



John T. Butler  
 Managing Attorney  
 Florida Power & Light Company  
 700 Universe Boulevard  
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October 1, 2009

**VIA HAND DELIVERY**

Ms. Ann Cole, Director  
 Division of the Commission Clerk and  
 Administrative Services  
 Florida Public Service Commission  
 Betty Easley Conference Center, Room 110  
 2540 Shumard Oak Boulevard  
 Tallahassee, Florida 32399-0850

**Re: Florida Power & Light Company's Request for Confidential Classification of  
 Certain Material Provided in Connection with the Monthly Fuel Filings  
Docket No. 090001-EI**

Dear Ms. Cole:

I enclose and hand you herewith for filing in the above-referenced matter, an original and seven (7) copies of Florida Power & Light Company's ("FPL") Request for Confidential Classification. The original includes Attachments A, B, and C.

Attachment A contains the confidential information that is the subject of FPL's Request for Confidential Classification. Attachment A is submitted for filing separately and marked "ATTACHMENT A - CONFIDENTIAL". Attachment B is an edited version of Attachment A, in which the information FPL asserts is confidential has been blocked out. Attachment C contains FPL's justification for its request for confidential classification.

In accordance with Rule 25-22.006(3)(d), FPL requests confidential treatment of the information in Attachment 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 should you or your Staff have any questions regarding this filing.

- COM \_\_\_\_\_
- ECR 5
- GCL 1
- OPC \_\_\_\_\_
- RCP \_\_\_\_\_
- SSC \_\_\_\_\_
- SGA \_\_\_\_\_
- ADM \_\_\_\_\_ JTB/jsb
- CLK 1 Enclosures
- cc: Service List (w/out attachments)

Sincerely,  
  
 John T. Butler

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 and Generating )  
Performance Incentive Factor )  
\_\_\_\_\_ )

DOCKET NO. 090001-EI

FILED: October 1, 2009

**REQUEST FOR CONFIDENTIAL CLASSIFICATION**

**NOW, BEFORE THIS COMMISSION**, through undersigned counsel, comes Florida Power & Light Company ("FPL") and, pursuant to section 25-22.006 of the Florida Administrative Code and section 366.093 of the Florida Statutes, hereby requests confidential classification of certain information on Florida Public Service Commission ("FPSC" or "Commission") Forms 423-1(a), 423-2, 423-2(a) and 423-2(b) for July 2009 submitted in Docket No. 090001-EI. In support of its Request, FPL states as follows:

1. Petitioner's principal business address is as follows:

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:

R. Wade Litchfield  
Vice President of Regulatory Affairs  
And Chief Regulatory Counsel  
Florida Power & Light Company  
700 Universe Boulevard  
Juno Beach, FL 33408-0420  
(561) 691-7101  
(561) 691-7135 Fax

John T. Butler  
Managing Attorney  
Regulatory Affairs  
Florida Power & Light Company  
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(561) 691-7135 Fax

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

2. The following attachments are included herewith and made a part hereof:
  - a. Attachment A includes the complete and unedited version of FPL's July 2009 Form 423-1(a) and St. Johns River Power Park's (SJRPP) July 2009 Forms 423-2, 423-2(a) and 423-2(b) which contain certain information that FPL asserts should be accorded confidential treatment. The information in Attachment A for which FPL seeks confidential classification has been highlighted. Attachment A is submitted separately in a sealed envelope marked "**CONFIDENTIAL.**"
  - b. Attachment B is the edited version of Attachment A. All information that FPL asserts is entitled to confidential treatment has been blocked out in Attachment B.
  - c. Attachment C identifies information for which confidential treatment is sought and, with regard to each item or type of information, contains a brief statement that explains the need for confidentiality and refers to the specific statutory basis or bases for the request.


3. Pursuant to section 366.093, FPL seeks confidential protection for the information highlighted in Attachment A. FPL submits that such information is proprietary confidential business information within the meaning of section 366.093(3). 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.

4. The statutory bases and support for FPL's assertion of confidentiality with regard to specific items or types of information are set forth in Attachment C. The information for which confidential classification is sought is intended to be and is treated by FPL as confidential and, to the best of FPL's knowledge and belief, has not been publicly disclosed.

5. Upon a finding by the Commission that the material in Attachment A for which FPL seeks confidential treatment 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 eighteen (18) months, or as otherwise extended by the Commission. Further, the materials should 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 foregoing reasons, including those set forth in the supporting materials included herewith, Florida Power & Light Company respectfully requests that its Request for Confidential Classification be granted.

