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December 14, 2007

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-VIA OVERNIGHT DELIVERY -

Ms. Ann Cole
Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

Re: Docket No. 070001-EI

Dear Ms. Cole:

I am enclosing for filing in the above docket the original and seven (7) copies of Florida Power & Light Company's Second Request for Extension of Confidential Classification of Information Provided in Audit No. 04-023-4-1, together with a diskette containing the electronic version of same. The enclosed diskette is HD density, the operating system is Windows XP, and the word processing software is Word 2003

If there are any questions regarding this transmittal, please contact me at 561-304-5639.

Sincerely,

John T. Butler
John T. Butler *for JT B*

CMP _____

COM _____

CTR _____

ECR _____

GCL 2 + Diskette

OPC _____

RCA _____

SCR _____

SGA _____

SEC _____

OTH LOAN records

Enclosure
cc: Counsel for parties of record (w/encl.)

(Conf. DNs 04354-04, 04355-04, 04646-04)

DOCUMENT NUMBER-DATE

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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. 070001-EI
Filed: December 14, 2007

**FLORIDA POWER & LIGHT COMPANY'S
SECOND REQUEST FOR EXTENSION OF CONFIDENTIAL CLASSIFICATION
OF INFORMATION PROVIDED IN AUDIT NO. 04-023-4-1**

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 Second Request for Extension of Confidential Classification of certain portions of Staff's audit report and working papers in FPL's Fuel Cost Recovery Clause Audit for the Year ended December 31, 2003, Audit No. 04-023-4-1 (the "Audit"). In support of this Second Request for Extension of Confidential Classification, FPL states as follows:

1. Petitioner's name and address are:

Florida Power & Light Company
P.O Box 029100
Miami, Florida 33102-9100

Orders, notices, or other pleadings related to this request should be served on:

John T. Butler, Esq.
Senior Attorney
Florida Power & Light Company
700 Universe Boulevard
Juno Beach, Florida 33048

2. On February 17, 2006, FPL filed its First Request for Extension of Confidential Classification of certain materials obtained during the Audit, which incorporated by reference the previously provided Exhibits A and B, and included revised Exhibits C and D. FPL adopts and

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incorporates by reference its February 17, 2006 Request, including Exhibits A, B, C and D thereto.

3. By Order No. PSC-06-0565-CFO-EI, dated June 30, 2006, the Commission granted FPL's February 17, 2006 Request.

4. The period of confidential treatment granted by Order No. PSC-06-0565-CFO-EI will soon expire. All of the information that was the subject of FPL's February 17, 2006 Request warrants continued treatment as proprietary and confidential business information within the meaning of section 366.093(3). Accordingly, FPL hereby submits its Second Request for Extension of Confidential Classification.

5. Included herewith and made a part hereof as Exhibit D (Revised) are the affidavits Gerard Yupp and Terry O. Jones which supplement Exhibit D to the February 17, 2006 Request.

6. FPL submits that the information identified on Exhibit C to the February 17, 2006 Request continues to be proprietary confidential business information within the meaning of section 366.093(3)(d). As the affidavits provided in Exhibit D (Revised) indicate, this information includes information concerning bids and other contractual data, which is protected by section 366.093(3)(d), and information relating to competitive interests, which is protected by section 366.093(3)(e). 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. The material for which FPL seeks continued confidential classification is intended to be and is treated by FPL as confidential and has not been disclosed. Nothing has changed since the issuance of Order No. PSC-06-0565-CFO-EI to render the information stale or public, such that continued confidential treatment would not be appropriate.

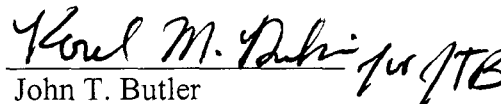
8. Accordingly, FPL requests that the information highlighted in Exhibit A to the April 19, 2004 Request and referenced in Order No. PSC-06-0565-CFO-EI be accorded confidential classification for an additional eighteen month period. FPL further requests that the information be returned to FPL as soon as the information is no longer necessary for the Commission to conduct its business.

