



Florida Power & Light Company, 215 S. Monroe St., Suite 870, Tallahassee, FL 32301

John T. Butler  
Managing Attorney  
Florida Power & Light Company  
700 Universe Boulevard  
Juno Beach, FL 33408-0420  
(561) 304-5639  
(561) 691-7135 (Facsimile)

August 14, 2009

- VIA HAND DELIVERY -

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

RECEIVED-FPSC  
09 AUG 17 AM 11:02  
COMMISSION  
CLERK

Re: Docket No. 090001-EI

Dear Ms. Cole:

Order No. PSC 08-0316-PAA-EI requires the four largest Florida IOUs, including Florida Power & Light Company ("FPL") to file hedging results for January through July of the current year by August 15<sup>th</sup> of each year. FPL has prepared its Hedging Information Report, which is identified as Exhibit GJY-2, to provide the required information on fuel hedging activities for the period January through July 2009. The Hedging Information Report is being filed in conjunction with the enclosed confidentiality request described below.

I am enclosing for filing in the above docket the original and seven (7) copies of FPL's Request for Confidential Classification of Certain Information Contained in Hedging Information Report (Exhibit GJY-2), together with a CD containing the electronic version of same.

Pursuant to Rule 25-22.006, F.A.C., I am enclosing one highlighted and two redacted copies of the Hedging Information Report that is the subject of the confidentiality request.

If there are any questions regarding this transmittal, please contact me at 561-304-5639.

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BCR 5  
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SGA \_\_\_\_\_  
ADM \_\_\_\_\_  
CLK 1

Enclosures  
cc: Counsel for Parties of Record (w/o encl.)

Sincerely,  
  
John T. Butler

DOCUMENT NUMBER-DATE  
08529 AUG 17 09  
FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Fuel and purchased power )  
cost recovery clause with )  
generating performance incentive )  
factor. )  
\_\_\_\_\_ )

Docket No. 090001-EI

Filed: August 14, 2009

**FLORIDA POWER AND LIGHT COMPANY'S REQUEST FOR  
CONFIDENTIAL CLASSIFICATION OF CERTAIN INFORMATION CONTAINED IN  
THE FUEL HEDGING INFORMATION REPORT (EXHIBIT GJY-2)**

Florida Power & Light Company ("FPL"), pursuant to Rule 25-22.006, F.A.C., and Section 366.093, Florida Statutes, requests confidential classification of certain information on fuel hedging activities and market comparisons that is contained in Exhibit GJY-2 (the "Fuel Hedging Information Report"). In support of its Request, FPL states as follows:

1. Pursuant to direction in Order No. PSC-08-0316-PAA-EI, issued in this docket on May 14, 2008, FPL has filed the Hedging Information Report on August 14, 2009. This request is intended to request confidential classification of information contained in the Hedging Information Report consistent with Rule 25-22.006.

2. The following exhibits are included with this Request:

a. Exhibit A consists of a copy of the Hedging Information Report, in which the confidential information has been highlighted.

b. Exhibit B consists of two copies of the Hedging Information Report in which the Fuel Hedging Information has been redacted.

c. Exhibit C is a table containing an identification of the information highlighted in Exhibit A, together with references to the specific statutory bases for the claim of confidentiality and to the affidavit in support of the requested classification.

DOCUMENT NUMBER-DATE

08529 AUG 17 8

FPSC-COMMISSION CLERK

d. Exhibit D consists of the affidavit of Gerard J. Yupp, who is the Senior Director of Wholesale Operations in FPL's Energy Marketing and Trading Division. The affidavit attests to the asserted bases for confidential classification.

3. FPL seeks confidential protection for the highlighted information contained in the Fuel Hedging Information Report because it contains or constitutes data pertinent to FPL's hedging program. Specifically, the physical and financial details related to FPL's year to date hedging results for natural gas and fuel oil. The disclosure of this trade secret information would impair the efforts of FPL to contract for goods and services on favorable terms for the benefit of its customers. This information is protected by Section 366.093(3)(a). Additionally, this information, if disclosed would impair the competitive interests of FPL and its vendors, and would place FPL at a competitive disadvantage when coupled with other information that is publicly available. *See* § 366.093(3)(d) and (e).

