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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
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 COMMISSION
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Re: Docket No. 130002-EG
 Request for Confidential Classification (Audit No. 07-071-4-3)

Dear Ms. Cole:

Enclosed for filing on behalf of Florida Power & Light Company ("FPL") are an original and seven (7) copies of FPL's Third Request for Extension of Confidential Classification of Information Provided Pursuant to Audit No. 07-071-4-3. The original includes First Revised Exhibit A and First Revised Exhibit B (two copies), together with Third Revised Exhibit C and Third 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 First Revised Exhibit A, in which the information FPL asserts is confidential has been redacted. Third Revised Exhibit C is a justification table in support of FPL's Third Request for Extension of Confidential Classification. Third Revised Exhibit D contains three affidavits in support of FPL's Third Request for Extension of Confidential Classification. Also included in this filing is a compact disc containing FPL's Third Request for Extension of Confidential Classification and Third Revised Exhibit C, in Microsoft Word format.

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

COM
 AFD
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 ECO 34cd
 ENG
 GCL
 IDM
 TEL
 CLK

Sincerely,

Maria J. Moncada

Enclosures
 cc: parties of record, w/out exhibits

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 THIRD REQUEST
FOR EXTENSION OF CONFIDENTIAL CLASSIFICATION
OF INFORMATION PROVIDED PURSUANT TO AUDIT NO. 07-071-4-3**

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 Third Request for Extension of Confidential Classification of Information Provided Pursuant to Audit No. 07-071-4-3 ("Confidential Information"). In support of this request, FPL states as follows:

1. On August 1, 2007 FPL filed a Request for Confidential Classification of the Confidential Information, which included Exhibits A, B, C, and D ("August 1, 2007 Request"). By Order No. PSC-07-0829-CFO-EG, dated October 15, 2007 ("Order 0829"), the Commission granted FPL's August 1, 2007 Request. FPL adopts and incorporates by reference the August 1, 2007 Request and Order 0829.

2. By Order No. PSC-09-0682-CFO-EG, dated October 13, 2009, the Commission granted FPL's First Request for Extension of Confidential Classification.

3. On April 11, 2011 FPL filed a Second Request for Extension of Confidential Classification of the Confidential Information, which included Second Revised Exhibits C and D ("April 22, 1022 Request"). By Order No. PSC-11-0321-CFO-EG, dated July 28, 2011 ("Order 0321"), the Commission granted FPL's April 11, 2011 Request. FPL adopts and incorporates by reference the April 11, 2011 Request and Order 0321.

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DOCUMENT NUMBER-DATE

00520 JAN 28 2013

FPSC-COMMISSION CLERK

4. The period of confidential treatment granted by Order 0321 will soon expire. Some of the Confidential Information that was the subject of FPL's April 13, 2011 Request and Order 0321 warrants continued treatment as proprietary and confidential business information within the meaning of Section 366.093(3). Accordingly, FPL hereby submits its Third Request for Extension of Confidential Classification.

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

6. Third Revised Exhibit D contains the affidavits of Antonio Maceo, Damaris Rodriguez and 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 11, 2011 request, warrants continued confidential treatment.

7. 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. Where entire pages of a workpaper are confidential, FPL has included only identifying cover pages in Exhibit B.

8. 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.

9. As the affidavits included in Third Revised Exhibit D indicate, the Confidential Information includes proprietary information of FPL concerning internal auditing controls issued in 2009. This information is protected by Section 366.093(3)(b), Fla. Stat.

10. Additionally, some information also relates to 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 also 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 Third Request for Extension of Confidential Classification be granted.

Respectfully submitted,

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By:



Maria J. Moncada
Florida Bar No. 0773301

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**

AUDIT NO. 07-071-4-3