Writer's Direct Dial: (561) 691-7101

August 21, 2000

## VIA HAND DELIVERY

Ms. Blanca S. Bayò
Director
Division of Records and Reporting

Florida Public Service Commission
2540 Shumard Oak Boulevard, Room 110
Tallahassee, FL 32399-0850

## Re: Florida Power \& Light Company's Request for Confidential Classification of Materials Provided In the Fuel Cost Recovery Audit No. 00-021-4-3 Docket No. 000001-EI

Dear Ms. Bayò:
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 in connection with Audit No. 00-021-4-3. 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 "ATTACHMENT 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 affidavits in support of FPL's Request for Confidential Classification. Also included is a computer diskette containing the electronic version of FPL's Request for Confidential Classification and Exhibit C, in WordPerfect version 6/7/8.

Pursuant to rule $25-22.006(3)$ (d) of the Florida Administrative Code, FPL requests confidential treatment of the documents in Exhibit A pending disposition of FPL's Request for Confidential Classification.

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Ms. Blanca S. Bayò
Director of Records and Reporting Florida Public Service Commission
August 21, 2000
Page 2

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

Thanking you for your attention to this matter, I remain,

Sincerely,

R. Wade Litchfield

RWL/jsb
Enclosures

## BEFORE THE

## FLORIDA PUBLIC SERVICE COMMISSION

In re: Fuel and Purchased Power Cost Recovery Clause and Generating Performance Incentive Factor
) DOCKET NO. 000001-EI
)
) FILED: August 21, 2000

## REQUEST FOR CONFIDENTIAL CLASSIFICATION OF MATERIALS PROVIDED IN THE FUEL COST RECOVERY AUDIT NO. 00-021-4-3

NOW, BEFORE THIS COMMISSION, through undersigned counsel, comes Florida Power \& Light Company ("FPL") and, pursuant to rule 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") staff ("Staff") in connection with the Fuel Cost Recovery Audit, Audit Control No. 00-021-4-3 (hereinafter the "Audit"). In support of its Request, FPL states as follows:

1. Petitioner's name and address are:

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

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

| William G. Walker, III | R. Wade Litchfield |
| :--- | :--- |
| Florida Power \& Light Company | Florida Power \& Light Company |
| Vice President | Senior Attorney |
| 215 South Monroe Street | 700 Universe Boulevard |
| Suite 810 | Juno Beach, Florida 33408-0420 |
| Tallahassee, Florida 32301-1859 | (561) 691-7101 |
| (850) 224-7595 | (561) 691-7135 Facsimile |

2. During the Audit, Staff requested access to various FPL reports and other documents. By letter dated July 31, 2000, Staff indicated its intent to retain certain workpapers for which confidential treatment previously had been requested. Pursuant to Rule 2522.006(3)(a), FPL was given twenty-one days from the date of the letter, or until August 21, 2000, within which to file a formal Request for Confidential Classification with respect to such workpapers. FPL hereby makes such request.
3. The following exhibits are included herewith and made a part hereof:
a. Composite 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. Composite Exhibit A is submitted separately in a sealed folder or carton marked "CONFIDENTIAL."
b. Composite Exhibit B consists of edited versions of all documents for which FPL seeks confidential treatment. All information FPL asserts is entitled to confidential treatment has been blocked out in Composite 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 includes the affidavits of Osvaldo Lom and Paul Karns.
4. FPL seeks confidential protection for the information highlighted in Exhibit A. FPL submits that the highlighted information is proprietary confidential business information within the meaning of section 366.093(3). 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. The information for which FPL seeks confidential classification consists of contractual and pricing such as unit fuel prices by plant, the timing of off system power requirements and purchases, and other contractual data including, payment records, purchase order numbers and contractor and supplier information. Disclosure of this information, among other things, would impair the efforts of FPL to contract for fuel and purchased power on favorable terms and/or would impair the competitive interests of the contractors.
6. FPL submits that the information highlighted in Exhibit A, and referenced in Exhibit C is proprietary confidential business information within the meaning of section 366.093(3). FPL submits that the information that is the subject of this Request for Confidential Classification should not be declassified for at least eighteen (18) months.
7. Upon a finding by the Commission that the material in Exhibit A for which FPL seeks confidential treatment is proprietary confidential business information within the meaning of section 366.093 (3), pursuant to section 366.093 (4) such materials should not be declassified for a period established by the Commission 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,

## Exhibit A

## CONFIDENTIAL DOCUMENTS

## (SUBMITTED SEPARATELY)

## Exhibit B

## REDACTED DOCUMENTS

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in) Alpha coding in the Charge Account (CiA) column liewwies the charge account to be used for hadividual eqpenvese to be found on Pee 2.