Respectfully submitted,



---

JOHN T. BUTLER  
Managing Attorney  
Florida Bar No. 283479  
Attorney for Florida Power & Light Company  
700 Universe Boulevard  
Juno Beach, Florida 33408-0420  
Tel.: (561) 304-5639  
Fax: (561) 691-7135

## CERTIFICATE OF SERVICE

**I, THE UNDERSIGNED COUNSEL, HEREBY CERTIFY** that a copy of Florida Power & Light Company's Request for Confidential Classification, without Attachment A, has been served via first class mail, postage prepaid to the parties listed below, this 1st day of October, 2009:

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

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Tallahassee, Florida 32302

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McWhirter & Davidson, P.A.  
Attorneys for FIPUG  
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Tampa, Florida 33602

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Pensacola, Florida 32576-2950

Robert Scheffel Wright, Esq.  
Jay T. LaVia, III, Esq.  
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Attorneys for Florida Retail Federation  
225 South Adams Street, Suite 200  
Tallahassee, FL 32301

Shayla L. McNeill, Capt. USAF  
AFLSA/JACL-ULT  
Counsel for Federal Executive Agencies  
139 Barnes Drive, Ste 1  
Tyndall AFB, FL 32403-5319

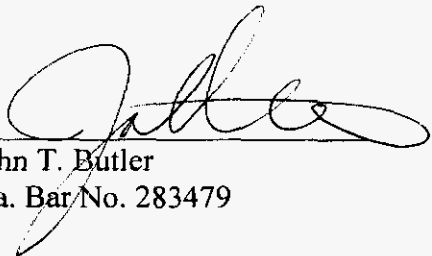
J. R. Kelly, Esq.  
Charles J. Rehwinkel, Esq.  
Charles Beck, Esq.  
Office of Public Counsel  
c/o The Florida Legislature  
111 West Madison Street, Room 812  
Tallahassee, Florida 32399

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Floyd R. Self, Esq.  
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Washington, DC 2007-5201

Jon C. Moyle and Vicki Kaufman  
Keefe, Anchors Gordon & Moyle, P.A.  
118 N. Gadsden St.  
Tallahassee, FL 32301  
Co-Counsel for FIPUG

By:   
John T. Butler  
Fla. Bar No. 283479

**ATTACHMENT "A"**

**FPL'S FPSC FORM 423-1(a)**

**SJRPP'S FPSC FORMS**

**423-2**

**423-2 (a)**

**423-2 (b)**

**CONFIDENTIAL**

**FILED UNDER SEPARATE COVER**

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# **ATTACHMENT "B"**

**EDITED VERSION  
FPL'S FPSC FORM 423-1(a)  
SJRPP'S FPSC FORMS  
423-2  
423-2 (a)  
423-2 (b)**

DOCUMENT NUMBER-DATE  
10145 OCT-18  
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## MONTHLY REPORT OF COST AND QUALITY OF FUEL OIL FOR ELECTRIC PLANTS

## DETAIL OF INVOICE AND TRANSPORTATION CHARGES

FPSC FORM NO. 423-1 (a)

1. REPORTING MONTH: JUL YEAR: 2009

2. REPORTING COMPANY: FLORIDA POWER LIGHT COMPANY

3. NAME, TITLE TELEPHONE NUMBER OF CONTACT PERSON CONCERNING DATA  
SUBMITTED ON THIS FORM: KORY DUBIN, REGULATORY AFFAIRS, (305) 552-4910.4. SIGNATURE OF OFFICIAL SUBMITTING REPORT: 

