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August 16, 2012

**VIA HAND DELIVERY**

Ms. Ann Cole  
 Commission Clerk  
 Florida Public Service Commission  
 Betty Easley Conference Center  
 2540 Shumard Oak Boulevard, Room 110  
 Tallahassee, FL 32399-0850

Re: Docket No. 120015-EI

claim of confidentiality  
 notice of intent  
 request for confidentiality  
 filed by OPC

For DN 05633-12 which  
 is in locked storage. You must be  
 authorized to view this DN.-CLK

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 COMMISSION  
 CLERK

Dear Ms. Cole:

Enclosed for filing on behalf of Florida Power & Light Company ("FPL") are an original and seven (7) copies of FPL's Request for Confidential Classification pursuant to FPL's Notice of Intent filed July 26, 2012. The original includes Exhibits A, B (two copies), C and D. The seven copies do not include copies of the Exhibits.

Exhibit A consists of the confidential documents, and all the information that FPL asserts is entitled to confidential treatment has been highlighted. Exhibit B is an edited version of Exhibit A, in which the information FPL asserts is confidential has been redacted. Exhibit C consists of a justification table in support of FPL's Request for Confidential Classification. Exhibit D contains fourteen affidavits in support of FPL's Request for Confidential Classification. Also included in this filing is a compact disc containing FPL's Request for Confidential Classification and Exhibit C, in Microsoft Word format.

Please contact me if you or your Staff has any questions regarding this filing.

COM  
 AFD  + CD  
 APA   
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 ENG   
 GCL   
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 TEL   
 CLK

Sincerely,

Maria J. Moncada  
 Attorney for  
 Florida Power & Light Company

Enclosures  
 cc: parties of record, w/out exhibits

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Petition for rate increase by Florida  
Power & Light Company

Docket No. 120015-EI  
August 16, 2012

**FLORIDA POWER & LIGHT COMPANY'S  
REQUEST FOR CONFIDENTIAL CLASSIFICATION OF DOCUMENTS PRODUCED**

Pursuant to Section 366.093, Florida Statutes (2011) ("Section 366.093"), and Rule 25-22.006, Florida Administrative Code (2011) ("Rule 25-22.006"), Florida Power & Light Company ("FPL") requests confidential classification of certain information included in the attachments to its response to Office of Public Counsel's ("OPC") First Request for Production, Nos. 5 and 6; OPC's Eighth Set of Interrogatories Nos. 156; Staff of Florida Public Service Commission's ("Staff") Sixth Request for Production No. 50 Part 1-Attachments 2a, 3, 4, 6a, 11, 14, 15, 16, 19, 20, 23, 25 (pages 77-85), 27, 29, 31, and 33; Staff's First Request for Production No. 11; Staff's First Request for Production No. 2: 2011 Analyst Research Reports (pages 1, 4, 5, 9, 29, 48, 69, 82, 84, 91, 121, 122, 132, 133, 166, 167, 176, 198, 207, 217, 247, 256, 257, 295, 301, 307, 335, 345, 362, 399, 424, 477, 633, 643-646, 669-671, 696, 739-741, and 891) and 2012 Analysts Research Reports (pages 4, 10, 39, 44, 47, 55, 72). In support of this request, FPL states as follows:

1. On July 26, 2012, FPL filed a Notice of Intent to Request Confidential Classification of the attachments to FPL's response. Pursuant to Rule 25-22.006(3)(a), Florida Administrative Code, FPL has 21 days from the date of the Notice of Intent to file a formal request for confidential classification. Accordingly, FPL is filing this Request for Confidential Classification to maintain continued confidential handling of the information contained in the attachments provided to Staff with the Notice of Intent.

2. The following exhibits are included with and made a part of this request:

a. Exhibit A consists of a copy the confidential documents, on which all information that is entitled to confidential treatment under Florida law has been highlighted.

b. Exhibit B consists of a copy of the confidential documents, on which all information that is entitled to confidential treatment under Florida law has been redacted.

c. Exhibit C is a table that identifies the specific line, page or cell references to the confidential materials for which FPL seeks confidential treatment. The table also references the specific statutory bases for confidentiality and the affiants who support the requested classification.

d. Exhibit D consists of the affidavits of Fabian Tejedor, Roxane Kennedy, Bruce Wuenker, Erica A. McNabb, Maria Besada, Kimberly Herron, Mitchell Goldstein, David Bromley, Gerard J. Yupp, Solomon Stamm, Kathryn Salvador, Alissa E. Ballot, Michael Toal and Nicholas Vlisides.

3. FPL submits that the highlighted information in Exhibit A is proprietary confidential business information within the meaning of Section 366.093(3). This information is intended to be and is treated by FPL as private, and its confidentiality has been maintained. Pursuant to Section 366.093, such information 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.

4. As the affidavits included in Exhibit D indicate, certain documents provided by FPL contain information related to contractual data such as pricing and other terms payment records and vendor supplier rates, the disclosure of which would impair the efforts of FPL to

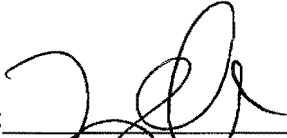
contract on commercially favorable terms for the benefit of its customers and would impair the competitive interests of FPL and its vendors. Certain information in these documents and materials would also place FPL at a disadvantage when coupled with other information that is publicly available. This information is protected by Section 366.093(3)(d), Fla. Stat. Additionally, certain information relates to FPL's competitive interests. Disclosure would impair the competitive business of FPL and the provider of the information. Such information is protected by Section 366.093(3)(e), Fla. Stat.

5. 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), Fla. Stat. (2011).

**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 Request for Confidential Classification be granted.

Respectfully submitted,

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By:   
\_\_\_\_\_  
Maria J. Moncada  
Fla. Bar No. 0773301

## CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Request for Confidential Classification(\*) has been furnished via hand delivery(\*\*) or by U.S. Mail this 16th day of August, 2012, to the following:

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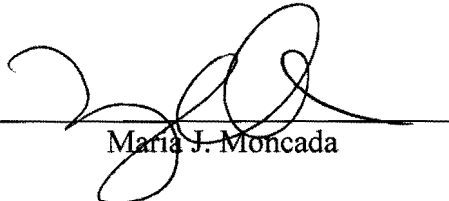
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**Attorneys for the Village of Pinecrest**

By: \_\_\_\_\_



Maria J. Moncada

\* The exhibits to this Request are not included with the service copies, but copies of Exhibits B, C and D are available upon request.

**EXHIBIT A**

**CONFIDENTIAL**

**FILED UNDER SEPARATE COVER**