



ORIGINAL

Florida Power & Light Company, 215 S. Monroe St., Suite 810, Tallahassee, FL 32301

Natalie F. Smith  
Principal Attorney  
Florida Power & Light Company  
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(561) 691-7135 (Facsimile)

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COMMISSION  
CLERK

May 25, 2006

**VIA HAND DELIVERY**

Ms. Blanca S. Bayò, Director  
Division of Records and Reporting  
Florida Public Service Commission  
2540 Shumard Oak Boulevard, Room 110  
Tallahassee, FL 32399-0850

**Re: Docket No. 060038-EI - Florida Power & Light Company's Amended Request for Confidential Classification of Certain Information Provided in Connection with the Storm Damage Cost Recovery Audit No. 05-292-4-1, filed on March 22, 2006**

Dear Ms. Bayò:

Enclosed for filing on behalf of Florida Power & Light Company ("FPL") are the original and two (2) copies of FPL's Amended Request for Confidential Classification of Certain Information Provided in Connection with the Storm Damage Cost Recovery Audit No. 05-292-4-1. Also included is a computer diskette containing an electronic version of FPL's Amended Request and Amended Exhibit C in Word format. The original includes Amended Exhibit C and Exhibit E. The two copies include only Amended Exhibit C. FPL incorporates by reference Exhibits A, B and D filed with its March 22, 2006, Request.

Please do not hesitate to contact me should you or your Staff have any questions regarding this filing. Thank you for your attention to this matter.

Sincerely,

Natalie F. Smith

- DMP \_\_\_\_\_
- DOM \_\_\_\_\_
- DTR \_\_\_\_\_
- ECR \_\_\_\_\_
- 3CL 1
- DPC \_\_\_\_\_
- RCA 1 NFS:ec
- SCR \_\_\_\_\_ Enclosures
- SGA \_\_\_\_\_ cc: Robert Freeman, Governmental Analyst (FPSC) (without enclosures)
- SEC 1
- OTH 1 conf records

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FPSC-BUREAU OF RECORDS

an FPL Group company

DOCUMENT NUMBER-DATE

04575 MAY 25 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: May 25, 2006

**AMENDED REQUEST FOR CONFIDENTIAL  
CLASSIFICATION OF CERTAIN MATERIALS  
PROVIDED IN CONNECTION WITH THE STORM DAMAGE  
COST RECOVERY AUDIT NO. 05-292-4-1**

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 amends its request for confidential classification of certain work papers provided to the Florida Public Service Commission ("FPSC" or "Commission") staff ("Staff") in connection with the Storm Damage Cost Recovery Audit No. 05-292-4-1 (hereinafter the "Audit"). In support of its amended request, FPL states as follows:

1. Petitioner's name and address are:

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, II  
Florida Power & Light Company  
Vice President  
215 South Monroe Street, Suite 810  
Tallahassee, Florida 32301-1859  
(850) 521-3900 Telephone  
(850) 521-3939 Facsimile

R. Wade Litchfield, Associate General Counsel  
Natalie F. Smith, Principal Attorney  
Florida Power & Light Company  
700 Universe Boulevard  
Juno Beach, Florida 33408-0420  
(561) 691-7100 Telephone  
(561) 691-7135 Facsimile

2. During the Audit, Staff requested access to various FPL reports and other documents. By letter dated February 14, 2006, Staff indicated its intent to retain certain audit work papers. Pursuant to Rule 25-22.006(3)(a), Florida Administrative Code, FPL was given 21 days from the date of the letter, or until March 7, 2006, to file a formal request for confidential classification with respect to such workpapers. Per letter dated February 28, 2006, the date of the 2004/2005 Storm Damage Cost Recovery Audit exit conference was changed to March 1, 2006. On March 22, 2006, FPL filed a formal Request for Confidential Classification of Certain Information Provided in Connection with Audit No. 05-292-4-1 (the "March 22 Request"). The March 22 Request is incorporated by reference herein.

3. On May 4, 2006, counsel for Staff wrote the undersigned to advise that Staff found three perceived deficiencies in the March 22 Request (the "Deficiency Letter"). A copy of the Deficiency Letter is attached hereto as Exhibit E. The Deficiency Letter questions the need for confidentiality of certain Workpapers.

4. FPL has revised Exhibit C in accordance with the Deficiency Letter to reflect that the only confidential information on the workpapers listed in Items 1, 2 and 3 of the Deficiency Letter is the social security numbers, which have been redacted in accordance with Commission policy.