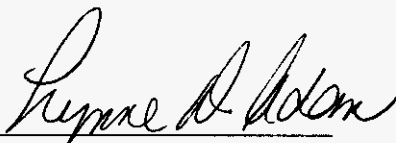
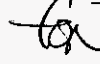
4. The Fuel Hedging Information Report in Exhibit A is intended to be and is treated by FPL as private, and its confidentiality has been maintained.

5. Upon a finding by the Commission that the Fuel Hedging Information Report in Exhibit A 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 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**, FPL respectfully requests confidential classification of the Fuel Hedging Information.

Respectfully submitted,

R. Wade Litchfield, Esq.  
Vice President and Chief Regulatory Counsel  
John T. Butler, Esq.  
Managing Attorney  
Florida Power & Light Company  
700 Universe Boulevard  
Juno Beach, FL 33408  
Telephone: (561) 304-5639  
Facsimile: ( 561) 691-7135

BY:   
 John T. Butler  
Fla. Bar No. 283479

**CERTIFICATE OF SERVICE**  
**Docket No. 090001-EI**

**I HEREBY CERTIFY** that a true and correct copy of the foregoing Request for Confidential Classification of the Fuel Hedging Report (\*) has been furnished by hand delivery (\*\*) or the United States Mail on this 14<sup>th</sup> day of August 2009 to the following:

Lisa Bennett, Esq. (\*)  
Division of Legal Services  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, Florida 32399-0850

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AFLSA/JACL-ULT  
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139 Barnes Drive, Ste 1  
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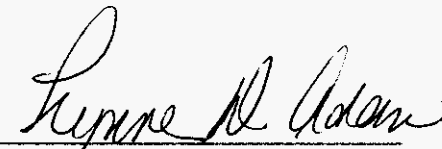
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Tallahassee, FL 32301  
Co-Counsel for FIPUG

By:   
for John T. Butler  
Fla. Bar No. 28347

# EXHIBIT C

**EXHIBIT C**

**COMPANY:** Florida Power & Light Company  
**TITLE:** List of Confidential Documents  
**DOCKET NO.:** 090001-EI  
**DOCKET TITLE:** Fuel and Purchased Power Cost Recovery Clause  
**SUBJECT:** Fuel Hedging Information Report  
**DATE:** August 14, 2009

Docum ent	Page No.	Description	No. of Pages	Conf. Y/N	LINE NO./ COL. NO.	FLORIDA STATUTE 366.093(3) Subsection:	AFFIANT
GJY-2	1	Year to Date FPL Natural Gas Procurement Jan-July 2009	1	Y	Col C-D Lines 4-9 & 12, Col E Lines 4-9, Col F Lines 4-8	(a),(d),(e)	G. Yupp
GJY-2	2	Year to Date FPL Heavy Fuel Oil Procurement Jan-July 2009	1	Y	Col C-D Lines 4-9 & 12, Col E Lines 4-9, Col F Lines 4-8	(a),(d),(e)	G. Yupp
GJY-2	3	January 2009 FPL Natural Gas Procurement	1	Y	Lines 4-9, Col C-F	(a),(d),(e)	G. Yupp
GJY-2	4	January 2009 FPL Heavy Fuel Oil Procurement	1	Y	Lines 4-9, Col C-F	(a),(d),(e)	G. Yupp
GJY-2	5	February 2009 FPL Natural Gas Procurement	1	Y	Lines 4-9, Col C-F	(a),(d),(e)	G. Yupp
GJY-2	6	February 2009 FPL Heavy Fuel Oil Procurement	1	Y	Lines 4-9, Col C-F	(a),(d),(e)	G. Yupp
GJY-2	7	March 2009 FPL Natural Gas Procurement	1	Y	Lines 4-9, Col C-F	(a),(d),(e)	G. Yupp
GJY-2	8	March 2009 FPL Heavy Fuel Oil Procurement	1	Y	Lines 4-9, Col C-F	(a),(d),(e)	G. Yupp

