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February 8, 2013

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

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

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COMMISSION
CLERK

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RECEIVED - FPSC

Re: Florida Power & Light Company's Petition for Approval of Negotiated Renewable Energy Contracts with U.S. EcoGen - Docket No. 120314-EQ

Dear Ms. Cole:

Please find enclosed for filing an original and seven (7) copies of Florida Power & Light Company's Request for Confidential Classification of Documents Produced pursuant to FPL's Notice of Intent filed January 29, 2013. 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 an original 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.

Thank you for your assistance. Please contact me should you or your staff have any additional questions regarding this filing.

COM _____
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TEL _____
CLK _____

Sincerely,

William P. Cox
Senior Attorney
Florida Bar No. 0093531

WPC/bag
Enclosures

DOCUMENT NUMBER-DATE

00772 FEB-8 2

FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for approval of negotiated renewable energy contracts with U.S. EcoGen Okeechobee, LLC, U.S. EcoGen Clay, LLC, and U.S. EcoGen Martin, LLC, by Florida Power & Light Company

Docket No. 120314-EQ
Date: February 8, 2013

**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 confidential information included in its responses to data requests from the Staff of the Florida Public Service Commission ("Staff"). These data requests refer to Docket No. 120314, FPL's Petition for approval of negotiated power purchase agreement with U.S. EcoGen Okeechobee, LLC, U.S. EcoGen Clay, LLC, and U.S. EcoGen Martin, LLC. ("Petition") In support of this request, FPL states the following:

1. Petitioner, FPL, is an investor-owned utility subject to the jurisdiction of the Florida Public Service Commission under Chapter 366 of the Florida Statutes.
2. On January 29, 2013, FPL filed a Notice of Intent to Request confidential classification of certain information provided in 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.

DOCUMENT NUMBER-DATE

00772 FEB-8 2013

FPSC-COMMISSION CLERK

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

a. Exhibit A consists of a copy of the confidential responsive 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 responsive 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 affiant who supports the requested classification.

d. Exhibit D contains the affidavit of Thomas Hartman.

4. 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.

5. As the affidavit included in Exhibit D indicates, certain materials provided by FPL contain fuel price forecasts. Disclosing this confidential information would negatively

impact FPL's ability to competitively negotiate contracts for the purchase of fuel. Such information is protected by Sections 366.093(3)(d) and 366.093(3)(e), Fla. Stat.

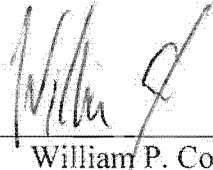
6. Upon a finding by the Commission that the information highlighted in Exhibit A, and referenced in Exhibit C, is proprietary confidential business information, the information should not be declassified for a period of at least eighteen (18) months and should be returned to FPL as soon as the information 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: _____



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