Florida Power & Light Company, P. O. Box 029100, Miami, FL 33102-9100



AIRBORNE EXPRESS

March 16, 1995

Ms. Blanca Bayo, Director Division of Records and Reporting Florida Public Service Commission Fletcher Building 101 East Gaines Street Tallahassee, Florida 32399-0850

## Re: Florida Power & Light Company's (FPL) Notice of Intent to Request Confidential Classification (NOI) In The Capacity Cost Recovery Clause, Docket No. 950001-EI

Dear Ms. Bayo:

 Please find enclosed an original and fifteen copies of FPL's Notice of Intent regarding the Commission Staff's Document/Record Request Number 1, dated February 21, 1995, and Number 2 dated March 9, 1995, for the Staff's audit of FPL's capacity cost recovery clause.
Pursuant to F.A.C. Rule 25-22.006, <u>Confidential Information</u>, as amended and filed April 6, 1990, FPSC Order No. 22795, FPL hereby files its <u>Notice of Intent</u> with the Commission's Division of Records and Reporting.

Please return a file stamped copy of this letter to me in the stamped, self-addressed envelope provided herein. If you have any questions regarding this filing, please call me at (305) 552-2724.

ncerely, Feldman Steven H. Attorney 125

Sto / SHF:sk

ACK

AFA

Vob

WAS - Enclosure

MAN CONOS

DOCUMENT NUMBER-DATE

02937 MAR 20 8

## BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In the Matter of Florida Power & Light Company's Request for Confidential Classification in the Capacity Cost Recovery Clause

Docket No. 950001-EI

## NOTICE OF INTENT TO REQUEST CONFIDENTIAL CLASSIFICATION IN THE CAPACITY COST RECOVERY CLAUSE

Comes Now Florida Power & Light Company (hereinafter FPL) and files this its <u>Notice of Intent to Request Confidential</u> <u>Classification</u> (hereinafter NOI) pursuant to F.A.C. Rule 25-22.006, <u>Confidential Information</u>, as amended and filed on April 6, 1990, FPSC Orde. No. 22795, FPL further states:

Petitioner's name and address is:

Florida Power & Light Company P. O. Box 029100 Miami, Florida 33102-9100

Orders, notices, or other pleadings relevant hereto should be served on:

Steven H. Feldman LAW/GO, Room 6528 Florida Power & Light Company P. O. Box 029100 Miami, Florida 33102-9100

2. Pursuant to the Florida Public Service Commission's ("Commission") audit of FPL's capacity cost recovery clause for the period April, 1994 - March 1995, the Commission's Staff has provided FPL with several written requests for information.

> DOCUMENT NUMBER-DATE 02937 HAR 20 8 FPSC-RECORDS/REPORTING

FPL NO1 March 16, 1995 Page 2

- 3. The material requested by Staff Document/Record Request (D/RR) No. 1 is information from internal auditing controls and reports of internal auditors. As such, the information is confidential pursuant to §366.093(3)(b), Florida Statutes.
- 4. D/RR No. 1 is attached hereto as Attachment A.
- 5. The material requested by Staff Document/Record Request (D/RR) No. 2 provided pursuant to the Commission's audit of FPL's capacity cost recovery clause is intended to be and is treated by FPL as proprietary confidential business information as that term is defined in §366.093, Florida Statutes.
- 6. D/RR No. 2 is confidential propriety business information because disclosure of the information concerning contractual data of FPL's vendors would impair the efforts of FPL to contract for goods and services on favorable terms. The disclosure of contractual data would also impair the competitive business of the provider of the information. The material is confidential pursuant to §§366.093(3)(d) and (e), Florida Statutes.
- 7. D/RR No. 2 is attached hereto as Attachment B.
- 8. Pursuant to F.A.C. Rule 25-22.006 (3)(a), as amended, this filing constitutes a temporary exemption from §119.07, F.S., for the material identified by the Staff D/RR delineated above which the Staff obtains, as defined in Subsection (1)(e) of F.A.C. Rule 25-22.006. Furthermore, in accordance with

FPL NOI March 16, 1995 Page 3

Subsection (3)(d) of F.A.C. Rule 25-22.006, the Commission shall accord the material subject to the above listed D/RR's stringent safeguards against public disclosure.