Docum ent	Page No.	Description	No. of Pages	Conf. Y/N	LINE NO./ COL. NO.	FLORIDA STATUTE 366.093(3) Subsection:	AFFIANT
GJY-2	9	April 2009 FPL Natural Gas Procurement	1	Y	Lines 4-9, Col C-F	(a),(d),(e)	G. Yupp
GJY-2	10	April 2009 FPL Heavy Fuel Oil Procurement	1	Y	Lines 4-9, Col C-F	(a),(d),(e)	G. Yupp
GJY-2	11	May 2009 FPL Natural Gas Procurement	1	Y	Lines 4-9, Col C-F	(a),(d),(e)	G. Yupp
GJY-2	12	May 2009 FPL Heavy Fuel Oil Procurement	1	Y	Lines 4-9, Col C-F	(a),(d),(e)	G. Yupp
GJY-2	13	June 2009 FPL Natural Gas Procurement	1	Y	Lines 4-9, Col C-F	(a),(d),(e)	G. Yupp
GJY-2	14	June 2009 FPL Heavy Fuel Oil Procurement	1	Y	Lines 4-9, Col C-F	(a),(d),(e)	G. Yupp
GJY-2	15	July 2009 FPL Natural Gas Procurement	1	Y	Lines 4-9, Col C-F	(a),(d),(e)	G. Yupp
GJY-2	16	July 2009 FPL Heavy Fuel Oil Procurement	1	Y	Lines 4-9, Col C-F	(a),(d),(e)	G. Yupp



# EXHIBIT D

EXHIBIT D

BEFORE THE FLORIDA  
PUBLIC SERVICE COMMISSION

In re: Fuel and Purchase Power Cost ) Docket No. 090001-EI  
Recovery Clause with Generating )  
Performance Incentive Factor )

STATE OF FLORIDA )  
 )  
COUNTY OF PALM BEACH )

AFFIDAVIT OF GERARD J. YUPP

BEFORE ME, the undersigned authority, personally appeared Gerard J. Yupp who, being first duly sworn, deposes and says:

1. My name is Gerard J. Yupp. I am currently employed by Florida Power & Light Company ("FPL") as Senior Director of Wholesale Operations in the Energy Marketing and Trading Division. I have personal knowledge of the matters stated in this affidavit.

2. I have reviewed the documents and information included in Exhibit A to FPL's Request for Confidential Classification of the Fuel Hedging Information Report. The documents or materials that I have reviewed and which are asserted by FPL to be proprietary confidential business information contain or constitute data pertinent to FPL's hedging program. Specifically, the documents contain information regarding the physical and financial details related to FPL's year to date hedging results for natural gas and fuel oil. The disclosure of this trade secret information would impair the efforts of FPL to contract for goods and services on favorable terms for the benefit of its customers. Additionally, certain of the information would place FPL at a competitive disadvantage when coupled with other information that is publicly available.

3. Consistent with the provisions of the Florida Administrative Code, such materials should remain confidential for a period of eighteen (18) months. In addition, they should be returned to FPL as soon as the information is no longer necessary for the Commission to conduct its business so that FPL can continue to maintain the confidentiality of these documents

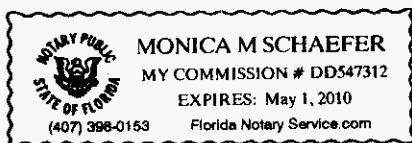
4. Affiant says nothing further.

Gerard J. Yupp  
Gerard J. Yupp

SWORN TO AND SUBSCRIBED before me this 12<sup>th</sup> day of August 2009, by Gerard J. Yupp, who is personally known to me or who has produced \_\_\_\_\_ (type of identification) as identification and who did take an oath.

Monica M. Schaefer  
Notary Public, State of Florida

My Commission Expires: 5/1/2010



STATE OF FLORIDA

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



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

# Public Service Commission

## ACKNOWLEDGEMENT

DATE: August 17, 2009

TO: John T. Butler, Florida Power & Light Company

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 090001 or, if filed in an undocketed matter, concerning certain information contained in The Fuel Hedging Information Report (Exhibit GJY-2), and filed on behalf of Florida Power & Light Company. 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  
08530 AUG 17 09  
FPSC - COMMISSION CLERK

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