

Writer's Direct Dial: (561) 691-7101 R. Wade Litchfield Senior Attorney Florida Authorized House Counsel Florida Power & Light Company 700 Universe Boulevard Juno Beach, FL 33408-0420 (561) 691-7103 (Facsimile)

February 21, 2000

ORIGINAL

VIA HAND DELIVERY

Ms. Blanca S. Bayó Director Division of Records and Reporting Florida Public Service Commission Betty Easley Conference Center 2540 Shumard Oak Boulevard Room 110 Tallahassee, FL 32399-0850

CIN DATS 21 18 2:4

Re: Florida Power & Light Company's Request for Confidential Classification In Connection With Its Report Under FAC 25-6.018

991698-EI

Dear Ms. Bayó:

I enclose and hand you herewith for filing in the above-referenced matter, the original and two (2) copies of Florida Power & Light Company's ("FPL") Request for Confidential Classification. The original includes Exhibits A, B, C and D. The two copies include only Exhibits B, C and D.

Exhibit A contains the confidential information that is the subject of FPL's Request for Confidential Classification. Exhibit A is submitted for filing in a separate, sealed folder or carton marked "**EXHIBIT A** – **CONFIDENTIAL.** Exhibit B is an edited version of Exhibit A, in which the information FPL asserts is confidential has been blocked out. Exhibit C contains FPL's justification for its request for confidential classification. Exhibit D contains and affidavit in support of FPL's Request for Confidential Classification.

In accordance with Rule 25-22.006(3)(d), FPL requests confidential treatment of the information in Exhibit A pending disposition of FPL's request for Confidential Classification.

Also included herewith is a computer diskette containing FPL's Request for Confidential Classification and Exhibit C, in Word Perfect version 6/7/8.

02358- FEB 21 8

FPSC-RECORDS/REPORTING

Blanca S. Bayó, Director Division of Records and Reporting Florida Public Service Commission February 21, 2000 Page 2

Please do not hesitate to contact me should you or your Staff have any questions regarding this filing.

Sincerely, N-Wacen

R. Wade Litchfield

RWL/jsb

Enclosures

BEFORE THE

ORIGINAL

FLORIDA PUBLIC SERVICE COMMISSION

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In the Matter of Florida Power & Light Company's Request for Confidential Classification in Connection With Its Report Under FAC 25-6.018 Docket No. 991698-EI

FILED: February 21, 2000

REQUEST FOR CONFIDENTIAL CLASSIFICATION OF CERTAIN MATERIALS PURSUANT TO FAC 25-6.018

NOW, BEFORE THIS COMMISSION, through undersigned counsel, comes Florida

Power & Light Company ("FPL") and, pursuant to section 25-22.006 of the Florida

Administrative Code and section 366.093 of the Florida Statutes, hereby requests confidential

classification of certain materials provided to the Florida Public Service Commission ("FPSC" or

"Commission") in connection with its report filed pursuant to Section 25-6.018 of the Florida

Administrative Code. In support of its Request, FPL states as follows:

1. Petitioner's principal business address is as follows:

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

> DOCUMENT NUMBER-DATE 02358 FEB218 FPSC-RECORDS/REPORTING

Orders, notices, or other pleadings related to this request should be served on:

William G. Walker, III	R. Wade Litchfield
Vice President	Senior Attorney
Florida Power & Light Company	Florida Power & Light Company
215 South Monroe Street, Ste. 810	700 Universe Boulevard
Tallahassee, FL 32301-1859	Juno Beach, Florida 33408-0420
Telephone: (850) 224-7595	Telephone:(561) 691-7101
Telecopier: (850) 224-7197	Telecopier: (561)691-7103

2. In accordance with Section 25-6.018 of the Florida Administrative Code,

FPL is filing this date under separate cover its report on interruptions and curtailments pursuant to FPL's interruption and curtailment rate schedules (the "Report"). FPL considers certain information within the Report to be proprietary confidential business information within the meaning of section 366.093 of the Florida Statutes. FPL hereby requests confidential classification of such information.

