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January 22, 2009

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

Re: Docket No. 090001-EI
 Fuel and Purchased Power Cost Recovery Clause with Generating
 Performance Incentive Factor

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 of information provided in response to Staff's Eighth Set of Interrogatories, Nos. 75 and 76, in Docket No. 060001-EI.

Included herewith is Revised Exhibit D, which contains an affidavit in support of FPL's request. Also included is a compact disc containing FPL's Request for Confidential Classification (without the exhibit) in word processing format.

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

Sincerely,

Jessica Cano

COM _____
 ECR Enclosures
 GCL cc: parties of record, w/out exhibit
 OPC _____
 RCP _____
 SSC _____
 SGA _____
 ADM _____
 CLK

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FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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

Docket No. 090001-EI

Filed: January 23, 2009

**FIRST REQUEST FOR EXTENSION OF CONFIDENTIAL CLASSIFICATION
OF INFORMATION PROVIDED PURSUANT TO STAFF'S
EIGHTH SET OF INTERROGATORIES (NOS. 70-76)**

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 of certain information provided in connection with its response to Staff's Eighth Set of Interrogatories Nos. 75 and 76 (the "Confidential Information"). In support of its request, FPL states as follows:

1. On October 30, 2006, FPL requested confidential classification of certain information included in its responses to Nos. 75 and 76 of Staff's Eighth Set of Interrogatories in Docket 060001-EI. That request was granted by Order No. PSC-07-0687-CFO-EI, issued on August 23, 2007. The period of confidential treatment granted by that order will soon expire. Accordingly, FPL is filing this request for an extension of confidential classification.

2. FPL incorporates its October 30, 2006 Request, and the exhibits attached thereto, herein by reference. Additionally, included with this request is a Revised Exhibit D, containing the affidavit of Gerard Yupp in support of the continued confidential classification of the Confidential Information.

3. All of the information that was the subject of FPL's October 30, 2006 Request warrants continued treatment as proprietary and confidential business information within the

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FPSC-COMMISSION CLERK

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

4. As indicated in the affidavit included as Revised Exhibit D, the information that FPL asserts is proprietary and confidential business information relates to hedging activity, and includes details of specific hedging transactions. The disclosure of this information would impair the competitive interests of FPL, as well as FPL's ability to contract on favorable terms. Such information is protected from public disclosure pursuant to Sections 366.093(3)(d) and 366.093(3)(e), Florida Statutes.

5. Nothing has changed since the issuance of Order No. PSC-07-0687-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. *See* § 366.093(4), Fla. Stat.

WHEREFORE, for the above and foregoing reasons, as more fully set forth in the supporting materials and affidavit included with this request, Florida Power & Light Company respectfully requests that its First Request for Extension of Confidential Classification be granted.

Respectfully submitted,

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By: Jessica Cano
Jessica A. Cano
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CERTIFICATE OF SERVICE
Docket No. 090001-EI

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by overnight delivery* or U.S. Mail on the 22nd day of January, 2009, to the following:

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