WHEREFORE, FPL requests the Commission to treat the abovementioned material identified as confidential in accordance with Subsection (3)(d) of Rule 25-22.006, Florida Administrative Code, as amended.

Respectfully submitted,

Steven H. Feldman, Esq. Florida Power & Light Company P. O. Box 029100-9100 Miami, Florida 33102-9100 Florida Bar No. 0869181

## CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of Florida Power & Light Company's Notice of Intent to Request Confidential Classification was provided by first class mail to Ruth Young, Kathy Welch and Iliana Piedra at the Florida Public Service Commission, Division of Auditing and Financial Analysis, 3625, N.W. 82 Avenue, Suite 400, Miami, Florida 33166-7602 on this 16th day of March, 1995.

en A Fildra

Steven H. Feldman, Esq.

shf\6\noi1-2.95

a				A	TACHMENT	· A
v 8		(Please Use Ball Pair	t Pen - Press He	ard)		
	FLOI	RIDA PUBLIC SER DOCUMENT / RE			N	
TO:	Carlos sunstan	<u></u>				
UTILITY:						
FROM: _	Thank the	dra		CALDEON	PREPARING REQUEST)	
					abile	5
	INUMBER:	ichen	DATEO	F REQUEST:		S
100000000000000000000000000000000000000	EQUEST THE FOLLOWING	ITEM(S) BE PROVIDED	8Y		(DATE)	
				~		
	REFERENCE RULE 25-22.000	6, F.A.C., THIS REQUES	T IS MADE:	$\smile$	NCIDENT TO A DUTSIDE OF AN	
	Please sion	ide access	to Y	he se	lected	internal
	audit!			MARY N.		
			- Carlos de Carlos			
			1.1.1	10012		
			1.1.1	1.25		
			and the second			
		2	ITAD	142	,	
	T	1 POP	A		Ble	INE
TO: AUD	T MANAGER	VA TEDE	Τ	DA	ATE	192
THE REQI	UESTED RECORD OR DOC	CUMENTATION:				
(1)		ED TODAY				
	Ä					2/0/05
(2)	CANNOT BE PROV	IDED IN THREE (3) WOI	RK DAYS BUT	WILL BE MA	DE AVAILABLE	BY 97177
(3)	X AND IN ANY ODINIO	N THIS MATERIAL IS PR	ODDIETADY	ND CONED	ENTLAL BUSINE	
(5)		183, 366.093, OR 367				
		NDLING A NOTICE OF IN				
		INTAIN CONTINUED C				
		ST, WITHIN 21 DAYSAFT				
		MATERIAL OBTAINED				
		ONFERENCE) FILE A RE				
		RDS AND REPORTING.				
			1	· ·		
(4)	THE ITEM WILL NOT	BE PROVIDED. ( SEE A	TACHED M	EMORANDU	M)	1
			bui	stear	1 Sel	CONSTANT
		11	0	SIGNATUS AND	TITLE OF RESPONDENT	
DISTRIBUTIO	N:			/		
	lity Complete and Return to A	uditor Pink: To FPSC A	walyst Gold	denrod: Audit F	ile Copy Can	ary: Utility Retain PSC/AFA-6 Olev 7/90