- 3. The following exhibits are included herewith and made a part hereof:
- a. Exhibit A consists of all documents for which FPL seeks confidential treatment, whether in whole or in part. All information in Exhibit A that FPL asserts is entitled to confidential treatment has been highlighted. Exhibit A is submitted separately in a sealed folder or carton marked "CONFIDENTIAL."
- b. Exhibit B is an edited version of Exhibit A. All information that FPL asserts is entitled to confidential treatment has been blocked out in Exhibit B.
- c. Exhibit C is a table containing a line-by-line and page-by-page identification of the information for which confidential treatment is sought, and, with regard to each document or portions thereof, references to the specific statutory basis or bases for the claim of

confidentiality and to the affidavits in support of the requested classification. Exhibit C is sometimes referred to hereinafter as the "Justification Table."

d. Exhibit D is the affidavit of Dennis Brandt.

4. FPL seeks confidential protection for the information highlighted in Exhibit A. The statutory bases for FPL's assertion of confidentiality with regard to each document or portion thereof are set forth in the Justification Table under the column titled "FLORIDA STATUTE 366.093(3)." The letters (a) through (f) refer to subsections of section 366.093(3), as applicable. Support for FPL's Request for Confidential Classification of the referenced material is provided through the affidavit of Dennis Brandt, included herewith as Exhibit D.

5. FPL submits that the information highlighted in Exhibit A is proprietary confidential business information within the meaning of section 366.093(3). As Mr. Brandt's affidavit indicates, the highlighted information consists of customer-specific information for non-governmental customers. In particular, FPL has withheld the names of customers on the lists of information provided as attachments to the Report in order to avoid disclosing specific rate and contract information associated with those customer accounts. FPL considers such information to be confidential proprietary business information of the customer and does not disclose such information to third parties unless required by law or unless the customer consents to the disclosure.

6. 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.

7. Upon a finding by the Commission that the material in Exhibit A for which FPL seeks confidential treatment is "proprietary confidential business information", pursuant to section 366.093(4) such materials 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.

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 Request for Confidential Classification be granted.

Respectfully submitted,

Senior Attorney 700 Universe Boulevard Juno Beach, FL 33408-0420 (561) 691-7101

Authorized House Counsel for Florida Power & Light Company

EXHIBIT A

CONFIDENTIAL DOCUMENTS

(SUBMITTED SEPARATELY)

EXHIBIT B

REDACTED DOCUMENTS

Florida Power and Light Co. Report of Interruptions Attachment I Page 1 of 10

	List of CILC Customers for Load Control Event on 7/30/99
	LIST OF CIEC CUSIOMERS FOR LOAD CONTROL EVENT ON 1/30/99
	News
L	Name
	CITY DAYTONA BEACH
	CITY DAYTONA BEACH
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4	STATE OF FLORIDA DEPT OF CORRECTIONS TOMOKA CORR INST
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7	CITY OF EDGEWATER
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	CITY ORMOND BEACH
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	PUTNAM CO DISTRICT SCHOOL BOARD
	PUTNAM CO DISTRICT SCHOOL BOARD
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	ST JOHNS RIVER WATER MANAGEMENT
	PUTNAM CO DISTRICT SCHOOL BOARD
	PUTNAM CO DISTRICT SCHOOL BOARD
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30	CITY ST AUGUSTINE
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32	CITY ST AUGUSTINE
33	ST JOHNS COUNTY UTILITY DEPT
34	MIL DEPT OF FLA ST AUGUSTINE
35	ST JOHNS COUNTY UTILITY DEPT
	CITY OF TITUSVILLE
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	CITY OF TITUSVILLE
	CITY OF COCOA UTIL/SELLERS
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· ·	CITY OF ROCKLEDGE
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	BREVARD COUNTY WATER R #419 4010-7240-9
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Florida Power and Light Co. Report of Interruptions Attachment I Page 2 of 10

