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July 12, 2012

**VIA HAND DELIVERY**

Ms. Ann Cole  
 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

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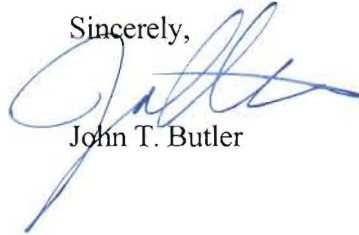
Re: Docket No. 120001-EI

Dear Ms. Cole:

Enclosed for filing on behalf of Florida Power & Light Company ("FPL") are an original and seven (7) copies of FPL's First Request for Extension of Confidential Classification of Certain Information Contained in Schedule A12, Capacity Costs for August 2010. A compact disc with FPL's Request in Word format is also included.

Please contact me if you have any questions regarding this filing.

Sincerely,



John T. Butler

Enclosures  
 cc: Parties of record (w/encl.)

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FPSC-COMMISSION CLERK

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

IN RE: Fuel and purchase power cost recovery  
clause with generating performance incentive  
factor

Docket No: 120001-EI  
Date: July 12, 2012

**FLORIDA POWER AND LIGHT COMPANY'S FIRST REQUEST FOR EXTENSION OF  
CONFIDENTIAL CLASSIFICATION OF CERTAIN INFORMATION CONTAINED  
IN SCHEDULE A12, CAPACITY COSTS FOR THE MONTH OF AUGUST 2010**

Pursuant to Section 366.093, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, Florida Power & Light Company ("FPL") hereby submits its First Request for Extension of Confidential Classification of certain material provided to the Florida Public Service Commission ("Commission") in connection with its Schedule A12, Capacity Costs for the month of August 2010. In support of this First Request for Extension of Confidential Classification, FPL states as follows:

1. On September 17, 2010 FPL filed a Request for Confidential Classification of certain materials contained in its Schedule A12, Capacity Costs, which included Exhibits A, B and C. ("September 17, 2010 Request"). By Order No. PSC-11-0070-CFO-EI, dated January 25, 2011, the Commission granted FPL's September 17, 2010 Request.

2. FPL adopts and incorporates by reference the September 17, 2010 Request.

3. The period of confidential treatment granted by Order No. PSC-11-0070-CFO-EI will soon expire. The Confidential Information that was the subject of FPL's September 17, 2010 Request warrants continued treatment as proprietary and confidential business information within the meaning of Section 366.093(3), F.S. Accordingly, FPL hereby submits its First Request for Extension of Confidential Classification.

4. FPL submits that the information contained in Exhibit A and referenced in Exhibits B and C continues to be proprietary confidential business information within the meaning of Section 366.093(3), F.S. The Confidential Information is intended to be and has been treated by FPL as private, its confidentiality has been maintained, and its disclosure would cause harm to FPL and its

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customers. Pursuant to Section 366.093, F.S., such materials are entitled to confidential treatment and are 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. Nothing has changed since the filing of FPL's September 17, 2010 Request to render the Confidential Information stale or public, such that continued confidential treatment would not be appropriate.

5. Upon a finding by the Commission that the Confidential Information remains proprietary and confidential business information, the information should not be declassified for at least an additional eighteen (18) month period and should be returned to FPL as soon as it is no longer necessary for the Commission to conduct its business. *See* § 366.093(4), F.S.

**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 First Request for Extension of Confidential Classification be granted.

Respectfully submitted,

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By:   
\_\_\_\_\_  
John T. Butler  
Fla. Bar No. 283479

**CERTIFICATE OF SERVICE**  
**Docket No. 120001-EI**

**I HEREBY CERTIFY** that a true and correct copy of the foregoing First Request for Extension of Confidential Classification has been furnished by hand delivery (\*) or the United States Mail this 12<sup>th</sup> day of July, 2012 to the following:

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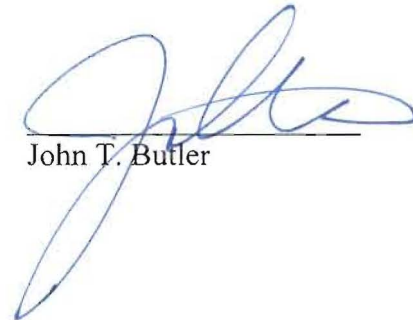
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