£9480

*			Des Des Des La Des	Dana Lineald		TTACHMENT B
			ease Use Ball Point Pen - I			
			UBLIC SERVICE			
IO:	Carlos	Suasteri		S. Ber		
UTILITY: .	· FPL	0				
FROM: _	I.E	edra			2	
		(AUDIT MANAGER)			AUDITOR PREPARING	
REQUEST	NUMBER:	2	D/	ATE OF REQU	EST: 3/9/9	5
	IRPOSE:				- Jak	/
R	EQUEST THE FC	OLLOWING ITEM(S)	BE PROVIDED BY		3/13 M	
	EFERENCE RUL	E 25-22.006, F.A.C.	, THIS REQUEST IS MA	NDE:	$\cup$	TO AN INQUIRY OF AN INQUIRY
R	eave pro	pride				
1	Conpany	filing	4/94 - 9/94 ,	10/94 -	availa	\$200
	, - 1	8 20,	Ph ATTACHE	3 3/1	345	
2)	DOWNER	a lian 101	UBS da	us!	CIRPP	charges
- aj	laid	and the	Vack	J		0
	fana A	leval and	sacioj,	Contract In the second		
				Contrast Sec.		
			The second second	10.000		
			0			
		Tib	P			alahr
		Tigana	PIEDRA		DATE	3/8/95
IO: AUDI	T MANAGER	Turanta	PIEDRA		DATE	3/8/95
		Triganda DOD DOCUMENT	PIEDRA		DATE	3/8/95
		Jugan D OR DOCUMENT	PIEDRA ATION:		DATE	3/8/95
		DOR DOCUMENT			DATE	3/8/95
THE REQU		N PROVIDED TODA	AY			3/8/95
THE REQU		N PROVIDED TODA	AY	YS BUT WILL E		3/8/95
THE REQU		N PROVIDED TODA		YS BUT WILL E		3/8/95 LABLE BY 3/2
THE REQU	JESTED RECOR	N PROVIDED TODA T BE PROVIDED IN MY OPINION THIS N	THREE (3) WORK DAY	ARY AND CO	E MADE AVA	USINESS INFORM
THE REQU (1) (2)	JESTED RECOR HAS BEE CANNO AND IN I AS DEFIN	N PROVIDED TODA T BE PROVIDED IN MY OPINION THIS M NED IN 364, 183, 36	AY THREE (3) WORK DAY MATERIAL IS PROPRIET 6.093, OR 367,156, F	ARY AND CO	E MADE AVA	USINESS INFORM O OBTAIN TEMPO
THE REQU (1) (2)	HAS BEE	n provided toda t be provided in My opinion this n Ned in 364, 183, 36 Ential Handling	AY THREE (3) WORK DAY MATERIAL IS PROPRIET 6.093, OR 367, 156, F A NOTICE OF INTENT	ARY AND CO S.S. I UNDER MUST BE FILED	E MADE AVA	USINESS INFORM O OBTAIN TEMPO SION OF RECORD
THE REQU (1) (2)	JESTED RECOR HAS BEE CANNO AND IN I AS DEFIN CONFID REPORTI	N PROVIDED TODA T BE PROVIDED IN MY OPINION THIS N NED IN 364, 183, 36 ENTIAL HANDLING NG, TO MAINTAIN	AY THREE (3) WORK DAY MATERIAL IS PROPRIET 6.093, OR 367.156, F A NOTICE OF INTENT CONTINUED CONFID	TARY AND CO S.S. I UNDER MUST BE FILED ENTIAL HAND	E MADE AVA	USINESS INFORM O OBTAIN TEMPO SION OF RECORD: MATERIAL THE UTIL
THE REQU (1) (2)	JESTED RECOR HAS BEE CANNO AND IN I AS DEFIN CONFID REPORTI OTHERP	N PROVIDED TODA T BE PROVIDED IN MY OPINION THIS M NED IN 364, 183, 36 ENTIAL HANDLING NG, TO MAINTAIN ( ERSON MUST, WITH	AY THREE (3) WORK DAY MATERIAL IS PROPRIET 6.093, OR 367.156, F A NOTICE OF INTENTY CONTINUED CONFID IN 21 DAYS AFTER THE	ARY AND CO S. I UNDER MUST BE FILED ENTIAL HAND COMMISSIO	E MADE AVA	USINESS INFORM O OBTAIN TEMPO SION OF RECORD MATERIAL THE UTIL DBTAINED THE MAT