* traced to invoice


To: Mercy Casals $\quad$ Date:

Subject:

Pursuant to the produced by $\square$ schectuled to FPL for the month of: September, 199 is as follows:

BANT DATA:


ALLOCATION:

| 214,105 | 223,590 | 437,695 |
| ---: | ---: | ---: |
| 85,966 | 89,612 | 175,578 |
| 128,139 | 133,978 | 262,117 |




In Allocation ${ }^{11}$ is the net output of $\qquad$ for FPL generation and purchased power.
14 Allocation $\$ 2$ is the net output of for FPL generation and purchased power net of transmission losses and startup.

If you should have any questions, please contact Cindy Risavy at 552-2281.

Osvaldo J. Lem
Supervisor- Purchased Power Contracts
OILIer
Copies:
S. Brown - PIK/PJK
G. Dickens - PSAFO
B. Morse - JBAJB
D. Rodriquez - RT/GO

File

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Southern Company Sarvices, lac.

Florida Power \& Lighe Company
Mr. Mario Viller
1
9250"Weat Flagier Streer
Miami, FL. 33174

November 3, 1999
Southern Congryy Services, Inc., acting soldy as ageat for Almbama Powar Compmy, Goorgin Power Compma, On'f Power Compeay, Mississippi Power Compeny, and Savmant Electric and Pown Congeny and in secontrace with note schodeles on file with the Fefeed Enery Requmory Comanistion:

BANKED ENERGY SCHEDULER

NON-UPS:
MILLER 1-STATHON SERVICE
MILLER 1-UPS/ALT2 MILLER 1-UPSALAS2 MILLER 1-UPSSSUP2 Millepr 2-stathon SERVICE MHLER 2-URSALT2 MTLER 2- Uremasz MILLER 2-UTSSUT2 MLLLER 3-STATION SERVICE MILLER 3-UPSALT2 MILLER 3-UPSBAS2 MILLER 3-UPESUR2 MILLER 4-STATION SERVICE MILLER 4-UPG/ALT2 MILLER 4-UPS/BAS2 MILIER 4-UPSSUP2 SCHERER 3-UPS/ALT2 SCHERER 3-UPSBAS2 SCHERER 3-UPSSUP2

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UPS ADUUSTMENTS:
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NET DUE SOUTHERN:
Interchange paymenx due the 20th of the moath receiving the invoice.
Remit via wire tramefer (inclediag lavoice Number) to:
NationsBank, Dallas, TX
ABA Number. 111000012
For Credit to: SWE-TV Trading
Invoice Number. SWE - 9910 - 8
For quextions regading the invaice, plomes conmet Barbman Mobon at (205)257-5779 or
Janice Carperter at (205)257-3308.



Hourly Purchase Energy Summary in mwite - Period 11/0yse thru 11/30rse



Hourly Purchase Energy Summary In mwhts - Period 10/01/99 thru 10031/99

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Hourly Purchese Energy Summary in WWH - Porlod 11/01/99 thru 11/30/98


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# Paymint mate vertice 

## TOTALFBV

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/a Pursumat to the
2. produced by recheduied to FPL for the month of: October, 1999 is as follows:



## ALLOCATION:

| $81)$ |  |  |  |
| :--- | ---: | ---: | ---: |
| 9 | 188,498 | 217,447 | 405,945 |
| 10 | 74,284 | 85,920 | 160,804 |
|  | 113,614 | 131,527 | 245,141 |
| $(12)$ |  |  |  |
| 12 |  |  |  |
| 13 |  | 186,925 | 216,352 |



If you should have any questions, please contact Cindy Risavy at 552-2281.

Osvaldo J. Lom
Supervisor- Purchased Power Contracts

Olucr
Copies:
S. Brown - PJK/PJK
G. Pickens - PS/LFO
B. Morse - JBAJB
D. Rodriquez - RT/GO

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## Exhibit C

## Justification Table

## EXHIBIT C

COMPANY:
TITLE:
DOCKET No.:
AUDIT:
PERIOD ENDING:
AUDIT CONTROL NO:

Florida Power \& Light Company List of Confidential Workpapers 000001-EG
Fuel Cost Recovery Clause
December 31, 1999

|  |  |  | FLORIDA |  |  |  |
| :--- | :--- | :--- | :--- | :--- | :--- | :--- |
|  |  |  |  | STATUTE |  |  |
|  |  |  |  |  |  |  |
| WKPAPER |  | NO. OF | CONF. | LINE NO./ | 366.093(3) |  |
| NO. | DESCRIPTION | PAGES | Y/N | COL. NO. | SUbsection: | AFFIANT |


| 43-2 | Sample of Accounts 501 \& 547 | 2 | $N$ |  |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| 43-2A | Sample of Accounts 501 \& 547 | 8 | N |  |  |  |
| 43-2/1 | Natural Gas <br> Requisition | 1-3 | N |  |  |  |
| 43-2/2 | Fuel Requisition | 1 | N |  |  |  |
| 43-2/2-1 | Fuel Inventory Analysis | 1 | N |  |  |  |
| 43-3 | Computation of Average Unit Cost using LFARS | 30 | Y | Cols. A-B | (d) | P. Karns |
| 43-3/1 | Sample of Computation of Average Unit Cost | 5 | $N$ |  |  |  |
| 43-4 | Sample of Account 151 | $\begin{aligned} & 1 \\ & 2 \\ & \hline \end{aligned}$ | $\begin{aligned} & Y \\ & Y \\ & \hline \end{aligned}$ | Col. A, Lines 1-2 <br> Col. A, Lines 1-4 | (e) | P. Karns |
| 43-4/1A | Account 151 | 7 | N |  |  |  |
| 43-4/1 | Account 151 | $\begin{aligned} & 1 \\ & 2 \\ & \hline \end{aligned}$ | $\begin{aligned} & Y \\ & Y \\ & \hline \end{aligned}$ | $\begin{aligned} & \text { Cols. A-B } \\ & \text { Cols. A-C } \end{aligned}$ | (d) | P. Karns |
| 43-4/2 | M\&S Corrections and Adjustments | 2 | N |  |  |  |
| 43-4/3 | Invoice | 1 | Y | Lines 1-16, Col. | (d), (e) | P. Karns |

Page 1 of 3

Fuel Cost Recovery Clause Audit Control No. 00-021-4-3

Exhibit C

| WKPAPER NO. | DESCRIPTION | NO. OF PAGES |  | NF. LINE NO./ COL.NO. | FLORIDA STATUTE 366.093(3) Subsection: | AFFIANT |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: |
|  |  |  |  | A-B |  |  |
| 43-4/4 | Invoice | $\begin{aligned} & 1 \\ & 2 \\ & \hline \end{aligned}$ | $Y$ $Y$ | Lines 1-19, Col. <br> A-B <br> Lines 1-3 | (d), (e) | P. Karns |
| 44-1/1 | Purchased Power | 1 | $Y$ | Col. A | (d), (e) | O. Lom |
| 44-1/1-1 | Purchased Power | $\begin{aligned} & 1 \\ & 2 \\ & \hline \end{aligned}$ | $Y$ $Y$ $Y$ | Lines 1-10 <br> Lines 1-31 | $\begin{aligned} & \text { (d), (e) } \\ & \text { (d), (e) } \\ & \hline \end{aligned}$ | O. Lom |
| 44-1/1-2 | Purchased Power | 1 | Y | Lines 1-14 | (d), (e) | O. Lom |
| 44-1/1-3 | Purchased Power | 1 | N |  |  |  |
| 44-2 | Purchased Power | $\begin{gathered} 1 \\ 2 \\ 3-5 \\ \hline \end{gathered}$ | Y <br> Y | Cols. A-B; <br> Lines 1-3 <br> Cols. A-AA <br> Cols. A-Z | (d), (e) <br> (e) <br> (e) | O. Lom |
| 44-3 | Purchased Power | 1 <br> 2 <br> 3 <br> 4 | $Y$ $Y$ $Y$ $N$ $Y$ | Lines 1 -10 Lines 1-32 <br> Lines 1-15 | (d), (e) <br> (d), (e) <br> (d), (e) | $\begin{array}{\|l} \text { O. Lom } \\ \text { O. Lom } \\ \text { O. Lom } \\ \hline \end{array}$ |
| 49-1 | Power Sales 1/99 | 1 | $Y$ | Lines 1-11 | (d), (e) | P. Karns |
| 49-1/1 | Ogelthorpe Power Corporation | $\begin{aligned} & 1 \\ & 2 \\ & 3 \\ & \hline \end{aligned}$ | $Y$ <br> $Y$ <br> $Y$ | Lines 1-8 <br> Lines 1-3 <br> Lines 1-4; Col. A | (d), (e) <br> (d), (e) <br> (d), (e) | P. Karns |
| 49-1/2 | Power Sales | 1 | Y | Lines 1-15 | (d), (e) | P. Karns |
| 49-1/3 | Power Sales | 1 | Y | Lines 1-15 | (d), (e) | P. Karns |
| 49-1/4 | Power Sales | 1 | $Y$ | Lines 1-9 | (d), (e) | P. Karns |
| 49-1/5 | Power Sales | 1 | Y | Lines 1-9 | (d), (e) | P. Karns |

