



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

July 18, 2012

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

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

For DN 04799-12, which
 is in locked storage. You must be
 authorized to view this DN.-CLK

RECEIVED-FPSC
 12 JUL 18 PM 3:25
 COMMISSION
 CLERK

Re: Docket No. 120007-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 Information in Response to Staff's Fourth Set of Interrogatories No. 36. The original includes Revised Exhibits A through D. The seven copies do not include copies of the Exhibits.

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

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

COM
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 APA
 ECO
 ENG
 GCL
 IDM
 TEL
 CLK | Enclosures

Sincerely,

Maria J. Moncada

cc: parties of record, w/out exhibits

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Environmental Cost Recovery Clause

Docket No: 120007-EI

Date: July 18, 2012

**FLORIDA POWER AND LIGHT COMPANY'S FIRST REQUEST
FOR EXTENSION OF CONFIDENTIAL CLASSIFICATION PROVIDED
IN RESPONSE TO STAFF'S FOURTH SET OF INTERROGATORIES (NO. 36)**

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 Provided in Response to Staff's Fourth Set of Interrogatories (No. 36) ("Confidential Information"). In support of this request, FPL states as follows:

1. On September 8, 2010 ("September 8, 2010 Request") FPL filed a Revised Request for Confidential Classification of the Confidential Information, which corrected a typographical error in an earlier Request for Confidential Classification of this information that FPL filed on August 30, 2010 ("August 30, 2010 Request"). The August 30, 2010 Request included Exhibits A, B, C, and D. By Order No. PSC-11-0043-CFO-EI, dated January 25, 2011 ("Order 0043"), the Commission granted FPL's September 8, 2010 Request. FPL adopts and incorporates by reference the September 8, 2010 Request and Order 0043.

2. The period of confidential treatment granted by Order 0043 will soon expire. The Confidential Information that was the subject of FPL's September 8, 2010 Request and Order 0043 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 are Revised Exhibits A, B, C and D. Revised Exhibit C contains the justification table and Revised Exhibit D contains the affidavit of Paul Callahan in support of this request. FPL has determined that only some of the information, which was confidential at the time of the September 8, 2010 request, warrants continued confidential treatment.

4. Revised Exhibits A and B consist of modified highlighted and redacted copies of the specific working papers where FPL has determined that a portion of the information previously designated as confidential requires continued confidential treatment.

5. 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.

6. As the affidavit included in Revised Exhibit D indicates, the Confidential Information includes proprietary information of FPL concerning bids or other contractual data, the disclosure of which would impair the efforts of FPL to contract for goods or services on favorable terms. Additionally, the information provided also relates to the competitive interests, the disclosure of which would impair the competitive business of FPL's counter-party. Such information is protected by Section 366.093(3)(d) and (e).

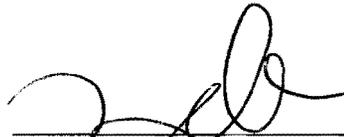
7. Upon a finding by the Commission that the Confidential Information remains proprietary and confidential business information, the information should not be declassified for at least an additional eighteen (18) month period and should be returned to FPL as soon as it is no longer necessary for the 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
Assistant General Counsel - Regulatory
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:



Maria J. Moncada
Florida Bar No. 0773301

CERTIFICATE OF SERVICE
Docket No. 120007-EI

I HEREBY CERTIFY that a true and correct copy of FPL's First Request for Extension of Confidential Classification(*) has been furnished by hand delivery (**) or the United States Mail this 18th day of July, 2012 to the following:

Charles Murphy, Esq.**
Division of Legal Services
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850

J. R Kelly, Esq
Patricia Christensen, Esq.
Charles Rehwinkel, Esq.
Office of Public Counsel
c/o The Florida Legislature
111 W Madison St. Room 812
Tallahassee, FL 32399-1400

James D. Beasley, Esq.
J. Jeffrey Wahlen, Esq.
Ausley & McMullen
Attorneys for Tampa Electric
P.O. Box 391
Tallahassee, Florida 32302

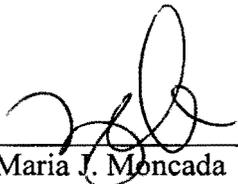
John T. Burnett, Esq.
Dianne Triplett, Esq.
Progress Energy Service Company, LLC
P.O. Box 14042
St. Petersburg, Florida 33733-4042

Jeffrey A. Stone, Esq.
Russell A. Badders, Esq.
Beggs & Lane
Attorneys for Gulf Power
P.O. Box 12950
Pensacola, Florida 32591-2950