THE REQU (1) (2)	DESTED RECOR HAS BEE CANNO AND IN I AS DEFIN CONFID REPORTI OTHERP (OR IN TH	N PROVIDED TODA T BE PROVIDED IN MY OPINION THIS M NED IN 364, 183, 36 ENTIAL HANDLING NG, TO MAINTAIN ERSON MUST, WITH HE CASE OF MATERI	AY THREE (3) WORK DAY MATERIAL IS PROPRIET 6.093, OR 367, 156, F A NOTICE OF INTENTY CONTINUED CONFID IN 21 DAYS AFTER THE AL OBTAINED DURING	ARY AND CO S.S. I UNDER MUST BE FILED ENTIAL HAND COMMISSIC G THE COURS	E MADE AVA ONFIDENTIAL E STAND THAT TO WITH THE DIVI OUNG OF THIS IN STAFF HAS C E OF AN AUDI	O OBTAIN TEMPO SION OF RECORD MATERIAL THE UTIL BTAINED THE MAT
THE REQU (1) (2)	DESTED RECOR HAS BEE CANNO AND IN I AS DEFIN CONFID REPORTI OTHERP (OR IN TH	N PROVIDED TODA T BE PROVIDED IN MY OPINION THIS M NED IN 364, 183, 36 ENTIAL HANDLING NG, TO MAINTAIN ERSON MUST, WITH HE CASE OF MATERI	AY THREE (3) WORK DAY MATERIAL IS PROPRIET 6.093, OR 367.156, F A NOTICE OF INTENTY CONTINUED CONFID IN 21 DAYS AFTER THE	ARY AND CO S.S. I UNDER MUST BE FILED ENTIAL HAND COMMISSIC G THE COURS	E MADE AVA ONFIDENTIAL E STAND THAT TO WITH THE DIVI OUNG OF THIS IN STAFF HAS C E OF AN AUDI	O OBTAIN TEMPO SION OF RECORD MATERIAL THE UTIL BTAINED THE MAT
THE REQU (1) (2)	JESTED RECOR HAS BEE CANNO AND IN I AS DEFIN CONFID REPORTI OTHERP (OR IN THE HE AUD	N PROVIDED TODA T BE PROVIDED IN MY OPINION THIS N NED IN 364, 183, 36 ENTIAL HANDLING NG, TO MAINTAIN ERSON MUST, WITH HE CASE OF MATERI DIT EXIT CONFEREN	AY THREE (3) WORK DAY MATERIAL IS PROPRIET 6.093, OR 367, 156, F A NOTICE OF INTENTY CONTINUED CONFID IN 21 DAYS AFTER THE AL OBTAINED DURING	ARY AND CO S. I UNDER MUST BE FILED ENTIAL HAND COMMISSIO G THE COURS T FOR CONF	E MADE AVA DNFIDENTIAL E STAND THAT TO WITH THE DIVIOUNG OF THISM IN STAFF HAS CO E OF AN AUDI TO ENTIAL CLA	O OBTAIN TEMPO SION OF RECORD MATERIAL THE UTIL BTAINED THE MAT
THE REQU (1) (2) (3)	JESTED RECOR HAS BEE CANNO AND IN I AS DEFIN CONFID REPORTI OTHERP (OR IN THE HE AUD DIVISION	N PROVIDED TODA T BE PROVIDED IN MY OPINION THIS N NED IN 364.183, 36 ENTIAL HANDLING NG. TO MAINTAIN ERSON MUST, WITH ECASE OF MATERI DIT EXIT CONFEREN N OF RECORDS AN	AY THREE (3) WORK DAY MATERIAL IS PROPRIET 6.093, OR 367.156, F A NOTICE OF INTENTY CONTINUED CONFID IN 21 DAYS AFTER THE AL OBTAINED DURING NCE) FILE A REQUES D REPORTING, REFER	ARY AND CO S. I UNDER MUST BE FILED ENTIAL HAND COMMISSIO G THE COURS T FOR CONF T TOR DUE 25-	E MADE AVA DNFIDENTIAL E STAND THAT TO WITH THE DIVIS DUNG OF THISM IN STAFF HAS C E OF AN AUDI TO ENTIAL CLA 22.006 F.A.C.	O OBTAIN TEMPO SION OF RECORD MATERIAL THE UTIL BTAINED THE MAT
