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August 26, 2009

**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

RECEIVED-FPSC  
09 AUG 26 AM 10:40  
COMMISSION  
CLERK

Re: Docket Nos. 080677-E and 090130-EI; FPL's Notice of Intent to Request Confidential Classification of Additional Requested Compensation Information in Electronic Format

Dear Ms. Cole:

Enclosed for filing on behalf of Florida Power & Light Company are an original and seven copies of its Notice of Intent to Request Confidential Classification of Additional Requested Compensation Information in Electronic Format. One copy of the confidential material is included and marked "Confidential".

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

Sincerely,

*Jessica Cano*  
Jessica Cano

This docketed notice of intent was filed with Confidential Document No. 08869-09. The document has been placed in confidential storage pending timely receipt of a request for confidentiality.

COM \_\_\_\_\_ Enclosures  
**ECR** 4  
GCL 1 cc: Parties of record w/out attachment  
OPC \_\_\_\_\_  
RCP \_\_\_\_\_  
SSC \_\_\_\_\_  
SGA \_\_\_\_\_  
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DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Petition for rate increase by )  
Florida Power & Light Company )

Docket No: 080677-EI

In re: 2009 depreciation and dismantlement )  
study by Florida Power & Light Company )

Docket No. 090130-EI  
Filed: August 26, 2009

**FLORIDA POWER & LIGHT COMPANY'S NOTICE OF INTENT  
TO REQUEST CONFIDENTIAL CLASSIFICATION OF ADDITIONAL  
REQUESTED COMPENSATION INFORMATION IN ELECTRONIC FORMAT**

Florida Power & Light Company ("FPL") hereby files this Notice of Intent to Request Confidential Classification of Additional Requested Compensation Information in Electronic Format (Staff's Interrogatories Nos. 16 and 17). This request relates to the electronic version of previously-provided compensation information that was requested during the course of the hearing in the above referenced dockets.

In accordance with the decision on Items 4 and 4a made by the Florida Public Service Commission (the "Commission") in the above-referenced dockets at its Agenda Conference on August 18, 2009, FPL filed itemized employee compensation information including the requested job titles. FPL is now filing itemized employee compensation information including the requested job titles in an electronic format on the enclosed compact disc. This information is additional to that which was provided electronically with a Notice of Intent on August 25, 2009. The requested compact disc is enclosed in a separate envelope labeled "**ATTACHMENT A - CONFIDENTIAL INFORMATION.**" FPL, pursuant to Rule 25-22.006(3)(a) and (d), Florida Administrative Code, requests confidential handling of the materials provided herewith.

For all the reasons stated in FPL's Second Revised Request for Confidential Classification dated August 13, 2009, as further articulated by counsel for FPL during the discussion of Items 4 and 4A at the August 18, 2009 Agenda Conference, all of which are

DOCUMENT NUMBER-DATE

08868 AUG 26 09

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incorporated herein by reference, FPL maintains its position that this information is, and should be treated as, confidential. FPL expressly reserves its position that this information is confidential and this filing is intended only to comply with Staff's request and the Commission's decision on Items 4 and 4A at the August 17, 2009 Agenda Conference and should not be interpreted or construed as a waiver by FPL of its position, or any argument in support of its position, that the information filed herewith is "proprietary confidential business information" as defined under Section 366.093(3), Florida Statutes. FPL requests confidential handling of this information pursuant to Rule 25-22.006(3)(a) and (d) and Rule 25-22.006(10), Florida Administrative Code. Pursuant to Rule 25-22.006(10), FPL requests continued confidential handling of this information pending final disposition by the Commission, including disposition of any motion for reconsideration, and until judicial review is complete. FPL also requests that this compact disc be returned as soon as it is no longer needed for the Commission to conduct its business.

Respectfully submitted this 26<sup>th</sup> day of August 2009.

R. Wade Litchfield, Vice President of  
Regulatory Affairs and Chief Regulatory Counsel  
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By: Jessica Cano  
Jessica A. Cano  
Florida Bar No. 0037372

## **CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that a true and correct copy of the foregoing Notice of Intent to Request Confidential Classification of Requested Compensation Information and Request for Confidential Treatment Pending Appeal, without the attachments, has been furnished by United States mail this 26th day of August, 2009, to the following:

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Martha Brown, Esquire  
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By: Jessica Cano  
Jessica A. Cano

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OFFICE OF COMMISSION CLERK  
ANN COLE  
COMMISSION CLERK  
(850) 413-6770

# Public Service Commission

## ACKNOWLEDGEMENT

DATE: August 26, 2009

TO: Jessica Cano, Florida Power & Light Company

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 080677/090130 or, if filed in an undocketed matter, concerning Additional requested Compensation Information in Electronic Format, and filed on behalf of Florida Power & Light Company. 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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FPSC - COMMISSION CLERK

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