## Fuel Cost Recovery Clause

## Audit Control No. 00-021-4-3

| WKPAPER NO. | DESCRIPTION | NO. OF PAGES | CONF. LINE NO.I <br> Y/N COL.NO. |  | FLORIDA <br> STATUTE <br> 366.093(3) <br> Subsection: | Exhibit C <br> AFFIANT |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: |
|  |  |  |  |  |  |  |
| 49-1/6 | Actual Interchange <br> \& Purchased <br> Power Billing <br> Summary | 1 | $Y$ | Col. A | (d), (e) | O. Lom |
| 49-1/7 | Actual Interchange <br> \& Purchased Power Billing Summary | 1 | Y | Col. A | (d), (e) | O. Lom |
| 49-1/8 | Service Agreement | 15 | N |  |  |  |

## Exhibit D

## AFFIDAVITS

## BEFORE THE

## FLORIDA PUBLIC SERVICE COMMISSION

| In re: Fuel and Purchased Power | ) | DOCKET NO. 000001-E |
| :--- | :--- | :--- |
| Cost Recovery Clause and Generating |  |  |
| Performance Incentive Factor |  |  |
|  |  |  |
|  |  |  |
| STATE OF FLORIDA | FILED: August 21, 2000 |  |
| COUNTY OF PALM BEACH | ) |  |
| AFFIDAVIT OF PAUL A. KARNS |  |  |

BEFORE ME, the undersigned authority, personally appeared Paul A. Karns, who, being first duly sworn, deposes and says:

1. My name is Paul A. Karns. I am currently employed by Florida Power \& Light Company ("FPL") as Director of Contracts and Regulatory Affairs. 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. Documents or materials that I have reviewed and which are asserted by FPL to be proprietary confidential business information contain unit fuel prices paid on a plant-specific basis, and other supplier- and contract-specific information. Disclosure of such information would impair the efforts of FPL or its affiliates to contract for goods or services on favorable terms, and the competitive business of FPL and its fuel suppliers. To the best of my knowledge, FPL has maintained the confidentiality of these documents and materials.

Affidavit of Paul A. Karns
Request for Confidential Classification
Docket No. 000001-EI/Fuel Clause Audit No. 00-021-4-3
Page 2 of 2
3. Affiant says nothing further.


Paul A. Karns

SWORN TO AND SUBSCRIBED before me this $17^{\text {th }}$ day of August 2000, by Paul A. Karns, who is personally known to me or who has produced $\qquad$ (type of identification) as identification and who did take an oath.


My Commission Expires April 11, 2003.


## EXHIBIT D

## BEFORE THE

## FLORIDA PUBLIC SERVICE COMMISSION

| In re: Fuel and Purchased Power | ) | DOCKET NO. 000001-EI |
| :---: | :---: | :---: |
| Cost Recovery Clause and Generating | ) |  |
| Performance Incentive Factor | ) | FILED: August 21, 2000 |
| STATE OF FLORIDA |  |  |
| ( ) | AFFIDA | OF OSVALDO J. LOM |
| COUNTY OF MIAMI-DADE |  |  |

COUNTY OF MIAMI-DADE )

BEFORE ME, the undersigned authority, personally appeared Osvaldo J. Lom, who, being first duly sworn, deposes and says:

1. My name is Osvaldo J. Lom. I am currently employed by Florida Power \& Light Company ("FPL") as Supervisor, Purchased Power Administration, Wholesale 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. Documents or materials that I have reviewed and which are asserted by FPL to be proprietary confidential business information contain details of FPL's purchased power requirements and/or transactions on a monthly and hourly basis. (i) information concerning bids or other contractual data, the disclosure of which would impair the efforts of FPL or its affiliates to contract for goods or services on favorable terms; and/or (ii) information relating to competitive interests, the disclosure of which would impair the competitive business of FPL and/or, if other than FPL, the provider of the information. The information FPL seeks to have protected includes the details regarding FPL's purchased power requirements on an hourly basis, and supplier-specific

Affidavit of Osvaldo Lom
Request for Confidential Classification
Docket No. 000001-EI/Fuel Clause Audit No. 00-021-4-3
Page 2 of 2

To the best of my knowledge, FPL has maintained the confidentiality of these documents and materials.
3. Consistent with the provisions of the Florida Administrative Code, such materials should remain confidential for a period of not less than 18 months. In addition, they 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.


SWORN TO AND SUBSCRIBED before me this $\qquad$ day of August, 2000, by Osvaldo J. Lom, who is personally known to me or who has produced
$\qquad$ (type of identification) as identification and who did take an oath.


My Commission Expires: JUNE 16,2004

## Exhibit E

## COMPUTER DISKETTE

## OF

# REQUEST FOR CONFIDENTIAL CLASSIFICATION 

AND

## JUSTIFICATION TABLE


[^0]:    

