

Shawna Senko

From: Bussey, Jacqueline <Jacqueline.Bussey@fpl.com>
Sent: Thursday, November 07, 2013 10:32 AM
To: Filings@psc.state.fl.us
Cc: Martha Barrera; jmoyle@moylelaw.com; 'Kelly.jr@leg.state.fl.us'; christensen.patty@leg.state.fl.us; Rehwinkel.charles@leg.state.fl.us; 'mcglothlin.joseph@leg.state.fl.us'; 'sayler.erik@leg.state.fl.us'; jas@beggslane.com; rab@beggslane.com; 'john.burnett@pgnmail.com'; 'dianne.triplett@pgnmail.com'; bkeating@gunster.com; Michael Barrett; jbeasley@ausley.com; jwahlen@ausley.com; schef@gbwlegal.com; Jlavia@gbwlegal.com; 'jbrew@bbrslaw.com' (jbrew@bbrslaw.com); 'ataylor@bbrslaw.com' (ataylor@bbrslaw.com); Bussey, Jacqueline
Subject: Docket #130001 - Electronic filing
Attachments: December-November 2011 and January-December 2012.pdf

a. Person responsible for this electronic filing:

John T. Butler, Esq.
700 Universe Boulevard
Juno Beach, FL 33408
561-304-5639
John.Butler@fpl.com

b. Docket No. 130001-EI

In Re: Fuel and purchase power cost recovery clause with generating performance incentive factor

c. The document is being filed on behalf of Florida Power & Light Company.

d. There are a total of 5 pages.

e. The document attached for electronic filing is Florida Power & Light Company's First Request for Extension of Confidential Classification of Certain Information Contained in Forms 423-1(a), 423-2, 423-2(a) and 423-2(b) for December/November 2011 and January/December 2012..

Jacki Bussey, CLA
Florida Power & Light Company
700 Universe Blvd., LAW/JB
Juno Beach, Florida 33408
(561) 691-7120
Jacqueline.Bussey@fpl.com

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Fuel and purchase power cost recovery
clause with generating performance incentive
factor

Docket No: 130001-EI
Date: November 7, 2013

**FLORIDA POWER AND LIGHT COMPANY'S FIRST REQUEST FOR EXTENSION
OF CONFIDENTIAL CLASSIFICATION OF CERTAIN INFORMATION
CONTAINED IN FORMS 423-1(a), 423-2, 423-2(a) and 423-2(b)
FOR DECEMBER/NOVEMBER 2011 AND JANUARY/DECEMBER 2012**

Pursuant to Section 366.093, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, Florida Power & Light Company ("FPL") hereby submits its First Request for Extension of Confidential Classification of certain material provided to the Florida Public Service Commission ("Commission") in connection with its Forms 423-1(a), 423-2, 423-2(a) and 423-2(b) for December/November 2011 and January/December 2012. In support of this First Request for Extension of Confidential Classification, FPL states as follows:

1. On February 22, 2012 FPL filed a Request for Confidential Classification of certain materials contained in its Forms 423-1(a), 423-2, 423-2(a) and 423-2(b) for December/November 2011, which included Exhibits A, B and C. ("February 22, 2012 Request").

2. On March 22, 2012 FPL filed a Request for Confidential Classification of certain materials contained in its Forms 423-1(a), 423-2, 423-2(a) and 423-2(b) for January/December 2012, which included Exhibits A, B and C. ("March 22, 2012 Request").

3. By Order No. PSC-12-0289-CFO-EI, dated June 4, 2012 ("Order 0289"), the Commission granted FPL's February 22, 2012 Request and March 22, 2012 Request.

4. FPL adopts and incorporates by reference the February 22, 2012, and March 22, 2012 Requests.

5. The period of confidential treatment granted by Order No. 0289 will soon expire. The Confidential Information that was the subject of FPL's February 22, 2012 and March 22,

2012 Requests warrant continued treatment as proprietary and confidential business information within the meaning of Section 366.093(3), F.S. Accordingly, FPL hereby submits its First Request for Extension of Confidential Classification.

