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AIRBORNE EXPRESS

FILE COPY

March 16, 1995

Ms. Blanca Bayo, Director
Division of Records and Reporting
Florida Public Service Commission
Fletcher Building
101 East Gaines Street
Tallahassee, Florida 32399-0850

Re: Florida Power & Light Company's (FPL)
Notice of Intent to Request Confidential Classification (NOI)
In The Capacity Cost Recovery Clause, Docket No. 950001-EI

Dear Ms. Bayo:

Please find enclosed an original and fifteen copies of FPL's Notice of Intent regarding the Commission Staff's Document/Record Request Number 1, dated February 21, 1995, and Number 2 dated March 9, 1995, for the Staff's audit of FPL's capacity cost recovery clause. Pursuant to F.A.C. Rule 25-22.006, Confidential Information, as amended and filed April 6, 1990, FPSC Order No. 22795, FPL hereby files its Notice of Intent with the Commission's Division of Records and Reporting.

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— Please return a file stamped copy of this letter to me in the stamped, self-addressed envelope provided herein. If you have any questions regarding this filing, please call me at (305) 552-2724.

Sincerely,
Dudley

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Steven H. Feldman
Attorney

/ SHF:sk

— Enclosure

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RECEIVED & FILED
MAR 20 1995
RECORDS

DOCUMENT NUMBER-DATE
02937 MAR 20 95
FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In the Matter of Florida Power & Light)
Company's Request for Confidential)
Classification in the Capacity) Docket No. 950001-EI
Cost Recovery Clause)

NOTICE OF INTENT TO REQUEST
CONFIDENTIAL CLASSIFICATION IN THE CAPACITY
COST RECOVERY CLAUSE

Comes Now Florida Power & Light Company (hereinafter FPL) and files this its Notice of Intent to Request Confidential Classification (hereinafter NOI) pursuant to F.A.C. Rule 25-22.006, Confidential Information, as amended and filed on April 6, 1990, FPSC Orde. No. 22795, FPL further states:

1. Petitioner's name and address is:

Florida Power & Light Company
P. O. Box 029100
Miami, Florida 33102-9100

Orders, notices, or other pleadings relevant hereto should be served on:

Steven H. Feldman
LAW/GO, Room 6528
Florida Power & Light Company
P. O. Box 029100
Miami, Florida 33102-9100

2. Pursuant to the Florida Public Service Commission's ("Commission") audit of FPL's capacity cost recovery clause for the period April, 1994 - March 1995, the Commission's Staff has provided FPL with several written requests for information.

DOCUMENT NUMBER-DATE

02937 MAR 20 1995

FPSC-RECORDS/REPORTING

3. The material requested by Staff Document/Record Request (D/RR) No. 1 is information from internal auditing controls and reports of internal auditors. As such, the information is confidential pursuant to §366.093(3)(b), Florida Statutes.
4. D/RR No. 1 is attached hereto as Attachment A.
5. The material requested by Staff Document/Record Request (D/RR) No. 2 provided pursuant to the Commission's audit of FPL's capacity cost recovery clause is intended to be and is treated by FPL as proprietary confidential business information as that term is defined in §366.093, Florida Statutes.
6. D/RR No. 2 is confidential propriety business information because disclosure of the information concerning contractual data of FPL's vendors would impair the efforts of FPL to contract for goods and services on favorable terms. The disclosure of contractual data would also impair the competitive business of the provider of the information. The material is confidential pursuant to §§366.093(3)(d) and (e), Florida Statutes.
7. D/RR No. 2 is attached hereto as Attachment B.
8. Pursuant to F.A.C. Rule 25-22.006 (3)(a), as amended, this filing constitutes a temporary exemption from §119.07, F.S., for the material identified by the Staff D/RR delineated above which the Staff obtains, as defined in Subsection (1)(e) of F.A.C. Rule 25-22.006. Furthermore, in accordance with

Subsection (3)(d) of F.A.C. Rule 25-22.006, the Commission shall accord the material subject to the above listed D/RR's stringent safeguards against public disclosure.

WHEREFORE, FPL requests the Commission to treat the above-mentioned material identified as confidential in accordance with Subsection (3)(d) of Rule 25-22.006, Florida Administrative Code, as amended.

Respectfully submitted,



Steven H. Feldman, Esq.
Florida Power & Light Company
P. O. Box 029100-9100
Miami, Florida 33102-9100
Florida Bar No. 0869181

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of Florida Power & Light Company's Notice of Intent to Request Confidential Classification was provided by first class mail to Ruth Young, Kathy Welch and Iliana Piedra at the Florida Public Service Commission, Division of Auditing and Financial Analysis, 3625, N.W. 82 Avenue, Suite 400, Miami, Florida 33166-7602 on this 16th day of March, 1995.



Steven H. Feldman, Esq.