5. FPL requests confidential classification of the Workpapers consistent with paragraph 4 above and with FPL's March 22 Request. The following exhibits are included with or incorporated by reference into this Request:

- a. FPL incorporates by reference Exhibit A to its March 22 Request, on which all information for which FPL seeks confidential classification has been highlighted.

b. FPL incorporates by reference Exhibit B to its March 22 Request, which is a revised version of Exhibit A on which all confidential information is redacted.

c. Enclosed is a Revised Exhibit C that should take the place of the Exhibit C to FPL's March 22 Request. Revised 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.

d. FPL incorporates by reference Exhibit D to the March 22 Request, which is comprised of the affidavits in support of this Request.

e. Exhibit E is a copy of Staff's May 4, 2006, Deficiency Letter to FPL.

6. FPL seeks confidential protection for the information highlighted in Exhibit A for the reasons asserted in its March 22 Request and in paragraph 4 above. The highlighted information is proprietary confidential business information within the meaning of Section 366.093(3). The information is intended to be, and has been, treated by FPL as confidential.

7. Pursuant to Section 366.093, the information highlighted in Exhibit A 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.

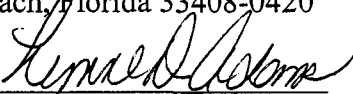
8. Upon a finding by the Commission that the information highlighted in Exhibit A, and referenced in Exhibit C, is proprietary confidential business information, the information should not be declassified for a period of at least eighteen (18) months and should be returned to FPL as soon as the information is no longer necessary for the Commission to conduct its business. *See* § 366.093(4).

**WHEREFORE**, for the above and foregoing reasons, as more fully set forth in the supporting materials and affidavits included with this request, Florida Power & Light Company respectfully requests that its Amended 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:  
ts

  
\_\_\_\_\_  
Natalie F. Smith

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of Florida Power & Light Company's Request for Confidential Classification without Exhibits , was served by United States Mail this 25<sup>th</sup> day of May, 2006, to the following:

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

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

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Christopher M. Kise  
Solicitor General  
Jack Shreve  
Senior General Counsel  
Office of the Attorney General  
The Capitol – PL01  
Tallahassee, FL 32399-1050

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

**Revised EXHIBIT C**

**COMPANY:** Florida Power & Light Company  
**TITLE:** List of Confidential Workpapers  
**AUDIT:** FPL, Storm Cost Recovery Audit  
**AUDIT CONTROL NO:** 05-292-4-1

Workpaper No.	Description	No. of p.s	Conf Y/N	Line No/Col No.	Florida Statute 366.093(3) Subsection	Affiant
1	Report	4	Y	p. 1, ALL; p. 3, Lines 2-5; p. 4, Lines 2-17.	(d), (e) (b) (b)	E. Bowman A. Maceo A. Maceo
			N	p. 2.		
2-5/1	Bond Schedule	2	Y	p. 1, Col. F; p. 2, All.	(a), (e)	K. Beilhart, W. Olson
2-5/2	Bond Schedule	1	N			
9	Internal Audit Notes	3	Y	ALL	(b)	A. Maceo
12-4/1	Dennis Journal Voucher	1	N			
12-5/1	Rita Reserve Addition	1	N			
12-5/2	Storm Cost	1	N			
12-5/3	Storm Cost	1	Y	Cols. S-V	(d)	C. Trump
12-6/1	Storm Cost	2	N			
12-6/2	Storm Cost	2	N			
12-6/3	Storm Cost	1	N			
12-6/4	Storm Cost	3	N			
12-6/5	Storm Cost	4	N			
12-6/6	Storm Cost	2	N			
12-7/1	Storm Cost	1	N			
12-7/2	Storm Cost	2	N			
12-7/3	Storm Cost	6	N			
12-7/4	Storm Cost	5	N			
12-7/5	Storm Cost	1	N			
22-1/1	Estimates Dune Restoration	5	Y	p. 1, Lines 3-9, Col. C; p. 2, Line 7, Col. B; p. 2, Lines 7-9, Col. C; p. 3, Lines 3-11, Cols. G-H; p. 3, Lines 12-15; p. 5, Cols. D-E	(d)	W. Gwinn

