

R. Wade Litchfield Associate General Counsel Regulatory Florida Power & Light Company 700 Universe Boulevard Juno Beach, FL 33408-0420 (561) 691-7101 (561) 691-7135 (Facsimile)

February 27, 2006

VIA HAND DELIVERY

Ms. Blanca S. Bayó, 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

Certain Material Fromten in Connection with the Monthly Fuel Fill

Docket No. 060001-EI

Dear Ms. Bayó:

I enclose and hand you herewith for filing in the above-referenced matter, the original and five (5) copies of Florida Power & Light Company's ("FPL") Request for Confidential Classification. The original includes Attachments A, B, and C. The five copies include only Attachments 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 in a separate, sealed folder or carton 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, in Word. Please contact me should you or your Staff have any questions regarding this filing.

Sincerely,

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R Wade Litchfield

RWL/ec Enclosures

cc: Service List (w/out Attachment A)

Doc/423 Fuel Filing/November 2005

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BEFORE THE

FLORIDA PUBLIC SERVICE COMMISSION

In re: Fuel and Purchased Power)	DOCKET NO. 060001-EI
Cost Recovery Clause and Generating)	
Performance Incentive Factor)	FILED: February 27, 2006
- Marie Carlos)	

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) submitted in Docket No. 060001-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:

William G. Walker, III Vice President Florida Power & Light Company 212 South Monroe Street, Suite 810 Tallahassee, FL 32301-1859 (850) 521-3900 (850) 521-3939 Fax R. Wade Litchfield Associate General Counsel Regulatory Florida Power & Light Company 700 Universe Boulevard Juno Beach, FL 33408-0420 (561) 691-7101 (561) 691-7135 Fax

- 2. The following attachments are included herewith and made a part hereof:
 - a. Attachment A includes the complete and unedited version of FPL's November, 2005 Form 423-1(a) and St. Johns River Power Park's (SJRPP) November, 2005 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 until the end of the minimum protective period allowed for by law, 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,

Associate General Counsel

Attorney for Florida Power & Light Company

700 Universe Boulevard

Juno Beach, Florida 33408-0420

Tel.: (561) 691-7101 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 27th day of February, 2006:

Jennifer A. Rodan, Attorney Division of Legal Services Florida Public Service Commission 2540 Shumard Oak Blvd. Tallahassee, Florida 32399-0850

Ausley Law Firm Lee L. Willis/James D. Beasley P.O. Box 391 Tallahassee, FL 32302

Federal Executive Agencies Lt. Col. K. White/Capt. D. Williams c/o AFLSA/JACL-ULT 139 Barnes Drive, Suite 1 Tyndall AFB, FL 32403-5319

Florida Public Utilities Company Ms. Cheryl Martin P.O. Box 3395 West Palm Beach, FL 33402-3395

Gulf Power Company Ms. Susan D. Ritenour One Energy Place Pensacola, FL 32520-0780

Messer Law Firm Norman H. Horton, Jr. P.O. Box 1876 Tallahassee, FL 32302-1876 AARP(Twomey) c/o Mike B. Twomey P. O. Box 5256 Tallahassee, FL 32314-5256

Beggs & Lane Law Firm J. Stone/R. Badders/S. Griffin P.O. Box 12950 Pensacola, FL 32591-2950

Florida Industrial Power Users Group (McWhirter)
John W. McWhirter, Jr.
c/o McWhirter Reeves
400 North Tampa Street, Suite 2450
Tampa, FL 33602

Florida Retail Federation 100 E. Jefferson St. Tallahassee, FL 32301

McWhirter Law Firm Timothy J. Perry 117 South Gadsden Street Tallahassee, FL 32301

Office of Public Counsel P. Christensen/C. Beck/J. McGlothlin c/o The Florida Legislature 111 West Madison Street, Room 812 Tallahassee, FL 32399-1400 Progress Energy Florida, Inc. Mr. Paul Lewis, Jr. 106 East College Avenue, Suite 800 Tallahassee, FL 32301-7740

Tampa Electric Company Ms. Angela Llewellyn Regulatory Affairs P. O. Box 111 Tampa, FL 33601-0111 Progress Energy Service Company, LLC John T. Burnett P.O. Box 14042 Saint Petersburg, FL 33733

Young Law Firm R. Scheffel Wright/John LaVia 225 South Adams Street, Suite 200 Tallahassee, FL 32301

R. Wade Litchfield