

Enclosed for filing on behalf of Florida Power & Light Company ("FPL") is a Request for Confidential Classification of Errata to Exhibit SDS-1 and Errata to Exhibit TOJ-14. Seven copies of FPL's request, including Exhibits B, C, and D are included. Also included is one copy of Exhibit A.

Exhibit A consists of the confidential documents, and all 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 FPL's justification table supporting its Request for Confidential Classification. Exhibit D contains two 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.

Sincerely,

for Jessica A. Cano

COM _____
APA _____
ECR 3+CD
GCL _____
RAD _____
SRC _____
ADM _____
OPC _____
CLK _____

Enclosures
cc: Parties of Record (w/out enc.)

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Nuclear Power Plant)
Cost Recovery Clause)

Docket No. 120009-EI
Filed: June 11, 2012

**FLORIDA POWER & LIGHT COMPANY'S
REQUEST FOR CONFIDENTIAL CLASSIFICATION
OF ERRATA TO SDS-1 AND TOJ-14**

Pursuant to Section 366.093, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, Florida Power & Light Company ("FPL") requests confidential classification of the supplemental page to Schedule T-7A filed as errata to FPL witness Steven Scroggs's Exhibit SDS-1, and the supplemental pages to Schedule A/E-7A and Schedule A/E-7B filed as errata to FPL witness Terry Jones's Exhibit TOJ-14. In support of its request, FPL states:

1. FPL is filing contemporaneously with this request errata to the testimony and exhibits of FPL witnesses Steven Scroggs, Terry Jones, and Winnie Powers. Certain portions of the supplemental page to Schedule T-7A filed as errata to Steven Scroggs's Exhibit SDS-1, and the supplemental pages to Schedule A/E-7A and Schedule A/E-7B filed as errata to FPL witness Terry Jones's Exhibit TOJ-14 contain confidential information. Pursuant to Rule 25-22.006(3)(a), Florida Administrative Code, FPL is filing this Request for Confidential Classification.

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

a. Exhibit A consists of a copy of the confidential pages on which all information that FPL asserts is entitled to confidential treatment has been highlighted.

b. Exhibit B consists of a copy of the confidential pages on which all information that FPL asserts is entitled to confidential treatment has been redacted.

DOCUMENT FILED ONLINE

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FPSC-COMMISSION CLERK

c. Exhibit C is a table containing an identification of the information highlighted in Exhibit A, together with references to the specific statutory basis or bases for the claim of confidentiality and to the affidavit in support of the requested classification.

d. Exhibit D includes the affidavit of Steven D. Scroggs and Bruce Beisler in support of this request.

3. FPL submits that the highlighted information in Exhibit A is proprietary confidential business information within the meaning of Section 366.093(3), Florida Statutes. Section 366.093, Florida Statutes, defines confidential information as information that is intended to be and is treated by the company as private in that disclosure of the information would cause harm to the company's business operations or its customers, and has not been disclosed publicly. 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 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 affidavits included in Exhibit D indicates, the information provided by FPL contains contractual data and data related to bids, the public disclosure of which would violate nondisclosure provisions 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), Florida Statutes. This information is also competitively

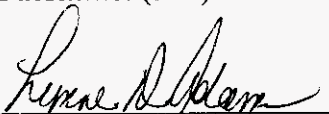
sensitive, and its disclosure could impair the competitive business of FPL or its vendors. Such information is protected by Section 366.093(3)(e), Florida Statutes.

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, FPL respectfully requests confidential classification of the material described herein.