Workpaper No.	Description	No. of p.s	Conf Y/N	Line No/Col No.	Florida Statute 366.093(3) Subsection	Affiant
			N	p. 4		
22-2	Legal Accrual Detail	1	Y	ALL	(d), (e)	E. Bowman
22-3/1	Distribution Contractor Accrual	2	Y	p. 1, Cols. B-P; p. 2, Cols. B-P.	(d), (e)	R. Adams
22-4/1-2 A	Martin Repair Accrual	1	N			
22-4/1-2	Martin Repair Accrual	47	Y	p. 3, Lines 11, 29; p. 4, Lines 8, 16, 23, 29; p. 5, Lines 9, 15-28; p. 6, Lines 9, 14-24; p. 8, Lines 10-12, 18; p. 9, Lines 13, 27; p. 10, Lines 2, 9-10; p. 11, Lines 3, 6; p. 12, Lines 3-8, 14; p. 13, Lines 6-12; p. 14, Line 15; p. 16, Lines 3-4, 10; p. 23, Lines 6-7; p. 24, Line 36; p. 25, Line 13; p. 27, Line 5; p. 28, Lines 8-9, 35; p. 29, Lines 14, 28, 31, 34; p. 30, Lines 4, 7, 11, 14, 15; p. 32, Lines 6-7; p. 33, Line 36; p. 34, Line 13; p. 36, Line 4; p. 37, Lines 8, 9, 35; p. 38, Lines 14, 28, 31, 34; p. 39, Lines 4, 7, 11, 14, 15; p. 40, Lines 7, 9; p. 42, Lines 8-9, 35; p. 44, Line 13; p. 45, Lines 2, 12, 17, 18.	(d)	P. Sonnelitter
			N	pp. 1, 2, 7, 15, 17-22, 26, 31, 35, 41, 43, 46, 47		
22-A/3	Audit Finding	1	Y	ALL	(d), (e)	E. Bowman
22-A/4	Audit Finding	1	N			
25-1/1	Audit Finding	1	Y	Lines 8-11.	(e)	R. Adams
25-1/1-1	Pole Survey	2	N			



Workpaper No.	Description	No. of p.s	Conf Y/N	Line No/Col No.	Florida Statute 366.093(3) Subsection	Affiant
25-1/2	Pole Billing	1	N			
25-1/6	Procedures to repair/replace poles	2	Y	p. 1, Lines 5-17; p. 2, ALL.	(e)	R. Adams
25-1/6-1	Lesson on setting/removing poles	40	Y	ALL	(e)	R. Adams
25-1/7	Procedures to record time	3	Y	ALL	(e)	R. Adams
26	Journal Entry Sample 12/05	1	N			
26-1	Capitalize M & S Entry	4	N			
26-2	P & W Entry	5	N			
26-3	Adjust FPLES P & W	23	N			
26-6	Uncollectibles	12	N			
27	Summary of Insurance Proceeds	2	Y	p. 1, Lines 32-34, 37-41.	(e)	K. Kennedy
			N	p. 2.		
27-1	Insurance Accrual	7	Y	p. 1, Lines 35-38, Cols. G, J; p. 2, Line 15, Col. G; p. 3, Lines 8, 26; p. 7, Lines 1-4, Col. G; Lines 12-13, Col. G.	(e)	K. Kennedy
			N	pp. 4-6.		
27-2	Detail of Insurance Accrual	1	N			
27-2/1	Detail of Insurance Accrual	3	N			
27-3	Detail of Insurance Accrual	1	Y	Lines 6-12.	(e)	K. Kennedy
43	Summary of results of CV sample	2	Y	p. 1, Lines 34-37.	(d)	R. Adams
			N	p. 2.		
43-1	CV Sample and detail results	12	N			
43-3	Cash Voucher	10	Y	p. 1, Lines 10-17, Col. D; Lines 10-18, Col. G; p. 3, Lines 3-4; p. 4, Lines 10-33, Cols. E-F; p. 6, Lines 6, 7; p. 7, Lines 15, 16.	(d)	R. Adams

