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COMMISSION
CLERK

February 16, 2011

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

For DN 08737-10, which is in locked storage. You must be authorized to view this DN.-CLK

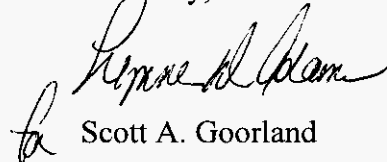
Re: Docket No. 110001-EI

Dear Ms. Cole:

Enclosed for filing on behalf of Florida Power & Light Company ("FPL") are an original and seven (7) copies of its Revised Request for Confidential Classification of Information Provided in Response to Staff's Seventh Set of Interrogatories. Also included in this filing is a compact disc containing FPL's Revised Request for Confidential Classification in Microsoft Word format.

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

Sincerely,


Scott A. Goorland

cc: parties of record

COM
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100 containing request also fwd.

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Fuel and Purchased Power)
Cost Recovery Clause with Generating)
Performance Incentive Factor)

Docket No: 110001-EI

Filed: February 16, 2011

**FLORIDA POWER AND LIGHT COMPANY'S REVISED REQUEST FOR
CONFIDENTIAL CLASSIFICATION OF INFORMATION PROVIDED
IN RESPONSE TO STAFF'S SEVENTH SET OF INTERROGATORIES**

Pursuant to Section 366.093, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, Florida Power & Light Company ("FPL") requests confidential classification of certain information provided in response to Staff's Seventh Set of Interrogatories No. 99 ("Confidential Discovery Response") which was served by Staff on September 10, 2010. In support of its Request, FPL states as follows:

1. FPL served its responses to Staff's Seventh Set of Interrogatories on September 30, 2010, for overnight delivery to Staff on October 19, 2010.

2. On October 19, 2010, FPL requested confidential classification of the Confidential Discovery Responses. *See* Document No. 08736-10.

3. FPL incorporates its October 19, 2010 request, and exhibits A through D attached thereto, herein by reference.

4. On January 26, 2011, on Staff motion, the Commission admitted the Confidential Discovery Responses into the record as Staff Exhibit No. 41. *See* Document No. 00685-11 at pg. 8.

5. FPL amends its October 19, 2010 request to include Staff Exhibit No. 41. All of the information that was the subject of FPL's October 19, 2010 request, including Staff Exhibit No. 22, warrants continued treatment as proprietary confidential business information within the

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FPSC-COMMISSION CLERK

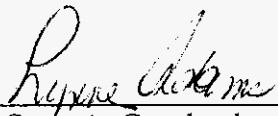
meaning of Section 366.093(3), Florida Statutes. This information is intended to be and is treated by FPL as private, and its confidentiality has been maintained. Pursuant to Section 366.093, such information is entitled to confidential treatment and is exempt from the disclosure provisions of the public records law. Thus, once the Commission determined 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 hard of disclosure against the public interest in access to the information.

6. As the affidavit included in Exhibit D indicates, the information provided by FPL contains information concerning negotiated rates related to Florida Gas Transmission's Phase VIII expansion project. This information relates to competitive interests, the disclosure of which would impair the competitive business of FPL's counterparties. Such information is protected by Section 366.093(3)(e).

7. Upon a finding by the Commission that the information provided in the Confidential Discovery Response is proprietary confidential business information, the information should not be declassified for a period of 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. *See S. 366.093(4), F.S.*

WHEREFORE, FPL respectfully requests confidential classification of the Confidential Discovery Response as described herein.

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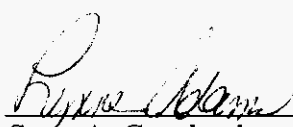
BY: 
Scott A. Goorland
Fla. Bar No. 0066834

CERTIFICATE OF SERVICE
Docket No. 110001-EI

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by electronic mail on February 16, 2011, to the following:

<p>Erik Saylor, Esq. Division of Legal Services Florida Public Service Commission 2540 Shumard Oak Blvd Tallahassee, Florida 32399-0850 esaylor@PSC.STATE.FL.US</p>	<p>J. R. Kelly, Esq. Patricia Christensen, Esq. Charles Beck, Esq. Charles Rehwinkel, 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 rehwinkle.charles@leg.state.fl.us</p>
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<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. Gunster Firm Attorneys for FPUC 215 So. Monroe St., Suite 618 Tallahassee, Florida 32301-1804 bkeating@gunster.com</p>
<p>Jeffrey A. Stone, Esq. Russell A. Badders, Esq. Beggs & Lane Attorneys for Gulf Power 501 Commendancia Street Pensacola, FL 32502 jas@beggslane.com rab@beggslane.com</p>	<p>James W. Brew, Esq / F. Alvin Taylor, Esq. Attorney for White Springs Brickfield, Burchette, Ritts & Stone, P.C 1025 Thomas Jefferson Street, NW Eighth Floor, West Tower Washington, DC 2007-5201 jbrew@bbrslaw.com ataylor@bbrslaw.com</p>

<p>Robert Scheffel Wright, Esq Jay T. LaVia, III, Esq Young van Assenderp, P.A Attorneys for Florida Retail Federation and City of Marianna 225 South Adams Street, Suite 200 Tallahassee, FL 32301 swright@yvlaw.net jlavia@yvlaw.net</p>	<p>Jon C. Moyle, Esq. and Vicki Kaufman, Esq. 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>Patrick K. Wiggins, Esq. Attorneys for AFFIRM P.O. Drawer 1657 Tallahassee, FL 32302 wigglaw@gmail.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>

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