

Ruth Nettles

From: Butler, John [John.Butler@fpl.com]
Sent: Wednesday, April 22, 2009 1:53 PM
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Subject: Electronic Filing / Dkt #090001 / FPL's Letter to Cole re: Audit 07-022-4-3
Attachments: Letter to Cole (continued confidentiality of Audit 07-022-4-3.pdf)

Electronic Filing

a. Person responsible for this electronic filing:

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b. Docket No. 090001 - EI

In RE: Fuel and purchased power cost recovery clause with generating performance incentive factor

c. The Document is being filed on behalf of Florida Power & Light Company.

d. There is a total of 1 page

e. The document attached for electronic filing is Florida Power & Light Company's Letter to Ann Cole regarding continued confidentiality of documents related to Audit 07-022-4-3.

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DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK



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April 22, 2009

Ms. Ann Cole, Director
Division of the Commission Clerk and Administrative Services
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

Re: Docket No. 090001-EI

Dear Ms. Cole:

On May 30, 2007, FPL filed a Request for Confidential Classification (the "May 2007 Request") in Docket No. 070001-EI, a predecessor to the above-referenced docket, concerning certain materials provided to the Commission Staff in connection with Audit Control No. 07-022-4-3. Those materials are designated by the Commission as Document Nos. 04159-07 and 04415-07 (the "Confidential Materials"), and the May 2007 Request is Document No. 04414-07. The Commission has not yet ruled on the May 2007 Request. Pursuant to Rule 25-22.006(3)(d), F.A.C., the Confidential Materials remain protected as confidential pending ruling.

I am writing at Staff's request to confirm that FPL continues to seek confidential classification of the Confidential Materials, for the reasons set forth in the May 2007 Request. As stated in the affidavits accompanying the May 2007 Request, the Confidential Materials contain or comprise customer-specific account information, information about FPL's power plant security measures, competitively sensitive contractual data, and internal audit controls and reports. FPL continues to treat this information as confidential, and the concerns about disclosure that make this information confidential remain valid today. Accordingly, FPL asks that the Commission grant the May 2007 Request for the reasons set forth therein.

Please feel free to contact me should you have any questions.

Sincerely,

/s/John T. Butler
John T. Butler

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