THE REQU (1) (2)	JESTED RECOR HAS BEE CANNO AND IN I AS DEFIN CONFID REPORTI OTHERP (OR IN THE HE AUD DIVISION	N PROVIDED TODA T BE PROVIDED IN MY OPINION THIS N NED IN 364.183, 36 ENTIAL HANDLING NG. TO MAINTAIN ERSON MUST, WITH ECASE OF MATERI DIT EXIT CONFEREN N OF RECORDS AN	AY THREE (3) WORK DAY MATERIAL IS PROPRIET 6.093, OR 367.156, F A NOTICE OF INTENT CONTINUED CONFID IN 21 DAYS AFTER THE AL OBTAINED DURING NCE) FILE A REQUES	ARY AND CO S. I UNDER MUST BE FILED ENTIAL HAND COMMISSIO G THE COURS T FOR CONF T TOR DUE 25-	E MADE AVA DNFIDENTIAL E STAND THAT TO WITH THE DIVIS DUNG OF THISM IN STAFF HAS C E OF AN AUDI TO ENTIAL CLA 22.006 F.A.C.	USINESS INFORM O OBTAIN TEMPO SION OF RECORD MATERIAL THE UTIL BATAINED THE MAT WITHIN 21 DAYS SSIFICATION WIT
THE REQU (1) (2) (3)	JESTED RECOR HAS BEE CANNO AND IN I AS DEFIN CONFID REPORTI OTHERP (OR IN THE HE AUD DIVISION	N PROVIDED TODA T BE PROVIDED IN MY OPINION THIS N NED IN 364.183, 36 ENTIAL HANDLING NG. TO MAINTAIN ERSON MUST, WITH ECASE OF MATERI DIT EXIT CONFEREN N OF RECORDS AN	AY THREE (3) WORK DAY MATERIAL IS PROPRIET 6.093, OR 367.156, F A NOTICE OF INTENTY CONTINUED CONFID IN 21 DAYS AFTER THE AL OBTAINED DURING NCE) FILE A REQUES D REPORTING, REFER	ARY AND CO S. I UNDER MUST BE FILED ENTIAL HAND COMMISSIO G THE COURS T FOR CONF T TOR DUE 25-	E MADE AVA DNFIDENTIAL E STAND THAT TO WITH THE DIVIS DUNG OF THISM IN STAFF HAS C E OF AN AUDI TO ENTIAL CLA 22.006 F.A.C.	O OBTAIN TEMPO SION OF RECORD MATERIAL THE UTIL BTAINED THE MAT
(1) (2) (3)	JESTED RECOR HAS BEE CANNO AND IN I AS DEFIN CONFID REPORTI OTHERP (OR IN THE HE AUD DIVISION	N PROVIDED TODA T BE PROVIDED IN MY OPINION THIS N NED IN 364.183, 36 ENTIAL HANDLING NG. TO MAINTAIN ERSON MUST, WITH ECASE OF MATERI DIT EXIT CONFEREN N OF RECORDS AN	AY THREE (3) WORK DAY MATERIAL IS PROPRIET 6.093, OR 367.156, F A NOTICE OF INTENTY CONTINUED CONFID IN 21 DAYS AFTER THE AL OBTAINED DURING NCE) FILE A REQUES D REPORTING, REFER	ARY AND CO S. I UNDER MUST BE FILED ENTIAL HAND COMMISSIO G THE COURS T FOR CONF T TOR DUE 25-	E MADE AVA DNFIDENTIAL E STAND THAT TO WITH THE DIVIS DUNG OF THISM IN STAFF HAS C E OF AN AUDI TO ENTIAL CLA 22.006 F.A.C.	USINESS INFORMU O OBTAIN TEMPO SION OF RECORDS MATERIAL THE UTIL DBTAINED THE MAT T, WITHIN 21 DAYS SSIFICATION WIT
(1) (2) (3)	DESTED RECOR HAS BEE CANNO AND IN I AS DEFIN CONFID REPORTI OTHERP (OR IN THE THE AUD DIVISION	N PROVIDED TODA T BE PROVIDED IN MY OPINION THIS N NED IN 364.183, 36 ENTIAL HANDLING NG. TO MAINTAIN ERSON MUST, WITH ECASE OF MATERI DIT EXIT CONFEREN N OF RECORDS AN	AY THREE (3) WORK DAY MATERIAL IS PROPRIET 6.093, OR 367.156, F A NOTICE OF INTENTY CONTINUED CONFID IN 21 DAYS AFTER THE AL OBTAINED DURING NCE) FILE A REQUES D REPORTING, REFER	ARY AND CO S. I UNDER MUST BE FILED ENTIAL HAND COMMISSIO G THE COURS T FOR CONF T TOR DUE 25-	E MADE AVA DINFIDENTIAL E STAND THAT TO WITH THE DIVID WITH THE DIV WITH THE DIV WITH THE DIVID WITH THE DIVID	USINESS INFORMU O OBTAIN TEMPO SION OF RECORDS MATERIAL THE UTIL DBTAINED THE MAT T, WITHIN 21 DAYS SSIFICATION WIT