6. FPL submits that the information contained in Exhibit A and referenced in Exhibits B and C continues to be proprietary confidential business information within the meaning of Section 366.093(3), F.S. 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, F.S., 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. Nothing has changed since the filing of FPL's February 22, 2012 and March 22, 2012 Requests to render the Confidential Information stale or public, such that continued confidential treatment would not be appropriate.

8. 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), F.S.

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,

John T. Butler
Assistant General Counsel - Regulatory
Florida Power & Light Company
700 Universe Boulevard
Juno Beach, FL 33408
Telephone: (561) 304-5639
Facsimile: (561) 691-7135

By: /s/ John T. Butler
John T. Butler
Florida Bar No. 283479

CERTIFICATE OF SERVICE
Docket No. 130001-EI

I HEREBY CERTIFY that a true and correct copy of the foregoing First Request for Extension of Confidential Classification has been furnished by electronic delivery this 7th day of November, 2013 to the following:

Martha F. Barrera, Esq.
Division of Legal Services
Florida Public Service Commission
2540 Shumard Oak Blvd
Tallahassee, Florida 32399-0850
mbarrera@psc.state.fl.us

Jeffrey A. Stone, Esq.
Russell A. Badders, Esq.
Beggs & Lane
Attorneys for Gulf Power
P.O. Box 12950
Pensacola, FL 32591-2950
jas@beggslane.com
rab@beggslane.com

Jon C. Moyle, Esq.
Moyle Law Firm, P.A.
118 N. Gadsden St.
Tallahassee, FL 32301
Counsel for FIPUG
jmoyle@moylelaw.com

John T. Burnett, Esq.
Dianne M. Triplett, Esq.
Attorneys for DEF
P.O. Box 14042
St. Petersburg, Florida 33733-4042
john.burnett@pgnmail.com
dianne.triplett@pgnmail.com

J. R. Kelly, Esq.
Patricia Christensen, Esq.
Charles Rehwinkel, Esq.
Joseph A. McGlothlin, Esq.
Erik L. Sayler, Esq.
Office of Public Counsel
c/o The Florida Legislature
111 West Madison Street, Room 812
Tallahassee, Florida 32399
Kelly.jr@leg.state.fl.us
Christensen.patty@leg.state.fl.us
rehwinkel.charles@leg.state.fl.us
mcglothlin.joseph@leg.state.fl.us
sayler.erik@leg.state.fl.us

Beth Keating, Esq.
Gunster Law Firm
Attorneys for FPUC
215 So. Monroe St., Suite 601
Tallahassee, Florida 32301-1804
bkeating@gunster.com

Michael Barrett
Division of Economic Regulation
Florida Public Service Commission
2540 Shumard Oak Blvd
Tallahassee, Florida 32399-0850
mbarrett@psc.state.fl.us

James D. Beasley, Esq
J. Jeffrey Wahlen, Esq.
Ausley & McMullen
Attorneys for Tampa Electric
P.O. Box 391
Tallahassee, Florida 32302
jbeasley@ausley.com
jwahlen@ausley.com

Robert Scheffel Wright, Esq.
John T. LaVia, III, Esq.
Gardner, Bist, Wiener, et al
Attorneys for Florida Retail Federation
1300 Thomaswood Drive
Tallahassee, Florida 32308
schef@gbwlegal.com
jlavia@gbwlegal.com

James W. Brew, Esq / F. Alvin Taylor, Esq.
Attorney for White Springs
Brickfield, Burchette, Ritts & Stone, P.C
1025 Thomas Jefferson Street, NW
Eighth Floor, West Tower
Washington, DC 20007-5201
jbrew@bbrslaw.com
ataylor@bbrslaw.com

/s/ John T. Butler

John T. Butler
Florida Bar No. 283479