VIA HAND 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. 060038-E1

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 to Staff pursuant to Audit No. 05-292-4-1.

Included herewith are a Revised Exhibit C and a Revised Exhibit D. Also included is a
compact disc containing FPL’s First Request for Extension of Confidential Classification 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

Enclosures
cc: parties of record, w/out exhibit

an FPL Group company
BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Florida Power & Light Company’s petition For issuance of a storm recovery financing order

Docket No. 060038-E1
Filed: June 30, 2009

FIRST REQUEST FOR EXTENSION OF CONFIDENTIAL CLASSIFICATION OF MATERIALS PROVIDED PURSUANT TO AUDIT NO. 05-292-4-1

NOW BEFORE THIS COMMISSION, through the 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 submits its First Request for Extension of Confidential Classification of certain material provided to the Florida Public Service Commission (“FPSC” or “Commission”) staff (“Staff”) in connection with Audit No. 05-292-4-1 (the “Audit”). In support of this First Request for Extension of Confidential Classification, FPL states as follows:

1. Petitioner’s name and address are: Florida Power & Light Company, 700 Universe Boulevard, Juno Beach, FL 33408. Any pleading, motion, notice, order or other document required to be served upon FPL or filed by any party to this proceeding should be served upon the following individuals:

   R. Wade Litchfield, Vice President of Regulatory Affairs and Chief Regulatory Counsel Florida Power & Light Company 700 Universe Boulevard Juno Beach, FL 33408 561-691-7101 561-691-7135 (fax)

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


4. The period of confidential treatment granted by Order No. PSC-07-1005-CFO-EI has recently expired. Some of the information that was the subject of FPL’s original request warrants continued treatment as proprietary and confidential business information within the meaning of Section 366.093(3), Florida Statutes. Accordingly, FPL hereby submits its First Request for Extension of Confidential Classification.

5. Included herewith and made a part hereof is a Revised Exhibit C to reduce the amount of information for which confidential treatment is sought. Also included is a Revised Exhibit D which contains the affidavits of Edward Bowman, Michael Spoor, Antonio Maceo, D.K. White, Ken Getchell, Frank Isabella, and Katherine Monserrat.

6. FPL submits that the information identified in Revised Exhibit C continues to be proprietary confidential business information within the meaning of Section 366.093(3), Florida Statutes. Pursuant to Section 366.093, such materials are entitled to confidential treatment and are 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.

7. As the affidavits provided herewith indicate, the information that FPL asserts is proprietary and confidential business information includes internal auditing controls or reports of internal auditors. This information is protected from public disclosure pursuant to Section 366.093(3)(b), Florida Statutes. Certain other information concerns contractual vendor data such as pricing and other terms, the disclosure of which would impair the efforts of FPL to contract
for goods and services on favorable terms in the future, to the determent of FPL and its customers. This information is protected from public disclosure pursuant to Section 366.093(3)(d). This information is also competitively sensitive insofar as FPL’s contractors and vendors are concerned. This information is proprietary confidential business information protected pursuant Section 366.093(3)(e). Finally, certain materials include employee personnel information unrelated to compensation, duties, qualifications or responsibilities. This information is protected pursuant to Section 366.093(3)(f), Florida Statutes.

8. FPL requests that this information be accorded continued confidential classification for an additional 18-month period. Nothing has changed since the issuance of Order No. PSC-07-1005-CFO-E1 to render the information stale or public, such that continued confidential treatment would not be appropriate. FPL further requests that the information be returned to FPL as soon as it is no longer necessary for the Commission to conduct its business. See § 366.093(4), Fla. Stat.

WHEREFORE, for the above and forgoing reasons, as more fully set forth in the supporting materials and affidavits included herewith and incorporated by reference, 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
Tel: (561) 304-5226 / Fax: (561) 691-7135

By: [Signature]
Jessica A. Cano
Florida Bar No. 0037372
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of Florida Power & Light Company’s First Request for Extension of Confidential Classification (without exhibits) was served via hand delivery* or by U.S. mail this 30th day of June, 2009 to the following:

Jennifer Brubaker, Esq.*
Florida Public Service Commission
Division of Legal Services
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

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By: Jessica Cano
Florida Bar No. 37372