



Jessica Cano
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700 Universe Boulevard
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December 19, 2008

VIA OVERNIGHT DELIVERY

Ms. Ann Cole
Division of the Commission Clerk and
Administrative Services
Florida Public Service Commission
Betty Easley Conference Center
2540 Shumard Oak Boulevard, Room 110
Tallahassee, FL 32399-0850

RECEIVED-FPSC
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COMMISSION
CLERK

Re: Docket No. 070240-EI
First Request for Extension of Confidential Classification

Dear Ms. Cole:

Enclosed for filing on behalf of Florida Power & Light Company ("FPL") are an original and seven (7) copies of FPL's First Request for Extension of Confidential Classification regarding confidential information included in Staff's workpapers developed during its audit of customer deposit procedures.

Included herewith are a Revised Exhibit C and a Revised Exhibit D. Revised Exhibit D contains an affidavit in support of FPL's request. Also included is a compact disc containing FPL's Request and Revised Exhibit C in word processing format.

Please contact me if you or your Staff have any questions regarding this filing.

Sincerely,

Jessica Cano
Jessica Cano

Enclosures

COM cc: Jennifer Brubaker, Office of the General Counsel

ECR _____

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for Confidential)
Classification of Materials Provided)
In Connection With Audit of Customer)
Deposit Procedures)

Docket No. 070240-EI

Filed: December 22, 2008

**FIRST REQUEST FOR EXTENSION OF
CONFIDENTIAL CLASSIFICATION**

NOW, BEFORE THIS COMMISSION, through undersigned counsel, comes Florida Power & Light Company (“FPL”) and, pursuant to Rule 25-22.006(3), Florida Administrative Code, and Section 366.093 of the Florida Statutes, submits its First Request for Extension of Confidential Classification with respect to certain information provided to the Florida Public Service Commission (“FPSC” or “Commission”) staff (“Staff”) in connection with Staff’s audit of customer deposit procedures (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:

Jessica A. Cano, Esq.
Attorney
Florida Power & Light Company
700 Universe Boulevard
Juno Beach, Florida 33048

2. On April 4, 2007, FPL filed a Request for Confidential Classification of certain of Staff’s workpapers. FPL’s request was granted on June 29, 2007 by Order No. PSC-07-0553-CFO-EI. The period of confidential treatment granted by that order will soon expire. Accordingly, FPL is requesting this extension of confidential classification.

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

3. FPL incorporates its April 4, 2007 request and exhibits herein by reference. Additionally, the following revised exhibits are included with and made a part of this request:

a. Revised 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. This exhibit has been revised to correct an error in the identification of the affiant.

b. Revised Exhibit D is the affidavit of Damaris G. Diaz in support of the continued confidential classification of the information identified by FPL.

4. All of the information that was the subject of FPL's April 4, 2007 Request warrants continued treatment as proprietary and confidential business information within the meaning of Section 366.093(3), Florida Statutes. This material is intended to be and is treated by FPL as confidential and has not been disclosed. 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 FPL asserts is proprietary and confidential business information, described in Exhibits C and D, is customer-specific account information. FPL has a corporate policy not to disclose customer-specific information. This policy includes, but is not limited to: customer names, addresses, telephone numbers, account numbers, rates, billing determinants (kW and kWh usage), conservation savings in kW, kWh and bills. FPL treats such information

as confidential and does not disclose it, except as required by law, to entities or persons other than the customer without the permission of the customer. This information is protected pursuant to Section 366.093(3)(e), Florida Statutes.

6. Nothing has changed since the issuance of Order No. PSC-07-0553-CFO-EI to render the information stale or public, such that continued confidential treatment would not be appropriate. Accordingly, FPL requests that this information be accorded confidential classification for an additional eighteen month period. FPL further requests that the information 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 with this request, Florida Power & Light Company respectfully requests that its First Request for Extension of Confidential Classification be granted.

Respectfully submitted,

Jessica A. Cano
Attorney
Florida Power & Light Company
700 Universe Boulevard
Juno Beach, FL 33408
Tele: (561) 304-5226
Fax: (561) 691-7135

By: Jessica Cano
Jessica A. Cano
Fla. Bar No. 0037372

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing, without attachments, has been furnished by overnight delivery this 19th day of December, 2008, to the following:

Jennifer Brubaker
Office of the General Counsel
Florida Public Service Commission
Betty Easley Conference Center
2540 Shumard Oak Boulevard, Room 110
Tallahassee, FL 32399-0850

By: Jessica Cano
Jessica A. Cano
Fla. Bar No. 0037372