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Natalie F. Smith
Principal Attorney
Florida Power & Light Company
700 Universe Boulevard
Juno Beach, FL 33408-0420
(561) 691-7207
(561) 691-7135 (Facsimile)

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COMMISSION
CLERK

April 10, 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
2540 Shumard Oak Boulevard, Room 110
Tallahassee, FL 32399-0850

**Re: Florida Power & Light Company's Request for Confidential Classification of
Certain Information Included in Rebuttal Testimony – Docket 060038-EI**

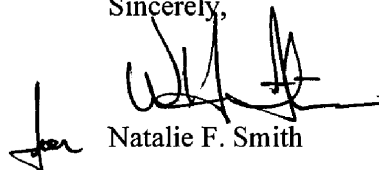
Dear Ms. Bayó:

Enclosed for filing are the original and two (2) copies of Florida Power & Light Company's (FPL's) Request for Confidential Classification of Certain Information Included in Rebuttal Testimony in the above-referenced docket. The original includes Exhibits A, B, C and D. The two copies only include Exhibit C.

Exhibit A consists of copies of certain documents on which all information that FPL asserts is entitled to confidential treatment has been highlighted. Exhibit A is submitted for filing in a separate, sealed folder marked "EXHIBIT A – CONFIDENTIAL." Exhibit B is an edited version of Exhibit A, in which the information FPL asserts is confidential has been redacted. Exhibit C consists of FPL's justification for its Request for Confidential Classification. Exhibit D contains an affidavit in support of FPL's Request for Confidential Classification. Also included in this filing is a computer diskette containing FPL's Request for Confidential Classification and Exhibit C in Word format.

In accord with Rule 25-22.006(3)(d), FPL requests confidential treatment of the information in Exhibit A pending disposition of FPL's Request for Confidential Classification. Please do not hesitate to contact me should you or your Staff have any questions regarding this filing.

Sincerely,



Natalie F. Smith

- CMP _____
- COM _____
- CTR _____
- ECR 1
- GCL 1
- OPC _____
- RCA _____
- SCR _____
- SGA _____
- SEC 1
- OTH leaf
records

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Enclosures

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FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE

03197 APR 10 06

FPSC-COMMISSION CLERK

ORIGINAL

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Florida Power & Light Company's)
Petition for Issuance of a Storm Recovery)
Financing Order)
_____)

Docket No: 060038-EI
Filed: April 10, 2006

**REQUEST FOR CONFIDENTIAL
CLASSIFICATION OF CERTAIN INFORMATION
INCLUDED IN REBUTTAL TESTIMONY**

NOW, BEFORE THIS COMMISSION, through undersigned counsel, comes Florida Power & Light Company ("FPL") and, pursuant to Rule 25-22.006, Florida Administrative Code, and Section 366.093 of the Florida Statutes, hereby requests confidential classification of certain information included in its rebuttal testimony filed in the above-referenced docket. In support of its request, FPL states as follows:

1. Concurrently with the filing of this Request, FPL is filing its rebuttal testimony in the above-referenced docket. There is confidential information contained in an exhibit to the rebuttal testimony of Mark Warner. A redacted version of Document No. MW-2 is included in FPL's public filing, and a confidential version of that exhibit is attached hereto.

2. The following exhibits are included herewith and made a part hereof:

a. Exhibit A consists of all documents for which FPL seeks confidential treatment, whether in whole or in part. All information in Exhibit A that FPL asserts is entitled to confidential treatment has been highlighted. Exhibit A is submitted separately in a sealed folder marked "CONFIDENTIAL."

b. Exhibit B consists of edited versions of all documents for which FPL seeks confidential treatment. All information for which FPL requests confidential treatment has been redacted in Exhibit B.

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

c. Exhibit C is a table containing a line-by-line and page-by-page identification of the information for which confidential treatment is sought and, with regard to each document or portions thereof, references to the specific statutory basis or bases for the claim of confidentiality and to the affidavits in support of the requested classification. Exhibit C is sometimes referred to hereinafter as the “Justification Table.”

d. Exhibit D includes the affidavit of Mark Warner in support of this request.

3. FPL submits that the highlighted information in Exhibit A is proprietary confidential business information within the meaning of Section 366.093(3), Florida Statutes. To the best of FPL’s knowledge, the highlighted information has not been publicly disclosed. Pursuant to Section 366.093, Florida Statutes, 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.