Respectfully submitted,

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

By: 
to Jessica A. Cano
Fla. Bar No. 0037372

**CERTIFICATE OF SERVICE
DOCKET NO. 120009-EI**

I HEREBY CERTIFY that a true and correct copy of FPL's Request for Confidential Classification (without exhibits*) was served by hand delivery** or U.S. Mail this 11th day of June, 2012 to the following:

Keino Young, Esq.**
Michael Lawson, Esq.
Division of Legal Services
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850
KYOUNG@PSC.STATE.FL.US
MLAWSON@PSC.STATE.FL.US

J. R. Kelly, Esq.
Charles Rehwinkel, Esq.
Joseph McGlothlin, Esq.
Erik L. Sayler, 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
Rehwinkel.Charles@leg.state.fl.us
mcglothlin.joseph@leg.state.fl.us
Sayler.Erik@leg.state.fl.us

J. Michael Walls, Esq.
Blaise N. Gamba, Esq.
Carlton Fields Law Firm
P.O. Box 3239
Tampa, Florida 33601-3239
mwalls@carltonfields.com
bgamba@carltonfields.com
Attorneys for Progress

R. Alexander Glenn, Esq.
John T. Burnett, Esq.
Dianne M. Triplett, Esq.
Progress Energy Service Company, LLC
P.O. Box 14042
St. Petersburg, Florida 33733-4042
john.burnett@pgnmail.com
alex.glenn@pgnmail.com
dianne.triplett@pgnmail.com
Attorneys for Progress

Matthew Bernier, Esq.
Carlton Fields Law Firm
215 S. Monroe Street, Ste. 500
Tallahassee, Florida 32301
mbernier@carltonfields.com

Mr. Paul Lewis, Jr.
106 East College Ave., Suite 800
Tallahassee, Florida 32301-7740
paul.lewisjr@pgnmail.com

Jon C. Moyle, Jr., Esq.
Vicki Gordon Kaufman, Esq.
Keefe Anchors Gordon & Moyle, PA
118 North Gadsden Street
Tallahassee, Florida 32301
jmoyle@moylelaw.com
vkaufman@moylelaw.com
Attorneys for FIPUG

James W. Brew, Esq.
F. Alvin Taylor, Esq.
Brickfield, Burchette, Ritts & Stone, P.C.
1025 Thomas Jefferson Street, NW
Eighth Floor, West Tower
Washington, DC 20007-5201
jbrew@bbrslaw.com
ataylor@bbrslaw.com


Attorneys for PCS Phosphate

Randy B. Miller
White Springs Agricultural Chemicals, Inc.
Post Office Box 300
15843 Southeast 78th Street
White Springs, Florida 32096
RMiller@pcsphosphate.com

Robert Scheffel Wright
John T. LaVia, III
Gardner, Bist, Wiener, Wadsworth, Bowden,
Bush, Dee, LaVia & Wright, P.A.
1300 Thomaswood Drive
Tallahassee, FL 32308
schef@gbwlegal.com
jlavia@gbwlegal.com
Attorneys for the Florida Retail Federation

Gary A. Davis, Esq.
James S. Whitlock, Esq.
Davis & Whitlock, P.C.
P.O. Box 649
Hot Springs, NC 28743
gadavis@enviroattorney.com
jwhitlock@enviroattorney.com

Captain Samuel Miller
USAF/AFLOA/JACL/ULFSC
139 Barnes Drive, Suite 1
Tyndall AFB, FL 32403-5319
Samuel.Miller@Tyndall.af.mil

By: 
Jessica A. Cano
Fla. Bar No. 0037372

*Exhibits to this Request are not included with the service copies, but copies of Exhibits B, C and D are available upon request.

EXHIBIT B

REDACTED COPY

REDACTED

COM _____
APA _____
ECB 1 _____
GCL _____
RAD _____
SRC _____
ADM _____
OPC _____
CLK _____

DOCUMENT NUMBER DATE

03805 JUN 11 2

FPSC-COMMISSION CLERK

Turkey Point 6&7
Pre-Construction Costs and Carrying Costs on Construction Cost Balance
True-up Filing: Contracts Executed

Schedule T-7A Supplemental

Section 8(x)(i)

FLORIDA PUBLIC SERVICE COMMISSION

EXPLANATION: For all executed contracts exceeding \$250,000, (including change orders), provide the contract number or identifier, status, original and current contract terms, original amount, amount expended as of the end of the prior year, amount expended in the year, estimated final contract amount, name of contractor and affiliations if any, method of selection including identification of justification documents, and description of work.

