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

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## VIA AIRBORNE EXPRESS

May 30, 1995

Ms. Blanca S. Bayo, Director Division of Records and Reporting Florida Public Service Commission Fletcher Building 101 East Gaines Street Tallahassee, Florida 32399-0850

Re: Florida Power & Light Company's Notice of Intent to Request Confidential Classification --Fuel and Purchased Power Cost Recovery Clause and Generating Performance Incentive Factor, Docket No. 950001-EI

Dear Ms. Bayo:

Enclosed please find an original and fifteen copies of FPL's "Notice of Intent to Request Confidential Classification" ("NOI") regarding the Commission Staff's Document/Record Requests Numbers 21 and 22, dated May 11, 1995, for the Staff's audit of FPL's fuel and purchased power cost recovery clause and generating performance incentive factor. This filing is being made by FPL pursuant to Rule 25-22.006, F.A.C.

Please return a date-stamped copy of this letter to me in the accompanying, self-addressed envelope. If you have any questions regarding this filing, please call me at (305) 552-3924.

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David L. Smith Senior Attorney

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Enclosure

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DOCUMENT NUMBER-DATE 05175 MAY 31 & FPSC-RECORDS/REPORTING

an FPL Group company

## BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

Fuel and Purchased Power Cost Recovery Clause and Generating Performance Incentive Factor Docket No. 950001-EI

## NOTICE OF INTENT TO REQUEST CONFIDENTIAL CLASSIFICATION

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Pursuant to Rule 25-22.006(3)(a), F.A.C., Florida Power & Light Company ("FPL") files this "Notice of Intent to Request Confidential Classification" ("NOI").

 Any pleading, motion, notice, order or other document required to be served or filed by any other party relating to this NOI should be forwarded to the following individuals:

Carlos Suastegui	David L. Smith, Esq.
Florida Power & Light Company	Law Department
P. O. Box 029100	Florida Power & Light Company
Miami, Florida 33102-9100	9250 W. Flagler St.
	Miami, Florida 33174

2. Pursuant to the Florida Public Service Commission's ("Commission") audit of FPL's fuel and purchased power cost recovery clause and generating performance incentive factor for the period April 1994 - March 1995, the Commission Staff has provided to FPL several written requests for information.

3. The materials requested by Staff Document/Record Requests ("D/RR") Nos. 21 and 22 pursuant to the Commission's audit of FPL's records in this Docket are intended to be and are treated by FPL as DOCUMENT NUMBER-DATE

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proprietary confidential business information as that term is defined in §366.093(3), F.S. (1993).

4. The materials sought by D/RR Nos. 21 and 22 are confidential propriety business information because disclosure of the information concerning contractual data of FPL's vendors would impair the efforts of FPL to contract for goods and services on favorable terms. Furthermore, the disclosure of contractual data would also impair the competitive business(es) of the provider(s) of the information. The materials therefore constitute proprietary confidential business information pursuant to §366.093 (3)(d) and (e), F.S. (1993).

 D/RR Nos. 21 and 22 are attached hereto as Attachments A and B, respectively.

6. Pursuant to Rule 25-22.006 (3)(a), F.A.C., this NOI constitutes a temporary exemption from §119.07, F.S. (1993), for the materials identified by the Staff in D/RR Nos. 21 and 22 which are being "obtained" by the Staff as such concept is defined in Rule 25-22.006(1)(e), F.A.C. In accordance with Rule 25-22.006(3)(d), F.A.C., the Commission shall accord the material subject to D/RR Nos. 21 and 22 "stringent internal procedural safeguards against public disclosure."

FPL NOI May 30, 1995 Fage 3

WHEREFORE, FPL requests the Commission to treat the aboveidentified materials as confidential in accordance with Rule 25-22.006(3)(d), F.A.C.

Respectfully submitted,

Bavid L. Smith, Esq. Law Department Florida Power & Light Company 9250 W. Flagler Street Miami, Florida 33174 (305) 552-3924 Florida Bar No. 0473499

## CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of Florida Power & Light Company's "Notice of Intent to Request Confidential Classification" was provided by first class mail to Raymond Grant at the Florida Public Service Commission, Division of Auditing and Financial Analysis, 3625 N.W. 82 Avenue, Suite 400, Miami, Florida 33166-7602 on this 30th day of May, 1995.

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