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

Respectfully submitted,

R. Wade Litchfield, Esq.
Vice President and Associate General Counsel
John T. Butler, Esq.
Senior Attorney
Florida Power & Light Company
700 Universe Boulevard
Juno Beach, FL 33408
Telephone: (561) 304-5639
Facsimile: (561) 691-7135

By:


John T. Butler
Fla. Bar No. 283479

CERTIFICATE OF SERVICE
Docket No. 070001-EI

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by overnight delivery (*) or United States mail this 14th day of December, 2007, to the following:

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

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Office of Public Counsel
c/o The Florida Legislature
111 West Madison Street, Room 812
Tallahassee, Florida 32399

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Office of the Attorney General
The Capitol – PL01
Tallahassee, Florida 32399

By: Kerul M. Debi for JTB
John T. Butler

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Fuel and Purchased Power Cost Recovery) DOCKET NO. 070001-EI
Clause with Generating Performance Incentive Factor)

STATE OF FLORIDA)
) AFFIDAVIT OF GERARD YUPP
PALM BEACH COUNTY)

BEFORE ME, the undersigned authority, personally appeared Gerard Yupp who, being first duly sworn deposes and says:

1. My name is Gerard Yupp. I am currently employed by Florida Power & Light Company ("FPL") as Director of Wholesale Operations in the Energy Marketing and Trading Division. I have personal knowledge of the matters stated in this affidavit.

2. I have reviewed Exhibit C and the documents which are included in Exhibit A to FPL's Request for Confidential Classification of Materials Provided Pursuant to Audit No. 04-023-4-1. The document and materials that I have reviewed and that FPL asserts in Exhibit C to be proprietary confidential business information include information concerning bids and other contractual data and information related to competitive interests. Disclosure of this information would impair the competitive interest of FPL, as well as FPL's ability to contract on favorable terms, to the detriment of FPL's customers. To the best of my knowledge, FPL has maintained the confidentiality of these documents and materials

3. No significant changes have occurred since the issuance of Order No. PSC-06-0565-CFO-EI to render the information stale or public such that continued confidential treatment would not be appropriate. Accordingly, the information referred to in this affidavit should continue to be maintained as confidential for an additional period of not less than eighteen months. These materials should be returned to FPL as soon as the information is no longer necessary for the Commission to conduct its business so that FPL can continue to maintain the confidentiality of these documents.

4. Affiant says nothing further.

Gerard Yupp
Gerard Yupp

SWORN TO AND SUBSCRIBED before me this 13th day of December, 2007, by Gerard Yupp, who is personally known to me or who has produced personally (type of identification) as identification and who did take an oath. known

My commission expires on:

Mary Miranda-Wise
Notary Public, State of Florida



BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Fuel and Purchased Power Cost Recovery) DOCKET NO. 070001-EI
Clause with Generating Performance Incentive Factor)

STATE OF FLORIDA)
) AFFIDAVIT OF TERRY O. JONES
PALM BEACH COUNTY)

BEFORE ME, the undersigned authority, personally appeared Terry O. Jones who, being first duly sworn deposes and says:

1. My name is Terry O. Jones. I am currently employed by Florida Power & Light Company ("FPL") as Vice President of Nuclear Plant Support. I have personal knowledge of the matters stated in this affidavit.

2. I have reviewed Exhibit C and the documents which are included in Exhibit A to FPL's Request for Confidential Classification of Materials Provided Pursuant to Audit No. 04-023-4-1. The document and materials that I have reviewed and that FPL asserts in Exhibit C to be proprietary confidential business information include information concerning bids and other contractual data and information related to competitive interests. Disclosure of this information would impair the competitive interests of FPL, as well as FPL's ability to contract on favorable terms, to the detriment of FPL's customers. To the best of my knowledge, FPL has maintained the confidentiality of these documents and materials

3. No significant changes have occurred since the issuance of Order No. PSC-06-0565-CFO-EI to render the information stale or public such that continued confidential treatment would not be appropriate. Accordingly, the information referred to in this affidavit should continue to be maintained as confidential for an additional period of not less than eighteen months. These materials should be returned to FPL as soon as the information is no longer necessary for the Commission to conduct its business so that FPL can continue to maintain the confidentiality of these documents.

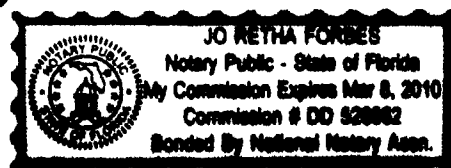
4. Affiant says nothing further.

Terry O. Jones
Terry O. Jones

SWORN TO AND SUBSCRIBED before me this 12th day of December, 2007, by Terry O. Jones, who is personally known to me or who has produced Personally Known (type of identification) as identification and who did take an oath.

My commission expires:

Jo Retha Forbes
Notary Public, State of Florida



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