

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for confidential classification of materials provided in connection with FPL Connect Service Audit, ACN 05-285-4-1, by Florida Power & Light Company.

DOCKET NO. 060224-EI
ORDER NO. PSC-12-0146-CFO-EI
ISSUED: March 28, 2012

ORDER GRANTING FLORIDA POWER & LIGHT COMPANY'S
REQUEST FOR CONTINUED CONFIDENTIAL CLASSIFICATION
OF DOCUMENT NOS. 00572-12, 01604-06 and 01605-06

Pursuant to Section 366.093, Florida Statutes (F.S.), and Rule 25-22.006, Florida Administrative Code (F.A.C.), Florida Power & Light Company (FPL or company) filed a request for extension of confidential treatment for certain materials provided to staff during Audit Control No. 05-285-4-1. Order No. PSC-06-0978-CFO-EI, issued November 27, 2006, initially granted confidential classification for the documents. Order No. PSC-08-0515-CFO-EI, issued August 12, 2008, and Order No. PSC-10-0477-CFO-EI, issued July 28, 2010, each granted an extension for confidential classification of the documents for a period of 18 months. FPL requests that the period of time for confidential treatment be extended for the information contained in Document Nos. 01604-06, 01605-06, and 00572-12.¹ FPL further requests that the information be returned to FPL as soon as it is no longer necessary for the Commission to conduct its business. Since audit materials of the type contained in these documents must be retained by the Commission for 15 years, the documents cannot be returned to FPL at this time.

Section 366.093(1), F.S., provides that records that the Commission has found to contain proprietary confidential business information shall be kept confidential and shall be exempt from Chapter 119, Florida Statutes. Section 366.093(3), F.S., defines proprietary confidential business information as information that is intended to be and is treated by the company as private, in that disclosure of the information would cause harm to the company's ratepayers or business operations, and that has not been voluntarily disclosed to the public. Section 366.093(3), F.S., provides that proprietary confidential business information includes:

(a) Trade secrets.

(e) Information relating to competitive interests, the disclosure of which would impair the competitive business of the provider of the information.

FPL requests continued confidential classification for the information identified as confidential in Attachment A. FPL asserts that some of the information for which it seeks

¹ Document No. 00572-12 replaces Document Nos. 02151-06 and 04185-06, which have been returned to the source.

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continued confidential status consists of cost allocation models and transaction records for FPL's affiliate Florida Power & Light Energy Services (FPLES). FPL contends that the information for which it is requesting renewal of confidential classification is entitled to confidential classification pursuant to Section 366.093(3)(a), F.S., as trade secrets, and Section 366.093(3)(e), F.S., as proprietary confidential business information, the disclosure of which would impair the competitive business of the provider of the information. FPL claims that nothing has changed since the Commission issued its prior confidentiality orders. The information is still of current value, and it has not been made public.

Upon review, it appears that the information identified as confidential in Attachment A satisfies the criteria set forth in Section 366.093(3)(a) and (e), F.S. The documents contain trade secrets and information relating to competitive interests, the disclosure of which would impair FPL's affiliate's competitive business. Therefore, the extension of confidential classification for Document Nos. 01604-06, 01605-06, and 00572-12 is granted.

Section 366.093(4), Florida Statutes, limits the duration of confidential classification or the extension of confidential classification to 18 months, unless there is good cause to extend the protection for a specified longer period. I find that confidentiality should be extended for 18 months. If necessary, FPL may request an additional extension at the appropriate time.

Based on the foregoing, it is

ORDERED by Commissioner Eduardo E. Balbis, as Prehearing Officer, that Florida Power & Light Company's Third Request for Extension of Confidential Classification of Materials Provided Pursuant to Audit Control No. 05-285-4-1 is granted. It is further

ORDERED that the confidential information described in Attachment A to this order and contained in Document Nos. 01604-06, 01605-06, and 00572-12 shall be granted an additional 18 months of confidential classification. It is further

ORDERED that pursuant to Rule 25-22.006, F.A.C., and Section 366.093(3), F.S., confidentiality granted to the documents specified herein shall expire 18 months from the date of the issuance of this Order in the absence of a renewed request for confidentiality. It is further

ORDERED that this Order will be the only notification by the Commission to the parties concerning the expiration of the confidentiality time period. It is further

ORDERED that this docket shall be closed.

By ORDER of Commissioner Eduardo E. Balbis, as Prehearing Officer, this 28th day
of March, 2012.



EDUARDO E. BALBIS
Commissioner and Prehearing Officer
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Copies furnished: A copy of this document is provided to the parties of record at the time of issuance and, if applicable, interested persons.

