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COMMISSION
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October 3, 2012

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 06669-12 which is in locked storage. You must be authorized to view this DN.-CLK

Re: Docket No. 120000-EI
Request for Confidential Classification

Dear Ms. Cole:

Enclosed for filing on behalf of Florida Power & Light Company ("FPL") are an original and seven (7) copies of FPL's Request for Confidential Classification. The original includes Exhibits A, B (two copies), C and D. The seven copies do not include copies of the Exhibits.

Exhibit A consists of the confidential documents, and all the information that FPL asserts is entitled to confidential treatment has been highlighted. Exhibit B is an edited version of Exhibit A, in which the information FPL asserts is confidential has been redacted. Exhibit C is a justification table in support of FPL's Request for Confidential Classification. Exhibit D is an affidavit in support of FPL's Request for Confidential Classification. Also included in this filing is a compact disc containing FPL's Request for Confidential Classification and Exhibit C, in Microsoft Word format.

Please contact me if you or your Staff has any questions regarding this filing.

COM _____
AFD _____
APA S + (CD of DNS 06671-12 & 06672-12)
ECO _____
ENG _____
GCL 1
IDM _____
TEL _____ Enclosures
CLK 1 cc: parties of record, w/out exhibits

Sincerely,

Kenneth M. Rubin

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

Staff's Review of Payment Arrangement
Programs Offered By the Florida Electric
Industry

Docket No. 120000-EI
October 3, 2012

FLORIDA POWER & LIGHT COMPANY'S REQUEST FOR CONFIDENTIAL

Pursuant to Section 366.093, Florida Statutes (2012) ("Section 366.093"), and Rule 25-22.006, Florida Administrative Code (2012) ("Rule 25-22.006"), Florida Power & Light Company ("FPL") requests confidential classification of certain information included in the Florida Public Service Commission's ("FPSC") Review of the Payment Arrangement Programs offered by the Florida Electric Industry ("the Report") and certain information included in work papers the FPSC Staff ("Staff") has indicated it will retain. In support of this request, FPL states the following:

1. During the Audit, FPL provided Staff with various confidential documents. By its letter dated September 7, 2012, Staff indicated its intent to retain certain work papers. FPL received the letter on September 12, 2012. Pursuant to Rule 25-22.006, F.A.C., FPL was given 21 days from the date of receipt of the letter to file a formal request for confidential classification with respect to the work papers. Accordingly, FPL files this Request for Confidential Classification to maintain continued confidential handling of the confidential work papers. FPL also files this Request for Confidential Classification to maintain continued confidential handling of certain information included in the Report.

2. The following exhibits are included with and made a part of this request:

a. Exhibit A consists of a copy of the confidential document, on which all information that is entitled to confidential treatment under Florida law has been highlighted.

b. Exhibit B consists of a copy of the confidential document, on which all information that is entitled to confidential treatment under Florida law has been redacted.

c. Exhibit C is a table that identifies the specific line and page references to the confidential materials for which FPL seeks confidential treatment. The table also references the specific statutory basis or bases for the claim of confidentiality and the affidavits in support of the requested classification.

d. Exhibit D contains the affidavit of John G. Hall.

3. FPL submits that the highlighted information in Exhibit A is proprietary confidential business information within the meaning of Section 366.093(3). 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 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. As the affidavit included in Exhibit D indicates, certain documents or materials provided by FPL contain information that relates to FPL's competitive interests. FPL asserts that this information is proprietary confidential business information. The materials contain information regarding FPL's business strategies related to FPL's disconnection processes and procedures. Additionally, the material describes FPL's payment arrangement practices. The disclosure of such strategies would negatively impact FPL's ability to assist customers in a fair manner. Such information is protected by Section 366.093(3)(e), Fla. Stat.

5. Upon a finding by the Commission that the information highlighted in Exhibit A, and referenced in Exhibit C, 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* § 366.093(4), Fla. Stat. (2011).

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 Request for Confidential Classification be granted.

Respectfully submitted,

Kenneth M. Rubin
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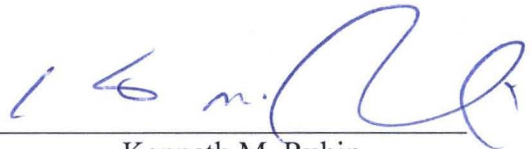
By: 

Kenneth M. Rubin
Florida Bar No. 349038

CERTIFICATE OF SERVICE
Docket No. 120000

I HEREBY CERTIFY that a true and correct copy of the foregoing Request for Confidential Classification (*) has been furnished via hand delivery this 3rd day of October, 2012, to the following:

Carl Vinson
Kevin Carpenter
Victor Cordiano
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

By: 
Kenneth M. Rubin

* The exhibits to this Request are not included with the service copies, but copies of Exhibits B, C and D are available upon request.

EXHIBIT A

CONFIDENTIAL

FILED UNDER SEPARATE COVER