Workpaper No.	Description	No. of p.s	Conf Y/N	Line No/Col No.	Florida Statute 366.093(3) Subsection	Affiant
			N	pp. 2, 5, 8-10.		
43-4	Purchase Orders	61	Y	ALL	(d)	R. Adams
43-5	Storm Prep Costs Summary	3	N			
43-5/2	Storm Prep CV	2	N			
43-5/3	Storm Prep CV	3	N			
43-5/4	Storm Prep CV	2	N			
43-5/5	Storm Prep CV	2	N			
43-5/6	Storm Prep Accrual	32	N			
43-6	Summary of Advertising Vouchers	6	Y	p. 2, Lines 4-7.	(b)	A. Maceo
			N	pp. 1, 3-6.		
43-6/1	Detail of Advertising Vouchers	2	N			
43-6/1-1	Advertising Voucher	8	N			
43-6/1-2	Advertising Voucher	6	N			
43-6/1-3	Advertising Voucher	3	Y	p. 2, Lines 7-17.	(d), (e)	R. Monserrat
			N	pp. 1, 3.		
43-6/1-4	Advertising Voucher	3	Y	p. 2, Lines 7-17.	(d), (e)	R. Monserrat
			N	pp. 1, 3.		
43-6/1-5	Advertising Voucher	2	N			
43-6/1-6	Advertising Voucher	3	Y	p. 2, Lines 6-16.	(d), (e)	R. Monserrat
			N	pp. 1, 3.		
43-6/1-7	Advertising Voucher	3	Y	p. 2, Lines 6-16.	(d), (e)	R. Monserrat
			N	pp. 1, 3.		
43-6/1-8	Advertising Voucher	4	Y	p. 2, Lines 5-8, 13, 14; p. 3, lines 1-4, 20-28.	(d), (e)	R. Monserrat
			N	pp. 1, 4.		
43-6/1-9	Advertising Voucher	3	Y	p. 3, Lines 5-8, 13-18.	(d), (e)	R. Monserrat
			N	pp. 1, 2.		
43-6/1-10	Advertising Voucher	1	N			
43-6/1-11	Advertising Voucher	1	N			
43-6/1-12	Advertising	3	N			

Workpaper No.	Description	No. of p.s	Conf Y/N	Line No/Col No.	Florida Statute 366.093(3) Subsection	Affiant
	Voucher					
43-6/1-13	Advertising Voucher	2	Y N	p. 1, Lines 15, 18, 22, 25, 28, 32, 35. p. 2.	(d), (e)	R. Monserrat
43-6/1-14	Advertising Voucher	1	N			
43-6/1-15	Advertising Voucher	4	N			
43-6/1-16	Advertising Voucher	4	N			
43-6/1-17	Advertising Voucher	1	N			
43-6/1-18	Advertising Voucher	3	Y N	p. 2, Lines 6-16. pp. 1, 3.	(d), (e)	R. Monserrat
43-6/1-19	Advertising Voucher	10	Y N	p. 2, Lines 6-16; p. 5, Lines 6-16; p. 9, Lines 6-16. pp. 1, 3, 4, 6-8, 10.	(d), (e)	R. Monserrat
43-6/1-20	Advertising Voucher	4	N			
43-7	Outside Crew Cash Voucher	1	N			
43-7/1	Outside Crew Cash Voucher	21	Y N	p. 1, Lines 13-16, 20; p. 3, Lines 13-16, 20; p. 5, Lines 12-19; p. 7, Lines 14-17, 19, 21; p. 11, Lines 11-16, 18; p. 13, Lines 11-14, 15-18; p. 14, Lines 12,13, 19; p. 17, Lines 11-14; p. 19, Lines 12-15; p. 21, Lines 12,13. pp. 2, 4, 6, 8-10, 12, 15, 16, 18, 20.	(d), (e)	R. Adams
43-8	Telephone Vouchers	3	Y N	p. 3, Lines 13, 21-27, 41. pp. 1, 2.	(e)	K. Getchell
43-9	Lodging Vouchers	1	N			
43-9/1	Lodging Vouchers	8	Y	p. 5, Cols. C, G; p. 6, Cols. C, G, H; p. 7, Cols. C, F; p. 8, Lines 16, 18, 20.	(d), (e)	K. White

Workpaper No.	Description	No. of p.s	Conf Y/N	Line No/Col No.	Florida Statute 366.093(3) Subsection	Affiant
			N	pp. 1-4.		
43-11	CD 4a for Request 4	N/A	Y	ALL	(d), (e), (f)	F. Isabella
43-11	CD 4b for Request 4	N/A	Y	ALL	(d), (e), (f)	F. Isabella
43-11	CD 4c for Request 4	N/A	Y	ALL	(d), (e), (f)	F. Isabella
43-11/1	CD for Request 25	N/A	Y N	All other Files Files 50932.KatrinaMiami PUB8.30, 50934FPL.KatrinaT hankPUB, 50934FPL.KatrinaT hkSPAN_PUB, 50935FPL.KatrinaS Pub8.30, FPL- POST2, FPL- POST4, FPL-PRE1, FPL-PRE2, Updated Katrina Radio Messaging 9.1	(d), (e)	F. Isabella
43-11/2	CD 31A for Request 35	N/A	Y	ALL	(d), (e)	F. Isabella
43-11/2	CD 31B for Request 35	N/A	Y	ALL	(d), (e)	F. Isabella
43-11/2	CD 31C for Request 35	N/A	Y	ALL	(d), (e)	F. Isabella
44-1	JV Sample	2	N			
45	M & S Result of Sample	2	N			
45-1	M & S Sample Detail	2	N			
45-1/1	M & S Documentation - Wilma	57	N			
45-1/1-1	M & S Documentation - Wilma	1	N			
45-1/2	M & S Documentation - Rita	12	N			
45-1/3	M & S Documentation - Dennis	7	N			
45-1/3-1	M & S Documentation - Dennis	2	N			
45-1/3-2	M & S Documentation - Dennis	3	N			
45-1/3-3	M & S	3	N			

