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January 28, 2013

**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  
 X request for confidentiality  
 filed by OPC

For DN 00499-13, which  
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 13 JAN 28 PM 2:01  
 COMMISSION  
 CLERK

Re: Docket No. 130002-EG  
 Request for Confidential Classification (Audit No. 05-042-4-1)

Dear Ms. Cole:

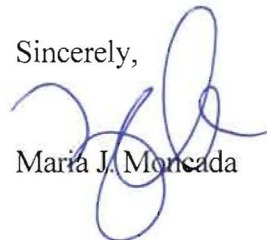
Enclosed for filing on behalf of Florida Power & Light Company ("FPL") are an original and seven (7) copies of FPL's Fourth Request for Extension of Confidential Classification of Information Provided Pursuant to Audit No. 05-042-4-1. The original includes First Revised Exhibit A, First Revised Exhibit B (two copies), Second Revised Exhibit C and Fourth Revised Exhibit D. The seven copies do not include copies of the Exhibits.

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

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

COM  
 AFD  
 APA  
 ECO 3+CD  
 ENG  
 GCL  
 IDM  
 TEL  
 CLK

Sincerely,



Maria J. Moncada

Enclosures  
 cc: parties of record, w/out exhibits

Florida Power & Light Company

700 Universe Boulevard, Juno Beach, FL 33408

DOCUMENT NUMBER-DATE

00498 JAN 28 2013

FPSC-COMMISSION CLERK

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

IN RE: Energy Conservation Cost Recovery  
Clause

Docket No: 130002-EG  
Date: January 28, 2013

**FLORIDA POWER AND LIGHT COMPANY'S FOURTH REQUEST  
FOR EXTENSION OF CONFIDENTIAL CLASSIFICATION  
OF INFORMATION PROVIDED PURSUANT TO AUDIT NO. 05-042-4-1**

Pursuant to Section 366.093, Florida Statutes (2012) ("Section 366.093"), and Rule 25-22.006, Florida Administrative Code, Florida Power & Light Company ("FPL") hereby submits its Fourth Request for Extension of Confidential Classification of Information Provided Pursuant to Audit No. 05-042-4-1 ("Confidential Information"). In support of this request, FPL states as follows:

1. On July 13, 2005 FPL filed a Request for Confidential Classification of the Confidential Information, which included Exhibits A, B, C, and D ("July 13, 2005 Request"). By Order No. PSC-06-0189-CFO-EG, dated March 9, 2006 ("Order 0189"), the Commission granted FPL's July 13, 2005 Request. FPL adopts and incorporates by reference the July 13, 2005 Request and Order 0189.
2. By Order No. PSC-07-0828-CFO-EG, dated October 15, 2007, the Commission granted FPL's First Request for Extension of Confidential Classification.
3. By Order No. PSC-09-0676-CFO-EG, dated October 9, 2009, the Commission granted FPL's Second Request for Extension of Confidential Classification.
4. On April 8, 2011 FPL filed a Third Request for Extension of Confidential Classification of the Confidential Information, which included Third Revised Exhibit D ("April

8, 2011 Request”). By Order No. PSC-11-0320-CFO-EG, dated July 28, 2011 (“Order 0320”), the Commission granted FPL’s April 8, 2011 Request. FPL adopts and incorporates by reference the April 8, 2011 Request and Order 0320.

5. The period of confidential treatment granted by Order 0320 will soon expire. Some of the Confidential Information that was the subject of FPL’s April 8, 2011 Request and Order 0320 warrants continued treatment as proprietary and confidential business information within the meaning of Section 366.093(3). Accordingly, FPL hereby submits its Fourth Request for Extension of Confidential Classification.

6. Included herewith and made a part hereof are First Revised Exhibit A and First Revised Exhibit B together with Second Revised Exhibit C to reduce the number of pages for which confidential treatment is sought. Also included is Fourth Revised Exhibit D.

7. Fourth Revised Exhibit D contains the affidavit of Anita Sharma in support of this request. FPL has determined that only some of the information, which was confidential at the time of the April 8, 2011 request, warrants continued confidential treatment.

8. First Revised Exhibits A and B consist of 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.

9. 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.

10. As the affidavit included in Fourth Revised Exhibit D indicates, the Confidential Information includes proprietary information of FPL concerning the competitive interest of FPL or third parties, the disclosure of which would impair the competitive business of the provider of the information. Such information is protected by Section 366.093(3)(e).

11. Certain documents contain information that relates to customer-specific account information, which if disclosed would impair FPL's competitive interests. It is FPL's corporate policy not to disclose customer-specific information. This policy includes, but is not limited to: customer names, addresses, telephone numbers, and account numbers, rates, billing determinants (kW and kWh usage), conservation savings in kW, kWh and bills. FPL treats such information as confidential and does not disclose it, except as required by law, to entities or persons other than the customer absent the customer's consent. This information is protected pursuant to Section 366.093(3)(e).


12. 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. (2012).

**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 Fourth Request for Extension of Confidential Classification be granted.

Respectfully submitted,

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By:



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Maria J. Moncada  
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**CERTIFICATE OF SERVICE**  
**Docket No. 130002-EG**

I HEREBY CERTIFY that a true and correct copy of the foregoing Second Request for Confidential Classification(\*) was served by hand delivery(\*\*) or by U.S. Mail this 28th day of January, 2013 to the following:

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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.

**FIRST REVISED  
EXHIBIT A**

**CONFIDENTIAL  
FILED UNDER SEPARATE COVER**