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66 PALM BAY UTILITY COMMISSION
67 PALM BAY UTILITY COMMISSION
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70 BREVARD COUNTY WATER R #656 4010-7260-9
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75 CITY OF SANFORD
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80 CITY OF LAKE CITY
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84 STATE OF FLORIDA MILITARY DEPARTMENT & ARMORY BOARD
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86 U S FEDERAL AVIATION ADMIN
87 FLA STATE BAKER CORR INSTIT
88 FLA DEPT OF CORRECTIONS LAWTEY CENTER
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93 CITY OF BOYNTON BCH
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103 SOUTH CENTRAL REG WST WTR TREATMENT & DISPOSAL BOARD
104 CITY OF DELRAY BCH
105 CITY OF DELRAY BCH

Florida Power and Light Co. Report of Interruptions Attachment I Page 3 of 10

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146 MARTIN COUNTY BOARD OF COMMISSIONERS
147 CITY OF STUART
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156 CITY OF W PALM BCH
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158 BD OF PB CO COMM GENERAL GOVT
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Florida Power and Light Co. Report of Interruptions Attachment I Page 4 of 10

161	US AIR FORCE
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Florida Power and Light Co. Report of Interruptions Attachment I Page 5 of 10

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Florida Power and Light Co. Report of Interruptions Attachment I Page 6 of 10

Florida Power and Light Co. Report of Interruptions Attachment I Page 7 of 10

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336 CITY OF CORAL SPGS
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Florida Power and Light Co. Report of Interruptions Attachment I Page 8 of 10

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386 MIAMI-DADE WASAD #ST975
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393 METRO DADE CO AVIATION DEPT
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461 MIAMI-DADE WASAD #ST974
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466 JACKSON MEM HOSP ENERGY CENTER
467 JACKSON MEM HOSP UTILITY CTR
468 JACKSON MEM HOSP DTC/POWER PLANT #2
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470 MIAMI-DADE WASAD #WP3039 629510
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472 STATE OF FLA - DCF S FLA EVALUATION/TRTMT CTR
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474 MIAMI-DADE WASAD #SP001
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476 MIAMI-DADE COMM COLLEGE WOLFSON CAMPUS BUILDING 3
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479 MIAMI-DADE COMM COLLEGE WOLFSON CAMPUS BUILDING 5
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485 CITY OF N MIA BCH PUBLIC UTIL DEPT
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Florida Power and Light Co. Report of Interruptions Attachment I Page 9 of 10

Florida Power and Light Co. Report of Interruptions Attachment I Page 10 of 10

491	FLA INTL UNIV
492	MIAMI-DADE WASAD #ST973C4
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Florida Power and Light Co. Report of Interruptions Attachment II Page 1 of 2

	List of Curtailable Customers Requested to Curtail on 7/30/99
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2	CITY DAYTONA BEACH
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	CITY OF MARGATE
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	MIAMI-DADE WASAD
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Florida Power and Light Co. Report of Interruptions Attachment II Page 2 of 2

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51	MIAMI-DADE WASAD
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53	MIAMI-DADE WASAD #SP002
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58	CITY OF N MIAMI 420646 PW
	Note 1: Data provided by Xiomi Ensenat-Power Billing Systems
	All data provided is in 30 minute rolling demand in E.S.T.
	Curtailment period was on 7/30/99 from 15:00 P.M. to 18:00 P.M. (D.S.T.)

EXHIBIT C

COMPANY: TITLE: DATE:	Rep	Florida Power & Light Company Report of Interruptions February 14, 2000			
ATTACHMENT NUMBER	PAGE NO.	CONF. Y/N	LINE NOS.	FLORIDA STATUTE 366.093(3) Subsection:	AFFIDAVIT
Ι	1 of 10	Y	3, 5, 9-11, 15- 16, 20-21, 25- 29, 31, 37-38, 42, 44, 47-48, 50	(e)	Dennis Brandt
Ι	2 of 10	Y	53, 55, 57-65, 68-69, 72, 74, 77, 83, 89-92, 95, 97-98, 102	(e)	Dennis Brandt
Ι	3 of 10	Y	110, 112-121, 123, 125-126, 128, 130, 133- 135, 137-141, 143-144, 149- 152, 154-155, 157, 159-160	(e)	Dennis Brandt

Y

Y

167-169, 176-

181, 183, 185, 188-189, 193, 199-200, 202, 204, 207, 209-215

217, 221, 228,

234, 242, 244, 246, 248-249, 253-256, 261, 263-264, 269 (e)

(e)

Dennis Brandt

Dennis Brandt

Ι

Ι

4 of 10

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I	6 of 10	Y	273-274, 278- 282, 285-288, 292-294, 296- 297, 301-303, 306-309, 311- 212, 215, 218	(e)	Dennis Brandt
I	7 of 10	Y	312, 315-318, 322-323, 325 328, 330-332, 334-335, 338,	(e)	Dennis Brandt
			354-353, 358, 341, 343-344, 346-347, 349, 352-353, 357, 361-368, 370, 372-374, 376, 379-381		
I	8 of 10	Y	382-385, 387- 392, 394, 396- 400, 402-406, 408-422, 424- 425, 427-428, 431-432, 434- 436	(e)	Dennis Brandt
Ι	9 of 10	Y	437, 439-440, 448-450, 453- 460, 462-465, 469, 471, 473, 475, 477-478, 481-484, 486- 490	(e)	Dennis Brandt
Ι	10 of 10	Y	493	(e)	Dennis Brandt
Π	1 of 2	Y	1, 3-8, 12-15, 18-21, 24, 27- 28, 30-31, 33- 34, 36-39, 41- 42, 44-48	(e)	Dennis Brandt
II	2 of 2	Y	50, 52, 54-57	(e)	Dennis Brandt

EXHIBIT D

AFFIDAVIT OF DENNIS BRANDT

BEFORE THE

FLORIDA PUBLIC SERVICE COMMISSION

In the Matter of Florida Power & Light Company's Request for Confidential Classification in Connection With Its Report Under FAC 25-6.018)))	FILED: February 21, 2000		
STATE OF FLORIDA)	AFFIDAVIT OF DENNIS BRANDT		
COUNTY OF DADE)	AFFIDAVIT OF DENNIS BRAND		

BEFORE ME, the undersigned authority, personally appeared Dennis Brandt who, being first duly sworn, deposes and says:

1. My name is Dennis Brandt. I am currently employed by Florida Power & Light Company ("FPL") as Director, Product and Support Services. I have personal knowledge of the matters stated in this affidavit.

2. With respect to Exhibit C, I have reviewed the documents and information for which I am listed as Affiant and which are included in Exhibit A to FPL's Request for Confidential Classification. Such documents or materials that I have reviewed and which, in whole or in part, are asserted by FPL to be proprietary confidential business information, as noted on Exhibit C, contain or constitute customer-specific account information with respect to non-governmental customers. FPL's policy is not to disclose to third parties specific rate and contract information for non-governmental customers unless required by law or unless the customer consents to such disclosure.

3. The information referred to in this affidavit should be maintained as confidential for a period not less than eighteen months. In addition, these materials should be returned to FPL as soon as the information is no longer necessary for the Commission to conduct its business so that FPL can continue to maintain the confidentiality of these documents.

4. Affiant says nothing further.

Dennis Brandt

SWORN TO AND SUBSCRIBED before me this <u>17</u> day of February , 2000, by Dennis Brandt, who is personally known to me or who has produced ______ (type of identification) as identification and who did take an oath.

Notary Public, State of Florida

My Commission Expires:

Maura Hemandez MY COMMISSION # CC528983 EXPIRES May 25, 2000 BONDED THEY FAIN INSUBANCE, INC.