Workpaper No.	Description	No. of p.s	Conf Y/N	Line No/Col No.	Florida Statute 366.093(3) Subsection	Affiant
	Documentation – Dennis					
45-1/3-4	M & S Documentation – Dennis	4	N			
45-1/3-5	M & S Documentation – Dennis	3	N			
45-1/3-6	M & S Documentation – Dennis	24	N			
45-1/4	M & S Documentation – Katrina	27	N			
45-1/4-1	M & S Documentation – Katrina	7	N			
45-1/4-2	M & S Documentation – Katrina	1	N			
45-4	Inventory Procedures	4	N			
45-5	CD 42A for Request 42	N/A	N			
45-5	CD 42B for Request 42	N/A	N			
45-5/1	CD to Request 20	N/A	N			
45-10	CD to Request 35	N/A	N			
46	Payroll	2	N			
46-1/1	Payroll	1	Y	Lines 2-13.	(d), (f)	R. Thomas
46-1/2	Payroll	1	N			
46-6	Payroll	8	Y	p. 2, Lines 14-18; p. 3, Lines 12-14; p. 4, Lines 14, 17, 25, 28, 31, 34; p. 5, Lines 9, 12, 15, 18, 24, 32, 35; p. 6, Lines 5, 7, 11, 13, 17, 19, 23, 25, 29; p. 7, Lines 6, 10, 12, 16, 18, 22, 24, 28; p. 8, Lines 5, 9, 11, 15, 17, 21, 23, 27, 29.	(f)	R. Adams
46-2	Payroll	3	N	p. 1.		
			Y	p. 1, Lines 15-19; p. 2, Lines 10-14; p. 3, Lines 10-13.	(f)	R. Adams

Workpaper No.	Description	No. of p.s	Conf Y/N	Line No/Col No.	Florida Statute 366.093(3) Subsection	Affiant			
46-2/1	Payroll	6	Y	p. 2, Lines 9, 11, 13, 15, 19, 21, 23, 25, 27, 29, 31; p. 3, Lines 9, 11, 13, 15, 17, 19, 21; p. 4, Lines 7, 11, 15, 19, 23, 27; p. 5, Lines 6, 10, 14, 18, 22, 26; p. 6, Lines 5, 9, 13, 17, 21, 25, 29.	(f)	R. Adams			
			N	p. 1.					
46-7	Payroll	12	Y	p. 2, Lines 16-20; p. 3, Lines 10-14; p. 4, Lines 9-12; p. 5; Lines 11, 16, 21, 26, 31, 36, 41; p. 6, Lines 10, 15, 20, 25, 30; p. 7, Lines 7, 9, 11, 13, 15, 17, 21, 23, 25, 27; p. 8, Lines 6, 8, 10, 12, 16, 18, 20, 22, 26, 28; p. 9, Lines 5, 7, 11, 13, 15, 17, 21, 23, 25, 27; p. 10, Lines 6, 8, 10, 12, 16, 18, 20, 22, 26, 28; p. 11, Lines 5, 7, 11, 13, 15, 17, 21, 23, 25, 27; p. 12, Lines 6, 8, 10, 12, 16, 18, 20, 24, 26, 28.		Y		(f)	R. Adams
			N	p. 1.					
46-8	Payroll	7	Y	p. 2, Lines 16-22; p. 3, Lines 9, 43; p. 4, Lines 9, 12, 15, 18, 21, 24, 30, 36; p. 5, Lines 6, 8, 10, 12, 14, 16, 20, 22, 26, 28; p. 6, Lines 7, 9, 13, 15, 19, 21, 25, 27; p. 7, Lines 6, 8, 12, 14, 18, 20, 24, 26.		Y	(f)	R. Adams	
			N	p. 1.					
46-9	Payroll	5	Y	p. 2, Lines 12-13; p. 3, Lines 9, 11, 13,	(f)	R. Adams			