Jon C. Moyle, Esq.
Vicki Kaufman, Esq.
Co-Counsel for FIPUG
Keefe, Anchors, Gordon & Moyle, P.A.
118 N. Gadsden St.
Tallahassee, FL 32301

Samuel Miller, Capt., USAF
USAF/AFLOA/JACL/ULFSC
139 Barnes Drive, Suite 1
Tyndall AFB, FL 32403-5319
Attorney for the Federal Executive Agencies

Gary V. Perko, Esq.
Hopping Green & Sams
P.O Box 6526
Tallahassee, FL 32314
Attorneys for Progress Energy Florida



Maria J. Moncada

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

REVISED EXHIBIT A

CONFIDENTIAL

FILED UNDER SEPARATE COVER

REVISED EXHIBIT B

REDACTED COPY

REDACTED

DOCUMENT NUMBER-DATE

04798 JUL 18 20

FPSC-COMMISSION CLERK

Florida Power and Light Company
 Docket No. 10007-EI
 Staff's 4th Set of Interrogatories
 Interrogatory No. 36
 Attachment I, Page 1 of 1

CONFIDENTIAL

800 MW Unit ESP Project

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ESP Project	Total Estimated Costs	2011 Estimated Costs
ESP Contractor	██████████	\$39,000,000
Balance of Plant	██████████	\$7,900,000
FPL Management & Indirects	██████████	\$1,400,000
	<u>\$303,000,000</u>	<u>\$48,300,000</u>

REDACTED

DOCUMENT NUMBER-DATE

04798 JUL 18 02

FPSC-COMMISSION CLERK

REVISED EXHIBIT C

JUSTIFICATION TABLE

04798

DOCUMENT NUMBER-DATE

04798 JUL 18 20

FPSC-COMMISSION CLERK

REVISED EXHIBIT C

COMPANY: Florida Power & Light Company
TITLE: List of Confidential Exhibits
DOCKET NO.: 100007-EI
DOCKET TITLE: Environmental Cost Recovery Clause
SUBJECT: Staff's 4th Set of Interrogatories No. 36
DATE: July 18, 2012

Description	Interrogatory No.	Conf. Y/N	Line Nos.	Florida Statute 366.093(3) Subsection	Affiant
Attachment I	36	Yes	Column B, Lines 4-6	(d),(e)	P. Callahan

REVISED EXHIBIT D

AFFIDAVIT

7/18/2025

DOCUMENT NUMBER-DATE

04798 JUL 18 25

FPSC-COMMISSION CLERK

REVISED EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Environmental Cost Recovery Clause

Docket No: 120007-EI

Date: July 16, 2012

STATE OF FLORIDA)
PALM BEACH COUNTY)

AFFIDAVIT OF PAUL CALLAHAN

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

1. My name is Paul Callahan. I am currently employed by Florida Power & Light Company ("FPL") as Manager of Construction in the Engineering and Construction Department. I have personal knowledge of the matters stated in this affidavit.

2. I have reviewed the documents and information which are included in Revised Exhibits A and C to FPL's First Request for Extension of Confidential Classification Provided in Response to Staff's Fourth Set of Interrogatories (No. 36). The information in Revised Exhibit A which is asserted by FPL to be proprietary confidential business information contains information concerning bid or other contractual data, the disclosure of which would impair the efforts of FPL to contract for goods or services on favorable terms. Additionally, the information provided also relates to the competitive interests, the disclosure of which would impair the competitive business of FPL's counter-party. Specifically, the information relates to cost estimates for FPL's 800 MW ESP Project, including contractor labor and material cost estimates. To the best of my knowledge, FPL has maintained the confidentiality of the information in Revised Exhibit A which is asserted by FPL to be proprietary confidential business information.

3. Therefore, the information should remain confidential for a period of at least an additional eighteen (18) months. These materials 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.

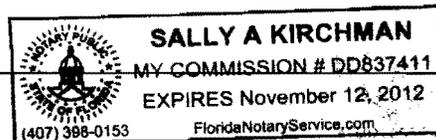
4. Affiant says nothing further.

[Handwritten signature of Paul Callahan]

Paul Callahan

SWORN TO AND SUBSCRIBED before me this 17th day of July, 2012 by Paul Callahan, who is personally known to me or who has produced (type of identification) as identification and who did take an oath.

My Commission Expires:



[Handwritten signature of Sally A. Kirchman]