5. DATE COMPLETED: 09/14/2009

**EDITED COPY**

(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)	(I)	(J)	(K)	(L)	(M)	(N)	(O)	(P)	(Q)	(R)
LINE NO.	PLANT	SUPPLIER	DELIVERY LOCATION	DELIVERY DATE	TYPE OIL	VOLUME (BBLs)	INVOICE PRICE (\$/BBL)	INVOICE AMOUNT (\$)	DISCOUNT (\$)	NET AMOUNT (\$)	NET PRICE (\$/BBL)	QUALITY ADJUST. (\$/BBL)	EFFECTIVE PUR PRICE (\$/BBL)	TRANSP TO TERM (\$/BBL)	ADDITIONAL TRANS CHGS (\$/BBL)	OTHER CHGS (\$/BBL)	DELIVERED PRICE (\$/BBL)
1	PCC	CONOCO	PORT CANAVERAL	07/08/2009	F06	108481								0.0000			62.1065
2	PCC	CONOCO	PORT CANAVERAL	07/30/2009	F06	48918								0.0000			62.6165
3	PMR	CONOCO	PALM BEACH	07/18/2009	F06	108422								0.0000			62.3779
4	PMR	CONOCO	PALM BEACH	07/29/2009	F06	58923								0.0000			62.4979
5	PCC	SHELL	PORT CANAVERAL	07/02/2009	F06	57104								0.0000			64.2065
6	PPE	SHELL	PORT EVERGLADES	07/25/2009	F06	135550								0.0000			61.9042
7	PTF	SHELL	FISHER ISLAND	07/01/2009	F06	76904								0.0000			64.4329
8	PTF	SHELL	FISHER ISLAND	07/21/2009	F06	134893								0.0000			62.4429
9	PPE	SEMPRA	PORT EVERGLADES	07/01/2009	F06	139785								0.0000			59.4642
10	PPE	AMERIGAS		07/01/2009	PRO	11	125.3300	1,379	0	1,379	125.3300	0.0000	125.3300	0.0000	0.0000	0.0000	125.3300
11	PPE	AMERIGAS		07/22/2009	PRO	13	124.8400	1,623	0	1,623	124.8400	0.0000	124.8400	0.0000	0.0000	0.0000	124.8400
12	PTF	AMERIGAS		07/10/2009	PRO	6	110.0000	660	0	660	110.0000	0.0000	110.0000	0.0000	0.0000	0.0000	110.0000
13	PMR	INDIANTOWN		07/17/2009	PRO	10	80.2200	802	0	802	80.2200	0.0000	80.2200	0.0000	0.0000	0.0000	80.2200
14	PMT	SUBURBAN		07/08/2009	PRO	8	57.6240	461	0	461	57.6240	0.0000	57.6240	0.0000	0.0000	0.0000	57.6240
15	PMT	SUBURBAN		07/29/2009	PRO	7	56.9100	398	0	398	56.9100	0.0000	56.9100	0.0000	0.0000	0.0000	56.9100
16	PCC	SUBURBANCE		07/01/2009	PRO	6	57.8760	347	0	347	57.8760	0.0000	57.8760	0.0000	0.0000	0.0000	57.8760



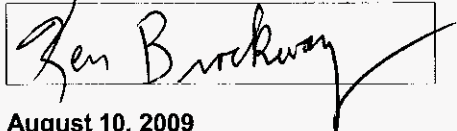
**MONTHLY REPORT OF COST AND QUALITY OF COAL FOR ELECTRIC PLANTS  
ORIGIN, TONNAGE, DELIVERED PRICE AND AS RECEIVED QUALITY**

1. Report For Month/Yr: **July 2009**

2. Reporting Company: **Florida Power & Light**

3. Plant Name: **St. Johns River Power Park (SJRPP)**

4. Name, Title & Telephone Number of Contact  
Person Concerning Data Submitted on this Form: **Terry Keith (305-552-4334)**

5. Signature of Official Submitting Report: 

6. Date Completed: **August 10, 2009**

Line No.	Supplier Name	Mine Location	Purchase Type	Transportation Mode	Tons	Effective Purchase Price (\$/Ton)	Total Trans Cost (\$/Ton)	FOB Plant Price (\$/Ton)	As Received Coal Quality			
									Sulfur Content (%)	Btu Content (%)	Ash Content (%)	Moisture Content (%)
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)	(k)	(l)	(m)
1	Coal Marketing Company	45,IM,999	LTC	OC	49,565			55.44	0.59	11,067	8.92	13.49
2	Coal Marketing Company	45,IM,999	S	OC	11,464			135.61	0.56	11,065	9.23	13.11
3	Foundation Coal Corp. / Emeral	02,PA,059	S	UR	4,561			143.42	2.46	13,102	8.24	5.77
4	Patriot Coal Sales	08,WV,	LTC	UR	2,276			134.73	0.60	11,580	16.29	6.58
5	Patriot Coal Sales	08,WV,005	LTC	UR	2,387			134.73	1.24	11,710	14.01	6.30