COMPANY: Florida Power & Light Company

For the Year Ended: 12/31/2011

DOCKET NO.: 120009-EI

Witness: Steven D. Scroggs

CONFIDENTIAL CONFIDENTIAL CONFIDENTIAL CONFIDENTIAL

	(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)	(I)	(J)	(K)
Line No.	Contract No.	Status of Contract	Original Term of Contract	Current Term of Contract	Original Amount	Actual Expended as of Prior Year End (2010)	Actual amount expended in Current Year (2011)	Estimate of Final Contract Amount	Name of Contractor (and Affiliation if any)	Method of Selection and Document ID	Work Description
13	2000060695	Open	2/2012 - 12/2012	thru 12/2012					Burns & McDonnell	Comp Bid	PTN 6&7 Preliminary Design of the Radial Collector Well System
14	4500645896	Open - CO#2	2/2011 - 12/2011	thru 7/2014					McCallum Turner, Inc.	SSJ	PTN 6&7 COLA Site Selection RAI Support
15	2000053246	Open	11/2011 - 12/2013	thru 12/2013					Power Engineers Inc.	Single Source	Turkey Point 6&7 Preliminary Analysis of Transmission Facilities (note that this PO replaced 4500474487)
16	4500474487	Closed	11/2008 - 06/2011	thru 06/2011					Power Engineers Inc.	Comp Bid	Turkey Point 6&7 Preliminary Analysis of Transmission Facilities

24A

CONFIDENTIAL

**St. Lucie and Turkey Point Upgrade Project
Construction Costs and Carrying Costs on Construction Cost Balance
Actual & Estimated Filings: Contracts Executed**

(Section 18) (c)

Schedule AE-7A (Actual/Estimated)

FLORIDA PUBLIC SERVICE COMMISSION
COMPANY: FLORIDA POWER & LIGHT COMPANY
DOCKET NO: 120009-EI

EXPLANATION:

For all executed contracts exceeding \$250,000, (including change orders), provide the contract number or identifier, status, original and current contract terms, original amount, amount expended as of the end of the prior year, amount expended in the year, estimated final contract amount, name of contractor and affiliates if any, method of selection (including identification of justification documents), and a description of work. (2)

For the Year Ended: 12/31/2012
Witness: Terry G. Jones

(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)	(I)	(J)	(K)	
Line No.	Contract No.	Status of Contract	Original Term of Contract	Current Term of Contract	Original Amount	Actual Expended as of Prior Year End (2011)	Amount Expended in Current Year (2012)	Estimate of Final Contract Amount	Name of Contractor (and Affiliation if any)	Method of Selection and Document ID	Work Description
159	200098778	Open	1/27/12-8/31/12	1/27/12-8/31/12					ADB Inc	Competitive	Upgrade of Reactor Transformer to 525 MVA

E F G H

Legend:

OEM = Original Equipment Manufacturer
PSL = St. Lucie
PTN = Turkey Point
PDS = Predetermined Source

Notes:

- Column (H) represents estimated final contract amount.
- FPL expects to revise some contract amounts in 2012.
- Includes Contracts through February 29, 2012. Does not include corporate blanket orders.

St. Lucie and Turkey Point Uprate Project
Construction Costs and Carrying Costs on Construction Cost Balance
Actual & Estimated Filing: Contracts Executed

Schedule AE-7B (Actual/Estimated)

FLORIDA PUBLIC SERVICE COMMISSION
 COMPANY: FLORIDA POWER & LIGHT COMPANY
 DOCKET NO: 120009-EI

EXPLANATION: For all executed contracts exceeding \$1,000,000, including change orders, provide the contract number or identifier, major tasks, vendor identity, vendor affiliation if any, number of vendors solicited, number of bids received, current contract status, the current term of the contract, and the current nature/scope of work.

For the Year Ended 12/31/2012
 Witness: Terry C. Jones

Contract No.: 2000059776

Major Task or Tasks Associated With:

ABB will Uprate the St. Lucie Spare GSU by adding new and more efficient radiators and pumps to allow for the increase in the MVA rating to 635 MVA

Vendor Identity:

ABB INC.

