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August 2, 2010

VIA HAND DELIVERY

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

CLAIM OF CONFIDENTIALITY
 NOTICE OF INTENT
 REQUEST FOR CONFIDENTIALITY
 FILED BY OPC

Re: Docket No. 100001-EI

FOR DN 06316-10, WHICH
IS IN LOCKED STORAGE. YOU MUST BE
AUTHORIZED TO VIEW THIS DN. - CLK

Dear Ms. Cole:

Enclosed for filing on behalf of Florida Power & Light Company ("FPL") are an original and seven (7) copies of FPL's Request for Confidential Classification of Certain Information on FPL's 2011 Risk Management Plan (Exhibit GJY-2). The original includes Exhibits A through D. The copies include Exhibits C and D only.

Exhibit A contains the confidential information that is the subject of FPL's Request for Confidential Classification. Exhibit A is submitted for filing separately and marked "EXHIBIT A" - CONFIDENTIAL. Exhibit B is an edited version of Exhibit A, in which the information FPL asserts is confidential has been redacted. Exhibit C contains FPL's justification for its Request for Confidential Classification. Exhibit D contains the Affidavit of Gerard Yupp in support of FPL's Request for Confidential Classification. In accordance with Rule 25.22.006(3)(d), FPL requests confidential treatment of the information in EXHIBIT A pending disposition of FPL's Request for Confidential Classification.

Also included herewith is a computer diskette containing FPL's Request for Confidential Classification and Attachment C. The diskette is HD density, the operating system is Windows XP, and the processing software is Word.

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

*CD containing 06315, 06318, 06320
Forwarded to EOL*

Sincerely,

John T. Butler
John T. Butler

Enclosures
cc: parties of record, w/o exhibits

DOCUMENT NUMBER DATE
06315 AUG -2 2010

an FPL Group company

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

**In re: Fuel and purchased power)
cost recovery clause with generating)
performance incentive factor.)**
_____)

Docket No. 100001-EI

Filed: August 2, 2010

**FLORIDA POWER AND LIGHT COMPANY'S REQUEST FOR
CONFIDENTIAL CLASSIFICATION OF CERTAIN INFORMATION ON FPL'S 2011
RISK MANAGEMENT PLAN**

Pursuant to Section 366.093 of the Florida Statutes, and Rule 25-22.006, Florida Administrative Code., Florida Power & Light Company ("FPL") requests confidential classification of certain information on FPL's 2011 Risk Management Plan ("Hedging Plan") contained in Appendix III to the 2010 estimated/actual true-up petition that is being filed in this docket on August 2, 2010. In support of its Request, FPL states as follows:

1. This Request is intended to request confidential classification of the Confidential Information consistent with Rule 25-22.006.
2. The following exhibits are included with this Request:
 - a. Composite Exhibit A consists of a copy of the Hedging Plan in which the confidential information has been highlighted.
 - b. Composite Exhibit B consists of two copies of the Hedging Plan in which all the Confidential Information has been redacted (for the attachments in the Hedging Plan in which the entire attachment is confidential, FPL has included only identifying cover pages in Exhibit B).

DOCUMENT NUMBER DATE

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FPSC-COMMISSION OFFICE

c. Exhibit C is a table containing an identification of the Confidential Information, together with references to the specific statutory basis for the claim of confidentiality and to the affidavit in support of the requested classification.

d. Exhibit D is an affidavit of Gerard J. Yupp.

3. FPL seeks confidential protection for the highlighted information contained in the Hedging Plan because it comprises trade secrets of FPL, which allow FPL to hedge the purchase of fuel on favorable terms for FPL and its customers. The disclosure of that trade-secret information would provide other market participants insight into FPL's marketing and trading practices that would allow them to anticipate FPL's marketing and trading decisions and/or impair FPL's ability to negotiate, to the detriment of FPL and its customers. *See* §366.093(3)(a), Fla. Stat. Additionally, the information contained in Hedging Plan includes information related to hedging-related bids or other contractual data, the disclosure of which would impair the efforts of FPL to hedge on favorable terms, to the detriment of FPL and its customers. *See* §366.093(3)(d), Fla. Stat. This information is also related to competitive interests, and its disclosure would impair the competitive business of FPL. *See* §366.093(3)(e), Fla. Stat.

4. FPL submits that the Confidential Information is proprietary confidential business information within the meaning of Section 366.093(3). Pursuant to Section 366.093, such information is entitled to confidential treatment and is exempt from disclosure provisions of the public records law.

6. The Confidential Information is intended to be and is treated by FPL as private, and its confidentiality has been maintained.