Workpaper No.	Description	No. of p.s	Conf Y/N	Line No/Col No.	Florida Statute 366.093(3) Subsection	Affiant
			N	18, 20, 22, 24, 26, 32, 35; p. 4, Lines 9, 11, 19, 21, 23, 25, 27; p. 5, Lines 5, 9, 13, 17, 21, 25, 29. p. 1		
46-16	Job Tickets	1	N			
46-16/1	DVTR	3	Y	p. 1, Lines 13, 15; p. 2, Lines 9, 13, 21, 23, 31; p. 3, Lines 6, 10, 14, 16, 18, 20, 24, 26, 28.	(f)	R. Adams
46-16/2	DVTR	3	Y	p. 1, Lines 15, 16, 28, 29; p. 2, Lines 9, 12, 18, 20, 26, 31; p. 3, Lines 7, 11, 15, 17, 19, 23, 25, 27.	(f)	R. Adams
46-16/3	DVTR	5	Y	p. 1, Lines 16, 17; p. 2, Lines 9, 13, 21, 23, 31; p. 3, Lines 10, 25, 30; p. 4, Lines 6, 10, 14, 16, 18, 20, 24, 26, 28; p. 5, Lines 5, 7, 9, 13, 15, 17, 21, 23, 27, 29.	(f)	R. Adams
46-16/4	Dcap	3	Y	p. 1, Line 14; p. 2, Lines 9, 12, 15, 17, 27, 29, 32, 35; p. 3, Lines 6, 10, 14, 18, 22, 26.	(f)	R. Adams
46-16/5	DVTR	3	Y	p. 1, Line 13; p. 2, Lines 6, 10, 12, 16, 18, 22, 26; p. 3, Lines 11, 19, 21, 30.	(f)	R. Adams
46-16/6	DVTR	3	Y	p. 1, Line 25; p. 2, Lines 16, 26, 34; p. 3, Lines 7, 11, 13, 15, 19, 21, 25, 29.	(f)	R. Adams
46-16/7	DVTR	4	Y	p. 1, Lines 24-26; p. 2, Lines 19, 22, 26, 28; p. 3, Lines 6, 8, 12, 14, 18, 20, 24, 28; p. 4, Lines 5, 7, 11, 15, 19, 21, 23, 25, 29.	(f)	R. Adams

Workpaper No.	Description	No. of p.s	Conf Y/N	Line No/Col No.	Florida Statute 366.093(3) Subsection	Affiant
46-16/8	DVTR	4	Y	p. 1, Lines 25,26; p. 2, Lines 12, 15, 23, 37; p. 3, Lines 10, 22, 26, 37; p. 4, Lines 6, 10, 12, 14, 18, 20, 22, 26, 28.	(f)	R. Adams
46-16/9	DVTR	3	Y	p. 1, Lines 25, 26; p. 2, Lines 12, 17, 31, 34; p. 3, Lines 6, 8, 12, 14, 18, 20, 24, 26.	(f)	R. Adams
46-16/10	DVTR	3	Y	p. 1, Lines 25, 26; p. 2, Lines 8, 11, 21, 24, 32; p. 3, Lines 8, 12, 14, 18, 20, 24, 26.	(f)	R. Adams
46-16/11	DVTR	4	Y	p. 1, Lines 24, 25; p. 2, Lines 9, 12, 20, 23, 31; p. 3, Lines 5, 7, 9, 13, 15, 19, 21, 25, 27; p. 4, Lines 6, 8, 12, 14, 18, 20, 24, 26.	(f)	R. Adams
46-16/12	DVTR	4	Y	p. 1, Lines 25, 26, 39, 40; p. 2, Lines 15, 17, 21, 24, 32, 34; p. 3, Lines 13, 17, 26, 28, 32; p. 4, Lines 8, 12, 16, 20, 24, 28.	(f)	R. Adams
46-16/13	DVTR	4	Y	p. 1, Lines 25, 26; p. 2, Lines 14, 17, 25, 29; p. 3, Lines 11, 15, 26, 33, 36; p. 4, Lines 6, 10, 12, 16, 18, 22, 24, 26.	(f)	R. Adams
46-16/14	DVTR	3	Y	p. 1, Line 26; p. 2, Lines 7, 9, 15, 17, 19, 25, 27, 29; p. 3, Lines 8, 12, 16, 20, 24, 28.	(f)	R. Adams
46-16/15	DVTR	3	Y	p. 1, Lines 24, 25; p. 2, Lines 15, 21, 23, 29; p. 3, Lines 7, 11, 15, 19, 21, 23, 27, 29.	(f)	R. Adams
46-16/16	DVTR	3	Y	p. 1, Lines 24, 25; p. 2, Lines 13, 19, 22, 28, 34; p. 3, Lines 8, 10, 14, 18, 22, 24, 28.	(f)	R. Adams



