

# Hopping Green & Sams

Attorneys and Counselors

Writer's Direct Dial No.  
(850) 425-2359

June 24, 2008

**BY HAND DELIVERY**

Ann Cole  
Director Records and Reporting  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399

RECEIVED-FPSC  
08 JUN 24 PM 3:32  
COMMISSION  
CLERK

Re: Docket No. 080253-EM  
**CONFIDENTIAL DOCUMENTS ENCLOSED**

Dear Ms. Cole:

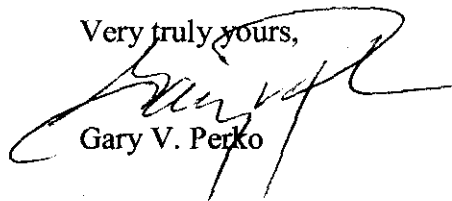
Enclosed for filing on behalf of Florida Municipal Power Agency, are the following:

- (1) The original and seven copies of its Notice of Intent to Request Confidential Classification, with attached copies of the discovery requests pertaining to the confidential information;
- (2) A CONFIDENTIAL envelope containing one copy of the confidential document.

By copy of this letter, I am providing a copy of the Notice of Intent to Request Confidential Classification to all parties in this docket.

Please stamp and return the enclosed extra copy of this filing. If you have any questions regarding this filing, please contact the undersigned.

Very truly yours,



Gary V. Perko

Enclosures

This docketed notice of intent was filed with Confidential Document No. 05440-08 The document has been placed in confidential storage pending timely receipt of a request for confidentiality.

leaf records

DOCUMENT NUMBER-DATE

05439 JUN 24 8

FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition to determine need for Cane  
Island Power Park Unit 4 electrical power plant  
in Osceola County, by Florida Municipal  
Power Agency.

DOCKET NO. 080253-EM

DATED: June 24, 2008

**FLORIDA MUNICIPAL POWER AGENCY'S  
NOTICE OF INTENT TO REQUEST CONFIDENTIAL CLASSIFICATION**

Florida Municipal Power Agency (FMPA), by and through its undersigned counsel, and pursuant to Rule 25-22.006, Florida Administrative Code, hereby give notice that they intend to request confidential classification of certain confidential documents provided in its response to Staff's Second Request for Production of Documents, Request No. 4, which requests "complete copies of all workpapers and source documents associated with the testimony and exhibits of Witness Kushner." A copy of Staff's Second Request for Production of Documents (No. 4) is attached hereto. In addition, a copy of the confidential documents are being provided with this notice in a separate envelope labeled "CONFIDENTIAL".

The documents referenced above contains proprietary business information submitted on a confidential basis by respondents to requests for proposals for renewable energy resources and demand side management resources. The documents include information regarding contractual data, the disclosure of which would impair the efforts of FMPA to contract for goods or services on favorable terms, as well as information relating to competitive interests, the disclosure of which would impair the competitive business of the provider of the information within the meaning of Section 366.093(3), Florida Statutes. The information for which confidential classification is sought is intended to be and is treated by FMPA as confidential.

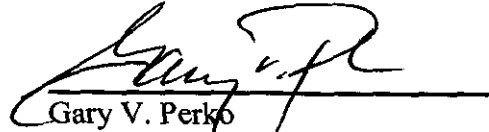
DOCUMENT NUMBER-DATE

05439 JUN 24 8

A formal request for confidential classification will be filed within the time period specified in Rule 25-22.006(3)(a), Florida Administrative Code.

RESPECTFULLY SUBMITTED this  day of June, 2008.

HOPPING GREEN & SAMS, P.A.

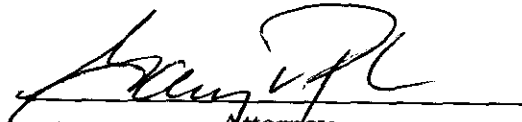
  
Gary V. Perko  
Hopping Green & Sams, P.A.  
123 S. Calhoun Street  
Tallahassee, FL 32314  
(850) 222-7500 (telephone)  
(850) 224-8551 (facsimile)  
Email: [GPerko@hgslaw.com](mailto:GPerko@hgslaw.com)

Attorneys for Florida Municipal Power Agency

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing FMPA's Notice of Intent to Request Confidential Classification has been served by hand-delivery to the following parties on this 24<sup>th</sup> day of June, 2008:

Katherine Fleming  
Senior Attorney  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, Florida 32399-0850

  
\_\_\_\_\_  
Attorney

**RECEIVED**

In re: Petition to determine need for Cane  
Island Power Park Unit 4 electrical power plant  
in Osceola County, by Florida Municipal  
Power Agency.

