



ORIGINAL

Public Service Commission

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COMMISSION CLERK

DATE: April 5, 2005

TO: Kay Flynn, Division of Commission clerk and Administrative Services

FROM: Division of Regulatory Compliance and Consumer Assistance (Freeman, F Vandiver) *W* *AMT*

RE: Docket 041291-EI, Return of documents 01562-05 and 01564-05 to Bureau of Auditing concerning a portion of the staff audit report and working papers prepared during "Florida Power & Light Storm Cost Recovery Audit for the Year Ended December 31, 2005", Audit Control No. 04-343-4-1

On February 10, 2005, when copies of certain portions of staff's audit report and working papers obtained or prepared during the "Florida Power & Light Storm Cost Recovery Audit for the Year Ended December 31, 2004", were delivered to FPL at the audit exit conference, the utility requested that these materials be temporarily exempted from public access in accordance with the provisions of Rule 25-22.006(3)(a)2., Florida Administrative Code (FAC).

On February 15, 2004, staff filed documents 01560-05, 01561-05, 015602-05, 01563-05 and 01564-05 consisting of specified portions of the staff's audit report and working papers.

On March 3, 2004, FPL filed a request pursuant to Rule 25-22.006, FAC, and Section 366.093, Florida Statutes (F.S), that selected portions of the working papers prepared by the staff during the audit receive confidential classification. The utility's request did not include any portion of documents 01562-05 or 01564-05.

For audit materials pursuant to Rule 25-22.006(3)(a)2., FAC, failure to file a request for confidential classification within 21 days of the audit exit conference constitutes a waiver of confidentiality for that material. The time for filing a request for confidential classification for documents 01562-05 and 01564-05 has expired.

CMP _____

COM _____

CTR _____ Please declassify and return documents 01562-05 and 01564-05 to the Bureau of Auditing for inclusion in the general files for this audit.

ECR _____

GCL _____ CC: Division of Regulatory Compliance and Consumer Assistance (Welch)
Office of the General Counsel (Fleming)

OPC _____

MMS _____

RCA _____

SCR _____

SEC 1

OTH Lockard

DOCUMENT NUMBER-DATE

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