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December 10, 2008

-VIA HAND DELIVERY-

Ms. Ann Cole
 Commission Clerk
 Florida Public Service Commission
 2540 Shumard Oak Blvd.
 Tallahassee, FL 32399-0850

Re: Docket No. 080001-EI

Dear Ms. Cole:

I am enclosing for filing in the above docket the original and seven (7) copies of Florida Power & Light Company's Request for Confidential Classification of Certain Information Provided Pursuant to Audit Control No. 08-221-4-1 ("Request"). Also enclosed is an electronic version of the Request and Exhibit C. The enclosed disk is HD density, the operating system is Windows XP, and the word processing software is Word, Pursuant to Rule 25-22.006, F.A.C.

If there are any questions regarding this transmittal, please contact me at 561-304-5226.

Sincerely,

Jessica Cano

Jessica A. Cano

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FPSC-COMMISSION CLERK

**BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION**

In re: Fuel and Purchased Power)
Cost Recovery Clause and Generating)
Performance Incentive Factor)
_____)

DOCKET NO. 080001-EI
FILED: December 10, 2008

**REQUEST FOR CONFIDENTIAL CLASSIFICATION OF INFORMATION
PROVIDED PURSUANT TO AUDIT NO. 08-221-4-1**

Pursuant to Section 366.093, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, Florida Power & Light Company ("FPL") requests confidential classification of certain information provided to the Florida Public Service Commission ("Commission") staff ("Staff") in connection with Audit Control Number 08-221-4-1 in this docket. In support of its Request, FPL states as follows:

1. By letter dated November 19, 2008, Staff indicated its intent to retain certain work papers (the "Work Papers"). Pursuant to Rule 25-22.006(3)(a), Florida Administrative Code, FPL was given 21 days from the date of that letter, or until December 10, 2008, to file a formal request for confidential classification with respect to the Work Papers. This Request is being filed pursuant to Rule 25-22.006(3)(a).

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

a. Exhibit A consists of copies of the Work Papers, on which all information that FPL asserts is entitled to confidential treatment has been highlighted. Composite Exhibit A is submitted separately in a sealed folder marked "CONFIDENTIAL."

b. Exhibit B consists of an edited version of Exhibit A on which all information FPL asserts is entitled to confidential treatment has been redacted.

c. Exhibit C is a table containing a line-by-line and page-by-page identification of the information for which confidential classification is sought, and, with

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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.

d. Exhibit D is comprised of the affidavits of Gerard J. Yupp and Maria V. Besada.

3. FPL seeks confidential treatment of the information highlighted in Exhibit A. The highlighted information is proprietary confidential business information within the meaning of Section 366.093(3), Florida Statutes. The information is intended to be, and has been, treated by FPL as confidential.

4. Pursuant to Section 366.093, Florida Statutes, the information highlighted in Exhibit A 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 affidavits in Exhibit D indicate, certain highlighted information consists of contractual data, such as pricing and other terms, the disclosure of which would impair the efforts of FPL or FPL Energy Services, Inc. ("FPLES") to contract with other parties for goods or services on favorable terms in the future. This contractual information is protected by Section 366.093(3)(d), Florida Statutes. In addition, certain information is competitively sensitive data that, if disclosed, would place FPL or FPLES at a competitive disadvantage. This information is protected by Section 366.093(3)(e), Florida Statutes.

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.

WHEREFORE, for the foregoing reasons, Florida Power & Light Company respectfully requests that this Request for Confidential Classification be granted.

Respectfully submitted,

Jessica A. Cano
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700 Universe Blvd.
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Telephone: 561-304-5226
Fax: 561-691-7135

By: Jessica Cano
Jessica A. Cano
Fla. Bar No. 37372

CERTIFICATE OF SERVICE

Docket No. 080001-EI

I HEREBY CERTIFY that a true and correct copy of the foregoing Request for Confidential Classification of Information Provided Pursuant to Audit No. 08-221-4-1 (*) has been furnished by hand delivery (**) or U.S. Mail on this 10th day of December, 2008, to the following:

Lisa Bennett, Esq.(**)
Division of Legal Services
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850

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One Energy Place
Pensacola, FL 32520-0780

White Springs Agricultural Chemicals, Inc.
P.O. Box 300
White Springs, FL 32096

By: Jessica Cano
Jessica A. Cano
Fla. Bar No. 37372

* The exhibits to this Request are not included with the service copies, but copies of Exhibits B, C and D are available upon request.

COMMISSIONERS:
MATTHEW M. CARTER II, CHAIRMAN
LISA POLAK EDGAR
KATRINA J. MCMURRIAN
NANCY ARGENZIANO
NATHAN A. SKOP

STATE OF FLORIDA



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Public Service Commission

ACKNOWLEDGEMENT

DATE: December 10, 2008

TO: Jessica Cano, Florida Power & Light

FROM: Ruth Nettles, Office of Commission Clerk

RE: Acknowledgement of Receipt of Confidential Filing

This will acknowledge receipt of a **CONFIDENTIAL DOCUMENT** filed in Docket Number 080001 or, if filed in an undocketed matter, concerning certain information provided to PSC Staff in connection with Audit Control No. 08-221-4-1, and filed on behalf of Florida Power & Light. The document will be maintained in locked storage.

If you have any questions regarding this document, please contact Marguerite Lockard, Deputy Clerk, at (850) 413-6770.

DOCUMENT NUMBER - DATE
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