Vendor Affiliation (specify 'direct' or 'indirect'):

Direct

Number of Vendors Solicited:

3

1

Number of Bids Received:

[REDACTED]

2

Brief Description of Selection Process:

[REDACTED]

3

Dollar Value:

[REDACTED]

Contract Status:

Open

Term Begin:

27-Jan-12

Term End:

31-Aug-12

Nature and Scope of Work:

ABB will Uprate the St. Lucie Spare GSU by adding new and more efficient radiators and pumps to allow for the increase in the MVA rating to 635 MVA

EXHIBIT C

JUSTIFICATION TABLE

Exhibit C

Company: Florida Power and Light Company
Title: List of Confidential Documents Included in the Errata to SDS-1 and TOJ-14
Docket No.: 120009-EI

Document	Description	No. of Pages	Conf. Y/N	Line No./Col. No.	Florida Statute 366.093 (3) Subsection	Affiant
1	2011 Schedule T-7A Supplemental Pre-Construction Costs and Carrying Costs On Construction Cost Balance, New Nuclear (Exhibit SDS-1)	1	Y	Page 24A Lines 13-16, Columns E-H	(d), (e)	Steven D. Scroggs
2	2012 Schedule AE-7A Supplemental Construction Costs and Carrying Costs on Construction Cost Balance, Extended Power Uprate (Exhibit TOJ-14)	1	Y	Page 33a, Columns E-H	(d), (e)	Bruce Beisler
3	2012 Schedule AE-7B Supplemental Construction Costs and Carrying Costs on Construction Cost Balance, Contracts Executed, Extended Power Uprate (Exhibit TOJ-14)	1	Y	Page 112a, Lines 1-3	(d), (e)	Bruce Beisler

EXHIBIT D

AFFIDAVIT

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Nuclear Power Plant Cost)
Recovery Clause)

DOCKET NO. 120009-EI

STATE OF FLORIDA)
)
PALM BEACH COUNTY)

AFFIDAVIT OF STEVEN D. SCROGGS

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

1. My name is Steven D. Scroggs. I am currently employed by Florida Power & Light Company ("FPL") as Senior Director, Project Development. 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 T-7A Supplemental (SDS-1), for which I am identified on Exhibit C as the affiant. The documents and materials that I have reviewed contain proprietary confidential business information, including contractual data. Disclosure of this information would violate FPL's contracts with its vendors, work to the detriment of FPL's competitive interests, impair the competitive interests of its vendors and/or impair FPL's efforts to enter into contracts on commercially favorable terms. 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 D. Scroggs

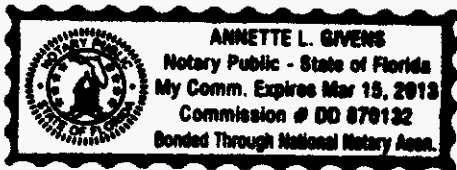
Steven D. Scroggs

SWORN TO AND SUBSCRIBED before me this 7 day of May 2012, by Steven D. Scroggs, who is personally known to me or who has produced _____ (type of identification) as identification and who did take an oath.

Annette L. Sivens

Notary Public, State of Florida

My Commission Expires:



BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Nuclear Power Plant Cost)
Recovery Clause)

DOCKET NO. 120009-EI

STATE OF FLORIDA)
)
PALM BEACH COUNTY)

AFFIDAVIT OF BRUCE BEISLER

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

1. My name is Bruce Beisler. I am currently employed by Florida Power & Light Company ("FPL") as Project Manager - Nuclear. 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 A/E-7A Supplemental and A/E-7B Supplemental (TOJ-14), for which I am identified on Exhibit C as the affiant. The documents and materials that I have reviewed contain proprietary confidential business information, including information concerning bids or contractual data. Disclosure of this information would violate FPL's contracts with its vendors, work to the detriment of FPL's competitive interests, impair the competitive interests of its vendors and/or impair FPL's efforts to enter into contracts on commercially favorable terms. 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.



Bruce Beisler

SWORN TO AND SUBSCRIBED before me this 7th day of June 2012, by Bruce Beisler, 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:

