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September 27, 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

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

Re: Docket #120015-EI

For DN 06494-12, which
is in locked storage. You must be
authorized to view this DN.-CLK

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 of Documents Produced. 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 is a justification table in support of FPL's Request for Confidential Classification. Exhibit D contains an affidavit 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.

Sincerely,

Jordan White

COM
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ECO
ENG
GCL
IDM
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CLK MM-1

Enclosures
cc: parties of record, w/out exhibits

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12 SEP 27 PM 12:16
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CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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

Docket No. 120015-EI
September 27, 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 Issue 30 Excerpt from the Office of Public Counsel's ("OPC") Post-hearing Brief ("Issue 30 Excerpt") that was filed in this docket on September 21, 2012. In support of this request, FPL states the following:

1. On September 20, 2012, FPL filed a Notice of Intent to Request Confidential Classification of the Issue 30 Excerpt. 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 Issue 30 Excerpt 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 of the confidential document, 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 document, 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 affiant who supports the requested classification.

d. Exhibit D contains the affidavit of Matthew S. Belger.

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 affidavit included in Exhibit D indicates, certain materials provided by FPL contain information concerning bids and other contractual information, the disclosure of which would impact FPL's ability to contract for service on favorable terms. Specifically, the information contains or constitutes information related to property that is currently the subject of litigation, the disclosure of which would impair FPL's litigation position and would provide an advantage to the opposing party. This information is protected by Section 366.093(3)(d), Fla. Stat. Additionally, certain information provided by FPL relates to FPL's competitive interests. The materials contain information regarding FPL's business strategies related to property acquisition. The disclosure of such strategies would negatively impact FPL's negotiation position and give an advantage to the opposing party. 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: 
Jordan White
Authorized House Counsel No. 97304

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 27th day of September, 2012, to the following:

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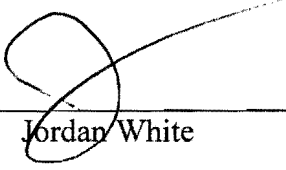
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By: _____

Jordan White

* 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