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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

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 13 JAN 28 PM 2:02
 COMMISSION
 CLERK

Re: Docket No. 130002-EG
 Request for Confidential Classification (Audit No. 08-037-4-2)

Dear Ms. Cole:

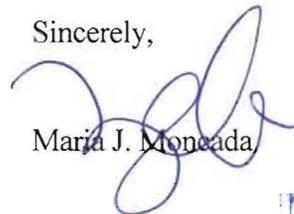
Enclosed for filing on behalf of Florida Power & Light Company (“FPL”) are an original and seven (7) copies of FPL’s Second Request for Extension of Confidential Classification of Information Provided Pursuant to Audit No. 08-037-4-2. The original includes Second Revised Exhibits A, B (two copies), C and D. The seven copies do not include copies of the Exhibits.

Second Revised Exhibit A consists of the confidential documents, and all the information that FPL asserts is entitled to confidential treatment has been highlighted. Second Revised Exhibit B is an edited version of Second 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 Second Request for Extension of Confidential Classification. Second Revised Exhibit D contains three affidavits in support of FPL’s Second Request for Extension of Confidential Classification. Also included in this filing is a compact disc containing FPL’s Second 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
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 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

00530 JAN 28 2

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 SECOND REQUEST
FOR EXTENSION OF CONFIDENTIAL CLASSIFICATION
OF INFORMATION PROVIDED PURSUANT TO AUDIT NO. 08-037-4-2**

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 Second Request for Extension of Confidential Classification of Information Provided Pursuant to Audit No. 08-037-4-2 ("Confidential Information"). In support of this request, FPL states as follows:

1. On August 12, 2008 FPL filed a Request for Confidential Classification of the Confidential Information, which included Exhibits A, B, C, and D ("August 12, 2008 Request"). By Order No. PSC-09-0193-CFO-EI, dated March 27, 2009 ("Order 0193"), the Commission granted FPL's August 12, 2008 Request. FPL adopts and incorporates by reference the August 12, 2008 Request and Order 0193.

2. On September 27, 2010 FPL filed a Request for Extension of Confidential Classification of the Confidential Information, which included Revised Exhibits A, B, C, and D ("September 27, 2010 Request"). By Order No. PSC-11-0319-CFO-EI, dated July 28, 2011 ("Order 0319"), the Commission granted FPL's September 27, 2010 Request. FPL adopts and incorporates by reference the September 27, 2010 Request and Order 0319.¹

¹ The September 27, 2010 Request and Order 0319 inadvertently referenced a "Fourth" extension rather than a First extension.

3. The period of confidential treatment granted by Order 0319 will soon expire. Some of the Confidential Information that was the subject of FPL's September 27, 2010 Request and Order 0319 warrants continued treatment as proprietary and confidential business information within the meaning of Section 366.093(3). Accordingly, FPL hereby submits its Second Request for Extension of Confidential Classification.

4. Included herewith and made a part hereof are Second Revised Exhibits A and B together with Second Revised Exhibit C to reduce the number of pages for which confidential treatment is sought.

5. Second 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 September 27, 2010 request, warrants continued confidential treatment.

6. Second 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.

7. 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.

8. As the affidavits included in Second Revised Exhibit D indicate, the Confidential Information includes proprietary information of FPL concerning internal auditing controls, reports or notes of internal auditors or information relating to internal auditing controls issued in 2009. This information is protected by Section 366.093(3)(b), Fla. Stat.

9. 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).

10. 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).

11. 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 Second Request for Extension of Confidential Classification be granted.

Respectfully submitted,

John T. Butler
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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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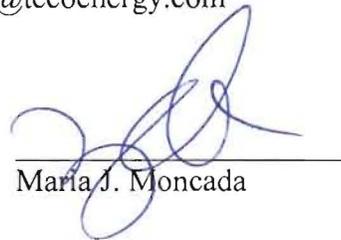
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Maria J. Moncada

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

**SECOND REVISED
EXHIBIT A**

**CONFIDENTIAL
FILED UNDER SEPARATE COVER**