DOCKET NO. 080253-EM

JUN 09 2008

DATED: JUNE 2, 2008

**Hopping, Green & Sams, P.A.**

STAFF'S SECOND REQUEST FOR PRODUCTION OF DOCUMENTS (NO. 4)  
TO FLORIDA MUNICIPAL POWER AGENCY

Pursuant to Rule 28-106.206, Florida Administrative Code, and Rule 1.350, Florida Rules of Civil Procedure, the Staff of the Florida Public Service Commission, by and through its undersigned attorney, hereby serves the following Request for Production of Documents upon Florida Municipal Power Agency (FMPA).

Please produce the following documents at the Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, no later than thirty days after service of this request for the purpose of inspection and copying.

DEFINITIONS

As used herein, the word "documents" shall mean the original and any non-identical copies of any writing or record, including but not limited to a book, pamphlet, periodical, letter, memorandum, telegram, report, study, interoffice or intraoffice, handwritten or other notes, working paper, draft, application, permit, chart, paper, graph, survey, index, tape, disc, data sheet or data processing card, computer printout, or any other written, recorded, transcribed, filed or graphic matter, however produced or reproduced.

DOCUMENTS REQUESTED

4. Please provide complete copies of all workpapers and source documents associated with the testimony and exhibits of Witness Kushner.



---

KATHERINE E. FLEMING  
Senior Attorney  
FLORIDA PUBLIC SERVICE COMMISSION  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850  
(850) 413-6218

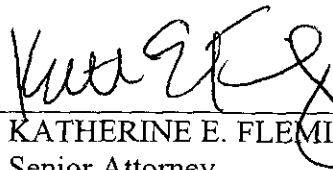
BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition to determine need for Cane Island Power Park Unit 4 electrical power plant in Osceola County, by Florida Municipal Power Agency. DOCKET NO. 080253-EM  
DATED: JUNE 2, 2008

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the original and one correct copy of STAFF'S SECOND REQUEST FOR PRODUCTION OF DOCUMENTS (NO. 4) has been served by electronic and U. S. mail to Gary Perko, Hopping, Green, & Sams, P.A., 123 South Calhoun Street, Tallahassee, Florida, 32314, and that a true copy thereof has been furnished to the following by electronic and U. S. mail this 2nd day of June, 2008:

F. M. Bryant/J. L. Finklea/K. Culpepper  
Florida Municipal Power Agency  
P.O. Box 3209  
Tallahassee, FL 32315-3209



---

KATHERINE E. FLEMING  
Senior Attorney  
FLORIDA PUBLIC SERVICE COMMISSION  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850  
(850) 413-6199

COMMISSIONERS:  
MATTHEW M. CARTER II, CHAIRMAN  
LISA POLAK EDGAR  
KATRINA J. McMURRIAN  
NANCY ARGENZIANO  
NATHAN A. SKOP

STATE OF FLORIDA



OFFICE OF COMMISSION CLERK  
ANN COLE  
COMMISSION CLERK  
(850) 413-6770

**CONFIDENTIAL**

**Public Service Commission**

**ACKNOWLEDGEMENT**

DATE: June 24, 2008

TO: Gary V. Perko, Hopping Law Firm

FROM: Ruth Nettles, Office of Commission Clerk

RE: Acknowledgement of Receipt of Confidential Filing

This will acknowledge receipt of a **CONFIDENTIAL DOCUMENT** filed in Docket Number 080253 or, if filed in an undocketed matter, concerning certain documents provided in its response to staff's 2<sup>nd</sup> request for PODs, Request No. 4, and filed on behalf of Florida Municipal Power Agency. The document will be maintained in locked storage.

If you have any questions regarding this document, please contact Marguerite Lockard, Deputy Clerk, at (850) 413-6770.

DOCUMENT NUMBER - DATE  
05440 JUN 24 8  
FPSC - COMMISSION CLERK

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD • TALLAHASSEE, FL 32399-0850  
An Affirmative Action/Equal Opportunity Employer

PSC Website: <http://www.floridapsc.com>

Internet E-mail: [contact@psc.state.fl.us](mailto:contact@psc.state.fl.us)