(Please Use Ball Point Pen - Press Hard)

FLORIDA PUBLIC SERVICE COMMISSION
DOCUMENT / RECORD REQUEST

TO: Carlos Surologui

UTILITY: _____

FROM: Iliana Piedra
(AUDIT MANAGER)

(AUDITOR PREPARING REQUEST)

REQUEST NUMBER: 1

DATE OF REQUEST: 2/21/95

AUDIT PURPOSE: Capacities

REQUEST THE FOLLOWING ITEM(S) BE PROVIDED BY _____
(DATE)

REFERENCE RULE 25-22.006, F.A.C., THIS REQUEST IS MADE:

INCIDENT TO AN INQUIRY

ITEM DESCRIPTION:

OUTSIDE OF AN INQUIRY

Please provide access to the selected internal
audit.

TO: AUDIT MANAGER Iliana Piedra

DATE 3/8/95

THE REQUESTED RECORD OR DOCUMENTATION:

- (1) HAS BEEN PROVIDED TODAY
- (2) CANNOT BE PROVIDED IN THREE (3) WORK DAYS BUT WILL BE MADE AVAILABLE BY 3/9/95
- (3) AND IN MY OPINION THIS MATERIAL IS PROPRIETARY AND CONFIDENTIAL BUSINESS INFORMATION AS DEFINED IN 364.183, 366.093, OR 367.156, F.S. I UNDERSTAND THAT TO OBTAIN TEMPORARY CONFIDENTIAL HANDLING A NOTICE OF INTENT MUST BE FILED WITH THE DIVISION OF RECORDS AND REPORTING. TO MAINTAIN CONTINUED CONFIDENTIAL HANDLING OF THIS MATERIAL THE UTILITY OR OTHER PERSON MUST, WITHIN 21 DAYS AFTER THE COMMISSION STAFF HAS OBTAINED THE MATERIAL (OR IN THE CASE OF MATERIAL OBTAINED DURING THE COURSE OF AN AUDIT, WITHIN 21 DAYS AFTER THE AUDIT EXIT CONFERENCE) FILE A REQUEST FOR CONFIDENTIAL CLASSIFICATION WITH THE DIVISION OF RECORDS AND REPORTING, REFER TO RULE 25-22.006 F.A.C.
- (4) THE ITEM WILL NOT BE PROVIDED. (SEE ATTACHED MEMORANDUM)

Iliana Piedra Sr Accountant
SIGNATURE AND TITLE OF RESPONDENT

DISTRIBUTION:

Original: Utility Complete and Return to Auditor Pink: To FPSC Analyst Goldenrod: Audit File Copy Canary: Utility Retain
PSC/AFA-6 (Rev. 7/90)

(Please Use Ball Point Pen - Press Hard)

FLORIDA PUBLIC SERVICE COMMISSION
DOCUMENT / RECORD REQUEST

TO: Carlos Swastegui
UTILITY: FPL
FROM: I. Piedra
(AUDIT MANAGER)

2
(AUDITOR PREPARING REQUEST)

REQUEST NUMBER: 2

DATE OF REQUEST: 3/9/95

AUDIT PURPOSE: _____

REQUEST THE FOLLOWING ITEM(S) BE PROVIDED BY 3/13/95
(DATE)

REFERENCE RULE 25-22.006, F.A.C., THIS REQUEST IS MADE:

- INCIDENT TO AN INQUIRY
- OUTSIDE OF AN INQUIRY

ITEM DESCRIPTION:

Please provide

1) Company files 4/94 - 9/94, 10/94 - available
copy ATTACHED 3/8/95

2) Documentation for CAS charges, STAPP charges
(and related contacts)

TO: AUDIT MANAGER Iliana Piedra

DATE 3/8/95

THE REQUESTED RECORD OR DOCUMENTATION:

- (1) HAS BEEN PROVIDED TODAY
- (2) CANNOT BE PROVIDED IN THREE (3) WORK DAYS BUT WILL BE MADE AVAILABLE BY 3/20/95
- (3) AND IN MY OPINION THIS MATERIAL IS PROPRIETARY AND CONFIDENTIAL BUSINESS INFORMATION AS DEFINED IN 364.183, 366.093, OR 367.156, F.S. I UNDERSTAND THAT TO OBTAIN TEMPORARY CONFIDENTIAL HANDLING A NOTICE OF INTENT MUST BE FILED WITH THE DIVISION OF RECORDS AND REPORTING. TO MAINTAIN CONTINUED CONFIDENTIAL HANDLING OF THIS MATERIAL THE UTILITY OR OTHER PERSON MUST, WITHIN 21 DAYS AFTER THE COMMISSION STAFF HAS OBTAINED THE MATERIAL (OR IN THE CASE OF MATERIAL OBTAINED DURING THE COURSE OF AN AUDIT, WITHIN 21 DAYS AFTER THE AUDIT EXIT CONFERENCE) FILE A REQUEST FOR CONFIDENTIAL CLASSIFICATION WITH THE DIVISION OF RECORDS AND REPORTING, REFER TO RULE 25-22.006 F.A.C.
- (4) THE ITEM WILL NOT BE PROVIDED. (SEE ATTACHED MEMORANDUM)

Carlos Swastegui Sr Accountant
SIGNATURE AND TITLE OF RESPONDENT

DISTRIBUTION:

Original: Utility Complete and Return to Auditor Pink: To FPSC Analyst Goldenrod: Audit File Copy Canary: Utility Retain
PSC/ASA-6 (Rev. 1/93)