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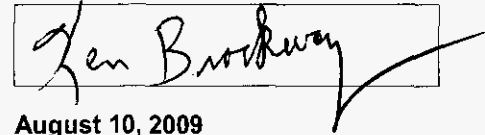
**MONTHLY REPORT OF COST AND QUALITY OF COAL FOR ELECTRIC PLANTS  
DETAIL OF INVOICE PURCHASE PRICE**

1. Report For Month/Yr: **July 2009**

4. Name, Title & Telephone Number of Contact  
Person Concerning Data Submitted on this Form: **Terry Keith (305-552-4334)**

2. Reporting Company: **Florida Power & Light**

5. Signature of Official Submitting Report:



3. Plant Name: **St. Johns River Power Park (SJRPP)**

6. Date Completed: **August 10, 2009**

Line No.	Supplier Name	Mine Location	Purchase Type	Tons	FOB Mine Price (\$/Ton)	Short Haul & Loading Charge	Original Invoice Price (\$/Ton)	Retro-active Price Increases (\$/Ton)	Base Price (\$/Ton)	Quality Adjustments (\$/Ton)	Effective Purchase Price (\$/Ton)
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)	(k)	(l)
1	Coal Marketing Company	45,IM,999	LTC	49,565		0.00		0.00		0.00	
2	Coal Marketing Company	45,IM,999	S	11,464		0.00		0.00		0.00	
3	Foundation Coal Corp. / Emerald	02,PA,059	S	4,561		0.00		0.00		0.00	
4	Patriot Coal Sales	08,WV,	LTC	2,276		0.00		0.00		0.00	
5	Patriot Coal Sales	08,WV,005	LTC	2,387		0.00		0.00		0.00	

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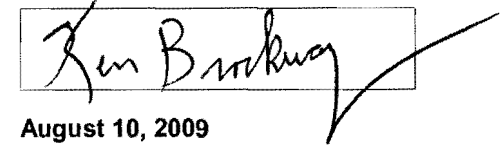
**MONTHLY REPORT OF COST AND QUALITY OF COAL FOR ELECTRIC PLANTS  
DETAIL OF TRANSPORTATION CHARGES**

1. Report For Month/Yr: **July 2009**

4. Name, Title & Telephone Number of Contact  
Person Concerning Data Submitted on this Form: **Terry Keith (305-552-4334)**

2. Reporting Company: **Florida Power & Light**

5. Signature of Official Submitting Report:



3. Plant Name: **St. Johns River Power Park (SJRPP)**

6. Date Completed:

**August 10, 2009**

Line No.	Supplier Name	Mine Location	Shipping Point	Transportation Mode	Tons	Effective Purchase Price (\$/Ton)	Short Haul & Loading Charge (\$/Ton)	Rail Charges		Waterborne Charges				Total Transport Charges (\$/Ton)	FOB Plant Price (\$/Ton)	
								Rail Rate (\$/Ton)	Other Rail Charges (\$/Ton)	River Barge Rate (\$/Ton)	Trans-loading Rate (\$/Ton)	Ocean Barge Rate (\$/Ton)	Other Water Charges (\$/Ton)			Related Charges (\$/Ton)
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)	(k)	(l)	(m)	(n)	(o)	(p)	(q)
1	Coal Marketing Company	45,IM,999	EL CERREJON	OC	49,565		0.00		0.00	0.00	0.00	0.00	0.00	0.00		55.44
2	Coal Marketing Company	45,IM,999	EL CERREJON	OC	11,464		0.00		0.00	0.00	0.00	0.00	0.00	0.00		135.61
3	Foundation Coal Corp. / Emer	02,PA,059	EMERALD MINE	UR	4,561		0.00		0.00	0.00	0.00	0.00	0.00	0.00		143.42
4	Patriot Coal Sales	08,WV,	APOGEE	UR	2,276		0.00		0.00	0.00	0.00	0.00	0.00	0.00		134.73
5	Patriot Coal Sales	08,WV,005	HOBET 21	UR	2,387		0.00		0.00	0.00	0.00	0.00	0.00	0.00		134.73

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**ATTACHMENT C**  
**Docket No. 090001-EI**