Workpaper No.	Description	No. of p.s	Conf Y/N	Line No/Col No.	Florida Statute 366.093(3) Subsection	Affiant
46-16/17	DVTR	3	Y	p. 1, Lines 25,26; p. 2, Lines 9, 13, 27, 30; p. 3, Lines 8, 10, 14, 16, 20, 22, 26, 28.	(f)	R. Adams
46-16/19	DVTR	3	Y	p. 1, Lines 24, 25; p. 2, Lines 9, 11, 17, 19, 22, 25, 31, 33; p. 3, Lines 5, 9, 13, 17, 21, 25, 29.	(f)	R. Adams
46-16/20	DVTR	3	Y	p. 1, Lines 24, 25; p. 2, Lines 11, 14, 23, 25, 31; p. 3, Lines 8, 12, 16, 20, 24, 28.	(f)	R. Adams
47	Vehicle	1	Y	Lines 4-8, 13, 14, 19-25.	(d)	R. Adams

# **EXHIBIT E**

STATE OF FLORIDA

COMMISSIONERS:  
LISA POLAK EDGAR, CHAIRMAN  
J. TERRY DEASON  
ISILIO ARRIAGA  
MATTHEW M. CARTER II  
KATRINA J. TEW



DIVISION OF REGULATORY  
COMPLIANCE AND CONSUMER  
ASSISTANCE  
DANIEL M. HOPPE, DIRECTOR  
(850) 413-6480

# Public Service Commission

May 4, 2006

Natalie F. Smith  
Florida Power & Light Company  
700 Universe Boulevard  
Juno Beach, Florida 33408-0420

**RE: Docket 0600038-EI, Request for confidential classification concerning audit 05-292-4-1, FPL 2004/2005 Storm Cost Audit, Documents 01397-06, 01398-06, 01399-06, 01400-96, 01696-06, and 02574-06**

Dear Ms. Smith:

We have read FPL's March 22, 2006, filing. The WP 46 series, after staff has returned social security information, does not appear to qualify for a confidential classification.

We have found the following 3 perceived deficiencies:

**Item 1:**

- |                            |                            |                            |
|----------------------------|----------------------------|----------------------------|
| WP 46-1/1, (1 page)        | WP 46-2/1 (pages 1 to 3)   | WP 46-2/1 (pages 2 to 6)   |
| WP 46-6 (pages 2 to 8)     | WP 46-7 (pages 2 to 12)    | WP 46-8 (pages 2 to 7)     |
| WP 46-9 (pages 2 to 5)     | WP 16/1 (pages 1 to 3)     | WP 46-16/2 (pages 1 to 3)  |
| WP 46-16/3 (pages 1 to 4)  | WP 46-16/4 (pages 2 to 3)  | WP 46-16/5 (pages 1 to 3)  |
| WP 46-16/6 (pages 1 to 3)  | WP 46-16/7 (pages 1 to 4)  | WP 46-16/8 (pages 2 to 4)  |
| WP 46-16/9 (pages 1 to 3)  | WP 46-16/10 (pages 1 to 3) | WP 46-16/11 (pages 1 to 4) |
| WP 46-16/11 (pages 1 to 4) | WP 46-16/12 (pages 1 to 4) | WP 46-16/13 (pages 1 to 4) |
| WP 46-16/14 (pages 2 to 3) | WP 46-16/15 (pages 1 to 3) | WP 46-16/16 (pages 1 to 3) |
| WP 46-16/17 (pages 1 to 3) | WP 46-16/19 (pages 1 to 3) | WP 46-16/20 (pages 1 to 3) |

These working papers report the social security numbers of employees. Social security numbers are confidential while in the custody of the Commission. Therefore, staff's original working papers containing these social security numbers are returned to the utility (See Enclosure 1) and these working papers are replaced with redacted versions. Copies of the redacted versions of staff's revised working papers for this audit are also provided to you (See Enclosure 2).

Sections 119.071(5)(a)2. and 3., Florida Statutes provide that State Agencies must provide special treatment for any social security numbers in their custody. Sections 119.071(5)(a)2. and 3., Florida Statutes provide:

“...2. An agency shall not collect an individual's social security number unless authorized by law to do so or unless the collection of the social security number is otherwise imperative for the performance of that agency's duties and responsibilities as prescribed by law. Social security numbers collected by an agency must be relevant to the purpose for which collected and shall not be collected until and unless the need for social security numbers has been clearly documented. An agency that collects social security numbers shall also segregate that number on a separate page from the rest of the record, or as otherwise appropriate, in order that the social security number be more easily redacted, if required, pursuant to a public records request. An agency collecting a person's social security number shall, upon that person's request, at the time of or prior to the actual collection of the social security number by that agency, provide that person with a statement of the purpose or purposes for which the social security number is being collected and used. Social security numbers collected by an agency shall not be used by that agency for any purpose other than the purpose stated. Social security numbers collected by an agency prior to May 13, 2002, shall be reviewed for compliance with this subparagraph. If the collection of a social security number prior to May 13, 2002, is found to be unwarranted, the agency shall immediately discontinue the collection of social security numbers for that purpose.

3. Effective October 1, 2002, all social security numbers held by an agency are confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. This exemption applies to all social security numbers held by an agency before, on, or after the effective date of the exemption....”

**Item 2**

WP 46-1/1		WP 46-16/5, page 1
WP 46-2,	page 2	WP 46-16/6, page 1
WP 46-2,	page 3	WP 46-16/7, page 1
WP 46-2/1,	page 1	WP 46-16/9, page 1
WP 46-6,	page 2	WP 46-16/10, page 1
WP 46-6,	page 3	WP 46-16/11, page 1
WP 46-7,	page 2	WP 46-16/12, page 1
WP 46-7,	page 3	WP 46-16/13, page 1
WP 46-7,	page 4	WP 46-16/15, page 1
WP 46-8,	page 2	WP 46-16/16, page 1
WP 46-9,	page 3	WP 46-16/17, page 1
WP 46-16/1,	page 1	WP 46-16/19, page 1
WP 46-16/2,	page 1	WP 46-16/20, page 1
WP 46-16/3,	page 1	

Section 366.093(3)(f), Florida Statutes provides that personnel information related to duties, responsibilities, compensation or qualifications in the custody of the Commission is public record.

Natalie F. Smith  
Page 3  
May 4, 2006

Further, the Commission has decided that the name of the employee is also public record (See Commission Orders: No 25237, issued October 22, 1991, in Docket No. 900960-TL; No. 92-1003-CFO-TL, issued on September 17, 1992, in Docket No. 910163-CFO-TL, and Order No. 92-0135, issued on February 3, 1994, in Docket No. 911034-TL).

Within its request for the above staff working papers, FPL requests that the name of FPL employees be granted a confidential classification. Staff would not recommend that this material be granted a confidential classification, given existing Commission policy.

**Item 3**

WP 46 (2 pages), WP 46-1/2 (1 page) WP 46-16/4 (page 1)  
WP 46-16/8 (page 1), WP 46-16/8 (page 1)

Section 366.093(3)(f), Florida Statutes provides that personnel information related to duties, responsibilities, compensation or qualifications in the custody of the Commission is public record. The above working papers appear to contain employee numbers and information about duties and compensation of employees. This material does not appear to qualify for a confidential classification.

**Responses to perceived deficiencies**

In response to these 3 perceived deficiencies, the utility may provide additional justification as to why this material should be granted a confidential classification. Within 21 days from the date of this letter, as deemed necessary, the utility may modify its pleading, justification, redacted or highlighted copies within its request; otherwise, a recommendation will be presented to the Prehearing Officer based upon the existing record.

If you have any questions concerning this matter, please contact me Robert Freeman at telephone: 850-413-6485 or email: [bfreeman@psc.state.fl.us](mailto:bfreeman@psc.state.fl.us). If you have procedural questions, or if you would like to talk to the assigned staff attorney, please contact Cochran Keating, telephone: 850-413-6193 or email [ckeating@psc.state.fl.us](mailto:ckeating@psc.state.fl.us).

Sincerely,

*Robert Freeman*  
Robert Freeman  
Governmental Analyst

Enclosures (2): Return of original working paper containing Social Security numbers  
Revised staff working papers