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September 28, 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

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Re: Docket No. 120002-EG
 Request for Confidential Classification (Audit No. 09-350-4-1)

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 Information Provided Pursuant to Audit No. 09-350-4-1. The original includes Revised Exhibits A, B (two copies), C and D. The seven copies do not include copies of the Exhibits.

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

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

Sincerely,

Maria J. Moncada

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Enclosures
 cc: parties of record, w/out exhibits

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Energy Conservation Cost Recovery
Clause

Docket No: 120002-EG
Date: September 28, 2012

**FLORIDA POWER AND LIGHT COMPANY'S FIRST REQUEST
FOR EXTENSION OF CONFIDENTIAL CLASSIFICATION
OF INFORMATION PROVIDED PURSUANT TO AUDIT NO. 09-350-4-1**

Pursuant to Section 366.093, Florida Statutes (2011) ("Section 366.093"), and Rule 25-22.006, Florida Administrative Code, Florida Power & Light Company ("FPL") hereby submits its First Request for Extension of Confidential Classification of Information Provided Pursuant to Audit No. 09-350-4-1 ("Confidential Information"). In support of this request, FPL states as follows:

1. On June 30, 2010 ("June 30, 2010 Request") FPL filed a Request for Confidential Classification of the Confidential Information. The June 30, 2010 Request included Exhibits A, B, C, and D. By Order No. PSC-11-0181-CFO-EG, dated March 30, 2011 ("Order 0181"), the Commission granted FPL's June 30, 2010 Request. FPL adopts and incorporates by reference the June 30, 2010 Request and Order 0181.

2. The period of confidential treatment granted by Order 0181 will soon expire. The Confidential Information that was the subject of FPL's June 30, 2010 Request and Order 0181 warrants continued treatment as proprietary and confidential business information within the meaning of Section 366.093(3). Accordingly, FPL hereby submits its First Request for Extension of Confidential Classification.

3. Included herewith and made a part hereof are Revised Exhibits A and B together with Revised Exhibit C to reduce the number of pages for which confidential treatment is sought.

4. Revised Exhibit D contains the affidavits of Antonio Maceo, Damaris Rodriguez, Anita Sharma and Robert J. Miller in support of this request. FPL has determined that only some of the information, which was confidential at the time of the June 30, 2010 request, warrants continued confidential treatment.

5. Revised Exhibits A and B consist of modified highlighted and redacted copies of the specific working papers where FPL has determined that a portion of the information previously designated as confidential requires continued confidential treatment.

6. 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 customers. Pursuant to Section 366.093, 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.

7. As the affidavits included in Revised Exhibit D indicate, the Confidential Information includes proprietary information of FPL concerning internal auditing controls, reports or notes of internal auditors or information relating to internal auditing controls issued in 2009. This information is protected by Section 366.093(3)(b), Fla. Stat. Also, certain information contain bids or other contractual data, the disclosure of which would impair the efforts of FPL to contract for goods or services on favorable terms. This information is protected by Section 366.093(3)(d), Fla. Stat.

8. Additionally, some information provided also relates to the competitive interests, the disclosure of which would impair the competitive business of FPL's counter-party. Such information is protected by Section 366.093(3)(e).

9. Certain documents contain information that relates to customer-specific account information, which if disclosed would impair FPL's competitive interests or those of its vendors. It is FPL's corporate policy not to disclose customer-specific information. This policy includes, but is not limited to: customer names, addresses, telephone numbers, and account numbers, rates, billing determinants (kW and kWh usage), conservation savings in kW, kWh and bills. FPL treats such information as confidential and does not disclose it, except as required by law, to entities or persons other than the customer absent the customer's consent. This information is protected pursuant to Section 366.093(3)(e).

10. Last, some documents contain information related to payroll, pension and welfare rates. This information is protected by Section 366.093(3)(f), Fla. Stat.


11. 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), 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 First Request for Extension of Confidential Classification be granted.

Respectfully submitted,

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By:



Maria J. Moncada
Florida Bar No. 0773301

CERTIFICATE OF SERVICE
Docket No. 120002-EG

I HEREBY CERTIFY that a true and correct copy of the foregoing Request for Confidential Classification(*) was served by hand delivery(**) or by U.S. Mail this 28th day of September, 2012 to the following:

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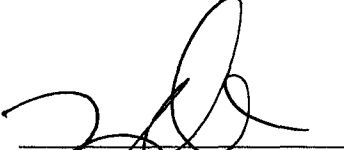
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Maria J. Moncada

* 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