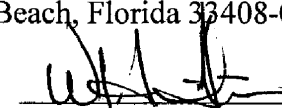

4. As the affidavit of Mark Warner indicates, certain highlighted information consists of contractual vendor data, such as pricing and other terms, the disclosure of which would impair the efforts of FPL to contract for goods or services on favorable terms in the future to the detriment of FPL and its customers. This information is protected by Section 366.093(3)(d), Florida Statutes. In addition, certain information is competitively sensitive insofar as FPL’s contractors and vendors are concerned because disclosure of such information could afford their competitors an unfair advantage in competing for both FPL and non-FPL contracts. This competitively sensitive information is proprietary confidential business information pursuant to Section 366.093(3)(e), Florida Statutes.

5. Upon a finding by the Commission that the material in Exhibit 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 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.

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,

R. Wade Litchfield
Bryan Anderson
Patrick Bryan
Natalie F. Smith
Attorneys for Florida Power & Light Company
700 Universe Boulevard
Juno Beach, Florida 33408-0420

By: 
 Natalie F. Smith

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing without exhibits, has been furnished by United States Mail this 10th day of April, 2006, to the following:

<p>Wm. Cochran Keating, IV, Esquire Florida Public Service Commission Division of Legal Services Gerald L. Gunter Building 2540 Shumard Oak Blvd. Tallahassee, FL 32399-0850</p>	<p>Harold A. McLean, Esquire Charles J. Beck, Esquire Joseph A. McGlothlin, Esquire Patricia A. Christensen, Esquire Office of Public Counsel c/o The Florida Legislature 111 W. Madison Street, Room 812 Tallahassee, FL 32399-1400</p>
<p>John W. McWhirter, Esquire McWhirter, Reeves, & Davidson, P.A. 400 North Tampa Street, Suite 2450 Tampa, Florida 33602 Attorneys for the Florida Industrial Power Users Group</p>	<p>Timothy J. Perry, Esquire McWhirter, Reeves, & Davidson, P.A. 117 South Gadsden Street Tallahassee, Florida 32301 Attorneys for the Florida Industrial Power Users Group</p>
<p>Michael B. Twomey, Esquire P.O. Box 5256 Tallahassee, Florida 32314-5256 Attorney for AARP</p>	<p>Robert Scheffel Wright John T. LaVia, III Young van Assenderp, P.A. 225 South Adams Street, Suite 200 Tallahassee, Florida 32301 Attorneys for the Florida Retail Federation</p>
<p>Lieutenant Colonel Karen White and Captain Damund Williams AFCESA/ULT 139 Barnes Drive Tyndall Air Force Base, Florida 32403 Attorneys for the Federal Executive Agencies</p>	<p>Christopher M. Kise* Solicitor General Jack Shreve Senior General Counsel Office of the Attorney General The Capitol – PL01 Tallahassee, FL 32399-1050</p>

Respectfully submitted,

R. Wade Litchfield
 Bryan Anderson
 Patrick Bryan
 Natalie F. Smith
 Attorneys for Florida Power & Light Company
 700 Universe Boulevard
 Juno Beach, Florida 33408-0420
 By: /s/ Natalie F. Smith
 Natalie F. Smith

* Indicates not an official party of record as of the date of this filing.

Exhibit A

CONFIDENTIAL DOCUMENTS

(SUBMITTED SEPERATELY)

Exhibit B

REDACTED DOCUMENTS

**2004 Nuclear Estimate
of Non-Insured Storm Damage
(\$000s)**

Scope	Original Estimate	March 2006 Revisions	Current Estimate March 2006
Repair coatings in various areas of the plant		\$ -	
Dunes - total cost to repair value booked to reserve expected insurance recovery			
Dunes - Remaining value to storm reserve		\$ -	
Dredging of Canals		\$ (1,000)	
Repairs to intake and discharge canal embankments		\$ (5,000)	
Damaged facilities outside the insurance boundaries		\$ -	
Supervision costs over the 2% insurance cap		\$ -	
Estimated Storm Reserve Value	\$ 21,350	\$ (6,000)	\$ 15,350

Exhibit C

Justification Table

EXHIBIT C

COMPANY: Florida Power & Light Company
TITLE: List of Confidential Documents
DOCKET: Petition for Issuance of a Storm Recovery Financing Order
Docket No: 060038-EI
ITEM: Rebuttal Testimony of Mark Warner, Document No. MW-2

Rebuttal Testimony	Description	No. of p.s	Conf Y/N	Line No/Col No.	Florida Statute 366.093(3) Subsection	Affiant
Mark Warner Rebuttal Testimony, Document No. MW-2	2004 Nuclear Estimate of Non-Insured Storm Damage	1	Y	2 / B 2 / D 3 / A 4 / A 5 / A 6 / B 6 / D 7 / B 7 / D 8 / B 8 / D 9 / B 9 / D 10 / B 10 / D	(d), (e)	M. Warner