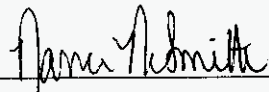
7. Upon a finding by the Commission that the Confidential Information is proprietary confidential business information within the meaning of Section 366.093(3), pursuant

to Section 366.093(4) such materials should not be declassified for 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.

WHEREFORE, FPL respectfully requests confidential classification of the Confidential Information contained in the Hedging Plan.

Respectfully submitted,

R. Wade Litchfield, Esq.
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BY: 
for John T. Butler
Fla. Bar No. 283479

CERTIFICATE OF SERVICE

Docket No. 100001-EI

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by hand delivery (*) or United States Mail on this 2nd day of August 2010, to the following:

<p>Lisa Bennett, Esq. (*) Division of Legal Services Florida Public Service Commission 2540 Shumard Oak Blvd Tallahassee, Florida 32399-0850 LBENNETT@PSC.STATE.FL.US</p>	<p>J. R. Kelly, Esq. Patricia Christensen, Esq. Charles Beck, Esq. Office of Public Counsel c/o The Florida Legislature 111 West Madison Street, Room 812 Tallahassee, Florida 32399 Kelly.jr@leg.state.fl.us Christensen.patty@leg.state.fl.us beck.charles@leg.state.fl.us</p>
<p>James D. Beasley, Esq Ausley & McMullen Attorneys for Tampa Electric P.O. Box 391 Tallahassee, Florida 32302 jbeasley@ausley.com lwillis@ausley.com</p>	<p>John T. Burnett, Esq. Progress Energy Service Company, LLC P.O. Box 14042 St. Petersburg, Florida 33733-4042 john.burnett@pgnmail.com</p>
<p>John W. McWhirter, Jr., Esq McWhirter & Davidson, P.A. Attorneys for FIPUG P.O. Box 3350 Tampa, Florida 33602 jmcwhirter@mac-law.com</p>	<p>Beth Keating, Esq. Akerman, Senterfitt Attorneys for FPUC 106 East College Avenue Suite 1200 Tallahassee, Florida 32301 Beth.keating@akerman.com</p>
<p>Jeffrey A. Stone, Esq. Russell A. Badders, Esq. Beggs & Lane Attorneys for Gulf Power P.O. Box 12950 Pensacola, Florida 32576-2950 jas@beggslane.com rab@beggslane.com</p>	<p>James W. Brew, Esq Attorney for White Springs Brickfield, Burchette, Ritts & Stone, The P.C 1025 Thomas Jefferson Street, NW Eighth Floor, West Tower Washington, DC 2007-5201 jbrew@bbrslaw.com</p>

<p>Robert Scheffel Wright, Esq Jay T. LaVia, III, Esq Young van Assenderp, P.A Attorneys for Florida Retail Federation 225 South Adams Street, Suite 200 Tallahassee, FL 32301 swright@yvlaw.net jlavia@yvlaw.net</p>	<p>Jon C. Moyle and Vicki Kaufman Keefe, Anchors Gordon & Moyle, P.A. 118 N. Gadsden St. Tallahassee, FL 32301 Co-Counsel for FIPUG vkaufman@kagmlaw.com jmoyle@kagmlaw.com</p>
<p>Cecilia Bradley Senior Assistant Attorney General Office of the Attorney General The Capitol - PL01 Tallahassee, FL 32399-1050 cecilia.bradley@myfloridalegal.com</p>	<p>Michael Barrett (*) Division of Legal Services Florida Public Service Commission 2540 Shumard Oak Blvd Tallahassee, Florida 32399-0850 MBARRETT@PSC.STATE.FL.US</p>
<p>Captain Shayla L. McNeill Attorney for the FEA AFLOA/JACL-ULFSC 139 Barnes Drive, Suite 1 Tyndall AFB, FL 32403-5319 Shayla.mcneill@tyndall.af.mil</p>	

for By: *Nanci DeSmith*
John T. Butler
Fla. Bar No. 283479

State of Florida



Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

John T. Butler
700 Universe Blvd
Juno Beach FL 33408

Re: Acknowledgement of Confidential Filing in Docket No. 100001-EI

This will acknowledge receipt by the Florida Public Service Commission, Office of Commission Clerk, of a CONFIDENTIAL DOCUMENT filed on August 2, 2010, in the above-referenced docket.

Document Number 06316-10 has been assigned to this filing, which will be maintained in locked storage.

If you have any questions regarding this document, please contact Kim Peña, Records Management Assistant, at (850) 413-6393.