

**Ruth Nettles**

**From:** Butler, John [John.Butler@fpl.com]  
**Sent:** Wednesday, June 24, 2009 3:06 PM  
**To:** Filings@psc.state.fl.us  
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**Subject:** Electronic Filing / Dkt #090001 / FPL's Request for extension of confidential classification  
**Attachments:** Letter to Cole (continued confidentiality of Doc No 02955-06).pdf

Electronic Filing

a. Person responsible for this electronic filing:

John T. Butler, Esq.  
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561-304-5639  
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b. Docket No. 090001 - EI  
In RE: Fuel and purchased power cost recovery clause with generating performance incentive factor

c. The Document is being filed on behalf of Florida Power & Light Company.

d. There is a total of 1 page

e. The document attached for electronic filing is Florida Power & Light Company's June 24, 2009 letter to the Commission Clerk confirming that FPL continues to seek an extension of confidential classification for Document No. 02955-06.

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June 24, 2009

Ms. Ann Cole, Director  
Division of the Commission Clerk and Administrative Services  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850

**Re: Docket No. 090001-EI**

Dear Ms. Cole:

On April 3, 2006, FPL filed a Request for Confidential Classification (the "April 2006 Request") in Docket No. 060001-EI, a predecessor to the above-referenced docket, concerning certain materials provided to the Commission Staff in connection with the prepared testimony of Gerald Yupp. The documents contained information relating to fuel hedging activities. Those materials are designated by the Commission as Document No. 02955-06 (the "Confidential Materials"), and the April 2006 Request is Document No. 02954-06. In FPSC Order No. PSC-06-0564-CFO-EI, the Commission granted the April 2006 Request. On December 14, 2007, FPL filed a First Request for Extension of Confidential Classification (the "December 2007 Request") in Docket No. 070001-EI. That request is designated by the Commission as Document No. 10964-07. The Commission has not yet ruled on the December 2007 Request. Pursuant to Rule 25-22.006(3)(d), F.A.C., the Confidential Materials remain protected as confidential pending ruling.

I am writing in response to Staff's request to confirm that FPL continues to seek an extension of confidential classification for the Confidential Materials, for the reasons set forth in the December 2007 Request. As stated in the affidavit accompanying the December 2007 Request, the Confidential Materials contain or comprise detailed Fuel Hedging Information, including hedging results and trade secrets. FPL continues to treat this information as confidential, and the concerns about disclosure that make this information confidential remain valid today. Accordingly, FPL asks that the Commission grant the December 2007 Request for the reasons set forth therein.

Please feel free to contact me should you have any questions.

Sincerely,

*/s/John T. Butler*  
John T. Butler

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