**Justification for Confidentiality for Florida Power & Light Company Report of July 2009:**

<u>FORM</u>	<u>LINE(S)</u>	<u>COLUMN</u>	<u>RATIONALE</u>
423-1(a)	1 -9	H	(1)
423-1(a)	1 -9	I	(2)
423-1(a)	1 - 9	J	(2), (3)
423-1(a)	1 - 9	K	(2)
423-1(a)	1 - 9	L	(2)
423-1(a)	1 - 9	M	(2), (4)
423-1(a)	1 - 9	N	(2), (5)
423-1(a)	1 - 9	P	(6), (7), (8)
423-1(a)	1 - 9	Q	(6), (7), (8)

-----  
**Rationale for confidentiality:**

- (1) This information is contractual information which, if made public, “would impair the efforts of [FPL] to contract for goods or services on favorable terms.” Section 366.093(3)(d), Fla. Stat. The information delineates the price per barrel FPL has paid for fuel oil for specific shipments from specific suppliers. This information would allow suppliers to compare an individual supplier’s price with the market quote for that date of delivery and thereby determine the contract pricing formula between FPL and that supplier.

Contract pricing formulas generally contain two components, which are: (1) a markup in the market quoted price for that day; and (2) a transportation charge for delivery at an FPL chosen port of delivery. Discounts and quality adjustment components of fuel price contract formulas are discussed in paragraphs 3 and 4. Disclosure of the invoice price would allow suppliers to determine the contract price formula of their competitors. The knowledge of others’ prices (*i.e.*, contract formulas) among fuel oil suppliers is reasonably likely to cause the suppliers to converge on a target price, or to follow a price leader, effectively eliminating any opportunity for a major buyer like FPL to obtain price concessions from any one

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supplier. The end result is reasonably likely to be increased fuel oil prices and therefore increased electric rates.

- (2) The contract data found in Columns I through N are an algebraic function of Column H. That is, the publication of these Columns together, or independently, could allow a supplier to derive the invoice price of oil.
- (3) If FPL fuel contracts provide for an early payment incentive in the form of a discount from the invoice price, the existence and amount of such discount is confidential for the reasons stated in paragraph (1) relative to price concessions.
- (4) For fuel that does not meet contract requirements, FPL may reject the shipment, or accept the shipment and apply a quality adjustment. This is, in effect, a pricing term which is as important as the price itself and is therefore confidential for the reasons stated in paragraph (1) relative to price concessions.
- (5) Column N is as important as H from a confidentiality standpoint because of the relatively few times that there are quality or discount adjustments. That is, Column N will equal Column H most of the time. Consequently, Column N needs to be protected for the same reasons as set forth in paragraph (1).
- (6) Column R is used to mask the delivered price of fuel such that the invoice or effective price of fuel cannot be determined. Columns P and Q are algebraic variables of Column R. Consequently, disclosure of Columns P and Q would allow a supplier to calculate the invoice or effective purchase price of oil (Columns H and N) by subtracting these columnar variables from Column R.
- (7) Terminaling and transportation services in Florida tend to have the same, if not more severe, oligopolistic attributes of fuel oil suppliers. Due to the small demand in Florida for both of these services, market entry is difficult. In instances in which FPL has attempted to determine the level of interest in bidding either or both of these services, FPL has found only a very few qualified parties with such an interest. Consequently, disclosure of these contract data is reasonably likely to result in increased prices for terminaling and transportation services.

Petroleum inspection services also have the market characteristics of an oligopoly. Due to the limited number of fuel terminal operations, there are correspondingly few requirements for fuel inspection services. In FPL's last bidding process for petroleum inspection services, only six qualified bidders were found for FPL's bid solicitations. Consequently, disclosure of these contract data is reasonably likely to result in increased prices for petroleum inspection services.

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**Justification for Confidentiality for St. Johns River Power Park (SJRRP) Report of July 2009:**

<u>FORM</u>	<u>LINE(S)</u>	<u>COLUMNS</u>	<u>RATIONALE</u>
423-2	1-5	G, H	(1)
423-2	1-5	H	(2)

