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July 10, 2012

Sincerely,



FPSC-COMMISSION CLERK

## 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. 120001-EI

700 Universe Boulevard, Juno Beach, FL 33408

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 Certain Information Contained in Schedule A12, Capacity Costs for April 2010. A compact disc with FPL's Request in Word format is also included.

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

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Fuel and purchase power cost recovery clause with generating performance incentive

factor

Docket No: 120001-EI Date: July 10, 2012

FLORIDA POWER AND LIGHT COMPANY'S FIRST REQUEST FOR EXTENSION OF CONFIDENTIAL CLASSIFICATION OF CERTAIN INFORMATION CONTAINED IN SCHEDULE A12, CAPACITY COSTS FOR THE MONTH OF APRIL 2010

Pursuant to Section 366.093, Florida Statutes, and Rule 25-22.006, Florida Administrative

Code, Florida Power & Light Company ("FPL") hereby submits its First Request for Extension of

Confidential Classification of certain material provided to the Florida Public Service Commission

("Commission") in connection with its Schedule A12, Capacity Costs for the month of April 2010. In

support of this First Request for Extension of Confidential Classification, FPL states as follows:

1. On May 20, 2010 FPL filed a Request for Confidential Classification of certain

materials contained in its Schedule A12, Capacity Costs, which included Exhibits A, B and C. ("May

20, 2010 Request"). By Order No. PSC-11-0049-CFO-EI, dated January 25, 2011, the Commission

granted FPL's May 20, 2010 Request.

2. FPL adopts and incorporates by reference the May 20, 2010 Request.

3. The period of confidential treatment granted by Order No. PSC-11-0049-CFO-EI will

soon expire. The Confidential Information that was the subject of FPL's May 20, 2010 Request

warrants continued treatment as proprietary and confidential business information within the meaning

of Section 366.093(3), F.S. Accordingly, FPL hereby submits its First Request for Extension of

Confidential Classification.

4. FPL submits that the information contained in Exhibit A and referenced in Exhibits B

and C continues to be proprietary confidential business information within the meaning of Section

366.093(3), F.S. The Confidential Information is intended to be and has been treated by FPL as

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private, its confidentiality has been maintained, and its disclosure would cause harm to FPL and its customers. Pursuant to Section 366.093, F.S., 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.

4. Nothing has changed since the filing of FPL's May 20, 2010 Request to render the Confidential Information stale or public, such that continued confidential treatment would not be appropriate.

5. Upon a finding by the Commission that the Confidential Information remains proprietary and confidential business information, the information should not be declassified for at least an additional eighteen (18) month period and should be returned to FPL as soon as it is no longer necessary for the Commission to conduct its business. *See* § 366.093(4), F.S.

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

Respectfully submitted,

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By:

Maria J. Moncada

Fla. Bar No. 0773301

## CERTIFICATE OF SERVICE Docket No. 120001-EI

**I HEREBY CERTIFY** that a true and correct copy of the foregoing First Request for Extension of Confidential Classification has been furnished by hand delivery (\*) or the United States Mail this 10<sup>th</sup> day of July, 2012 to the following:

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