



William P. Cox
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 Florida Power & Light Company
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 Juno Beach, FL 33408-0420
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February 22, 2013

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~~
 X request for confidentiality
~~filed by OPC~~

For DN 01001-13 which
 is in locked storage. You must be
 authorized to view this DN.-CLK

RECEIVED-FPSC
 13 FEB 25 AM 9:59
 COMMISSION
 CLERK

Re: Florida Power & Light Company's Petition for Approval of Negotiated Renewable Energy Contracts with U.S. EcoGen - Docket No. 120314-EQ

Dear Ms. Cole:

Please find enclosed for filing in the above referenced docket an original and seven (7) copies of the Amended Request for Confidential Classification of Documents Produced by Florida Power & Light Company ("FPL"). The original includes Exhibits A, B (two copies), C and D. The seven copies do not include copies of the Exhibits.

Exhibit A consists of the confidential documents, and all the 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 a justification table in support of FPL's Amended Request for Confidential Classification. Exhibit D contains an original affidavit in support of FPL's Amended Request for Confidential Classification. Also included in this filing is a compact disc containing FPL's Amended Request for Confidential Classification and Exhibit C, in Microsoft Word format.

This Amended Request supersedes and replaces FPL's previous Request for Confidential Classification filed on February 8, 2013, which is hereby withdrawn. Please return the previous Request for Confidential Classification upon receipt of this request.

Thank you for your assistance. Please contact me should you or your staff have any additional questions regarding this filing.

COM _____
 AFD _____
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 CLK _____

Sincerely,

 William P. Cox
 Senior Attorney
 Florida Bar No. 0093531

WPC/bag
 Enclosures
 CC: Charles Murphy, Esq.
 Jon Moyle, Esq.

DOCUMENT NUMBER-DATE
 01000 FEB 25 13
 FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for approval of negotiated renewable energy contracts with U.S. EcoGen Okeechobee, LLC, U.S. EcoGen Clay, LLC, and U.S. EcoGen Martin, LLC, by Florida Power & Light Company

Docket No. 120314-EQ
Date: February 22, 2013

**FLORIDA POWER & LIGHT COMPANY'S
AMENDED REQUEST FOR CONFIDENTIAL CLASSIFICATION OF DOCUMENTS
PRODUCED**

Pursuant to Section 366.093, Florida Statutes (2011) ("Section 366.093"), and Rule 25-22.006, Florida Administrative Code (2011) ("Rule 25-22.006"), Florida Power & Light Company ("FPL") amends its request for confidential classification of certain confidential information included in its responses to data requests from the Staff of the Florida Public Service Commission ("Staff"). These data requests refer to Docket No. 120314, FPL's Petition for approval of negotiated power purchase agreement with U.S. EcoGen Okeechobee, LLC, U.S. EcoGen Clay, LLC, and U.S. EcoGen Martin, LLC. ("Petition") In support of this request, FPL states the following:

1. Petitioner, FPL, is an investor-owned utility subject to the jurisdiction of the Florida Public Service Commission under Chapter 366 of the Florida Statutes.
2. On January 29, 2013, FPL filed a Request for Confidential Classification of certain information provided in FPL's response. On February 22, 2013, FPL filed a supplemental response to Staff's 1st Data Request. As a result of that filing, FPL is filing this amended request for confidential classification to more accurately reflect the confidentiality of the supplemental responses provided to Staff.

DOCUMENT NUMBER-DATE

01000 FEB 25 2013

FPSC-COMMISSION CLERK

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

a. Exhibit A consists of a copy of the confidential responsive documents, on which all information that is entitled to confidential treatment under Florida law has been highlighted.

b. Exhibit B consists of a copy of the confidential responsive documents, on which all information that is entitled to confidential treatment under Florida law has been redacted.

c. Exhibit C is a table that identifies the specific line, page or cell references to the confidential materials for which FPL seeks confidential treatment. The table also references the specific statutory bases for confidentiality and the affiant who supports the requested classification.

d. Exhibit D contains the affidavit of Thomas Hartman.

4. FPL submits that the highlighted information in Exhibit A is proprietary confidential business information within the meaning of Section 366.093(3). This information is intended to be and is treated by FPL as private, and its confidentiality has been maintained. Pursuant to Section 366.093, such information is entitled to confidential treatment and 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.

5. As the affidavit included in Exhibit D indicates, certain materials provided by FPL contain fuel price forecasts. Disclosing this confidential information would negatively

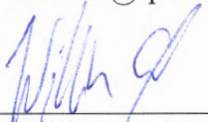
6. Upon a finding by the Commission that the information highlighted in Exhibit A, and referenced in Exhibit C, is proprietary confidential business information, the information should not be declassified for a period of at least eighteen (18) months and should be returned to FPL as soon as the information is no longer necessary for the Commission to conduct its business. *See* § 366.093(4), Fla. Stat. (2011).

7. As discussed in Section 2 above, this pleading replaces and supersedes the previous Request sent to the Commission. The previous request is contained in Document Numbers 00772-13 and 00564-13. Accordingly, FPL respectfully requests that the Commission return all copies of the previous Request for Confidential Classification.

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 Amended Request for Confidential Classification be granted.

Respectfully submitted,

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Email: Will.Cox@fpl.com

By: 
William P. Cox
Fla. Bar No. 009353 1

**BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION**

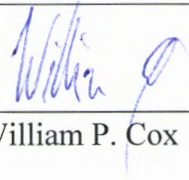
In re: Petition for approval of negotiated renewable energy contracts with U.S. EcoGen Okeechobee, LLC, U.S. EcoGen Clay, LLC, and U.S. EcoGen Martin, LLC, by Florida Power & Light Company

Docket No. 120314-EQ
February 22, 2013

**CERTIFICATE OF SERVICE
DOCKET NO. 120314-EQ**

I HEREBY CERTIFY that a true and correct copy of this Amended Request for Confidential Classification was served electronically and by U.S. Mail this 22nd day of February 2013, to the following:

Charles Murphy Office of the General Counsel Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, FL 32399-1400 cmurphy@psc.state.fl.us	Jon C. Moyle, Jr. c/o Moyle Law Firm 118 North Gadsden Street Tallahassee, FL 32301 Phone: (850) 681-3828 Fax: (850) 681-8788 Email: jmoyle@moylelaw.com
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By: 
William P. Cox