**Rationale for Confidentiality:**

- (1) Disclosure of the effective purchase price “would impair the efforts of [JEA, acting on its own behalf and as agent for FPL] to contract for goods or services [at the St. Johns River Power Park (SJRRP)] on favorable terms.” Section 366.093(3)(d), Fla. Stat. The data informs other potential coal suppliers as to the price SJRRP is paying for coal. Disclosure of this information, which is particularly sensitive given SJRRP’s reliance on long term contracts with fixed price provisions or short term spot transactions, could adversely affect FPL’s interests in subsequent solicitations for coal and/or in negotiating coal supply agreements. JEA maintains this information as confidential pursuant to section 163.01(15)(m), Fla. Stat. Additionally, providing the purchase price would enable one to ascertain the total transportation charges in Column H by subtracting the effective purchase price from the delivered price at the transfer facility, shown in Column I.
- (2) Disclosure of the total transportation cost “would impair the efforts of [JEA acting on its own behalf and as agent for FPL] to contract for goods or services [at SJRRP] on favorable terms.” Section 366.093(3)(d), Fla Stat. Moreover, the service provider itself typically designates the transportation costs in the contract as confidential. JEA maintains this information as confidential pursuant to section 163.01(15)(m), Fla. Stat. Further, disclosure of this information would enable potential coal suppliers to calculate Column G which FPL seeks to protect by subtracting Column H from Column I.

**Justification for Confidentiality for St. Johns River Power Park (SJRRP) Report of July 2009:**

<u>FORM</u>	<u>LINE(S)</u>	<u>COLUMN</u>	<u>RATIONALE</u>
423-2(a)	1-5	F	(1)
423-2(a)	1-5	H	(1)
423-2(a)	1-5	J	(1)
423-2(a)	1-5	L	(2)

**Rationale for Confidentiality:**

- (1) The information presented in these columns are algebraic derivations of the information in column L that FPL seeks to protect.
- (2) Disclosure of the effective purchase price “would impair the efforts of [JEA, acting on its own behalf and as agent for FPL] to contract for goods or services [at the St. Johns River Power Park (SJRPP)] on favorable terms.” Section 366.093(3)(d), Fla. Stat. The data informs other potential coal suppliers as to the price SJRPP is paying for coal. Disclosure of this information could adversely affect FPL’s interests in subsequent solicitations for coal and/or in negotiating coal supply agreements. JEA maintains this information as confidential pursuant to section 163.01(15)(m), Fla. Stat. Additionally, providing the purchase price would enable one to ascertain the total transportation charges in Column H on Form 423-2, which FPL seeks to protect, by subtracting the effective purchase price from the delivered price at the transfer facility shown in Column I on Form 423-2.

**Justification for Confidentiality for St. Johns River Power Park (SJRPP) Report of July 2009:**

<u>FORM</u>	<u>LINE(S)</u>	<u>COLUMN</u>	<u>RATIONALE</u>
423-2(b)	1-5	G	(1)
423-2(b)	1-5	I	(2)
423-2(b)	1-5	P	(2)

**Rationale for Confidentiality:**

- (1) Disclosure of the effective purchase price “would impair the efforts of [JEA, acting on its own behalf and as agent for FPL] to contract for goods or services [at the St. Johns River Power Park (SJRPP)] on favorable terms.” Section 366.093(3)(d), Fla. Stat. The data informs other potential coal suppliers as to the price SJRPP is paying for coal. Disclosure of this information, which is particularly sensitive given SJRPP’s reliance on long term contracts with fixed price provisions or short term spot transactions, could adversely affect FPL’s interests in subsequent solicitations for coal and/or in negotiating coal supply agreements. JEA maintains this information as confidential pursuant to section 163.01(15)(m), Fla. Stat. Additionally, providing the purchase price would enable one to ascertain the total transportation charges in Column P, which FPL seeks to protect, by subtracting the effective purchase price from the delivered price at the transfer facility shown in Column Q.

- (2) Disclosure of the total transportation cost “would impair the efforts of [JEA acting on its own behalf and as agent for FPL] to contract for goods or services [at SJRPP] on favorable terms.” Section 366.093(3)(d), Fla Stat. Moreover, the service provider itself typically designates the transportation costs in the contract as confidential. JEA maintains this information as confidential pursuant to section 163.01(15)(m), Fla. Stat. Further, disclosure of this information would enable potential coal suppliers to calculate Column G which FPL seeks to protect, by subtracting Column P from Column Q.



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# Public Service Commission

## ACKNOWLEDGEMENT

DATE: October 1, 2009

TO: John T. Butler, Esquire

FROM: Marguerite H. Mclean, Office of Commission Clerk

RE: Acknowledgement of Receipt of Confidential Filing

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This will acknowledge receipt of a **CONFIDENTIAL DOCUMENT** filed in Docket Number 090001-E or, if filed in an undocketed matter, concerning Attachment A; Form 423-1(a) for 7/09; and Forms 423-2, 2(a) and 2(b) for SJRPP for 7/09, 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.

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