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NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

Any party adversely affected by this order, which is preliminary, procedural or intermediate in nature, may request: (1) reconsideration within 10 days pursuant to Rule 25-22.0376, Florida Administrative Code; or (2) judicial review by the Florida Supreme Court, in the case of an electric, gas or telephone utility, or the First District Court of Appeal, in the case of a water or wastewater utility. A motion for reconsideration shall be filed with the Office of Commission Clerk, in the form prescribed by Rule 25-22.0376, Florida Administrative Code. Judicial review of a preliminary, procedural or intermediate ruling or order is available if review of the final action will not provide an adequate remedy. Such review may be requested from the appropriate court, as described above, pursuant to Rule 9.100, Florida Rules of Appellate Procedure.

THIRD REVISED EXHIBIT C

COMPANY: Florida Power & Light Company
TITLE: List of Confidential Work Papers
AUDIT: FPL Connect Service Audit
AUDIT CONTROL NO: 05-285-4-1
DOCKET NO. 060224- EI

Work paper No.	Description	Conf. Y/N	No. of Pages	Line No. Column No.	Florida Statute 368.093(3) Subsection	Affiant
N/A	Workpaper Index	N	1	N/A	N/A	N/A
1	Audit Report	N	1	N/A	N/A	N/A
		N	2	N/A	N/A	N/A
		N	3	N/A	N/A	N/A
		N	4	N/A	N/A	N/A
		Y	5	Line 26	N/A	N/A
		N	6	N/A	N/A	N/A
		N	7	N/A	N/A	N/A
		Y	8	Line 3	(e)	María Besada
1	Audit Report Annotated	N	1	N/A	N/A	N/A
		N	2	N/A	N/A	N/A
		N	3	N/A	N/A	N/A
		N	4	N/A	N/A	N/A
		Y	5	Line 26	(a); (e)	María Besada
		N	6	N/A	N/A	N/A
		N	7	N/A	N/A	N/A
		Y	8	Lines 3	(e)	María Besada
5A	Notes from meeting on explanation the FPL Service Connect Process	N	1 – 2	N/A	N/A	N/A
5B	Meeting on clarification of the cost allocation worksheets provided	N	1 2	N/A	N/A	N/A
25	Notes of observation of FPLES representative	N	1	N/A	N/A	N/A
		N	2	N/A	N/A	N/A
		Y	3	Line 5	(e)	María Besada
		N	4	N/A	N/A	N/A
		N	5	N/A	N/A	N/A
		N	6	N/A	N/A	N/A
		N	7	N/A	N/A	N/A
25-1	Audit Finding #3	N	1-2	N/A	N/A	N/A
25A	Print Screen of Vapors	Y	1	Lines 2 – 20, EXCEPT CONNECT SERVICE PARTNERS NAMED ON LINES 12 - 18	(a); (e)	María Besada
28	Summary of FPL representative training	N	1 2	N/A N/A	N/A N/A	N/A N/A
29	Script used by FPLES to offer services	N	1 – 15	N/A	N/A	N/A
29-1	Audit finding #1	N	1	N/A	N/A	N/A
42-1	FPLES description of services	N	1	N/A	N/A	N/A
42-2	FPLES connect service providers	N	1	N/A	N/A	N/A
42-3	Explanation of FPLES Connect Services	Y	1	Lines 20-21	(a); (e)	María Besada
42-4	Cost Allocation question	N	1	N/A	N/A	N/A
42-5	Commission received from FPLES	N	1	N/A	N/A	N/A
42-7	Types of calls transferred	Y	1	Line 13	(a); (e)	María Besada
42-8	Customer information transferred	N	1	N/A	N/A	N/A
42-10	Training provided to FPLES representatives	N	1	N/A	N/A	N/A
43	Summary of Cost Allocation and Audit Findings	Y	1	Lines 8-22, 24-25, 27-28	(e)	María Besada
		Y	2	Line 25	(a); (e)	María Besada
		N	3	N/A	N/A	N/A
		N	4	N/A	N/A	N/A
		Y	5	Line 3	(e)	María Besada
		Y	6	N/A	N/A	N/A
43-1	Cost Allocation	Y	1	Lines 18-19, 21, 24, 32	(a); (e)	María Besada

Work paper No.	Description	Conf. Y/N	No. of Pages	Line No. Column No.	Florida Statute 366.093(3) Subsection	Affiant
		Y	2	Lines 33-35, Col. H	(e)	Maria Besada
		N	3	N/A	N/A	N/A
		Y	4	Lines 2-10, 12-19, 22-31, 34-35	(a); (e)	Maria Besada
		Y	5	Lines 5, 18, 31, 44, 57	(e)	Maria Besada
		Y	6	Lines 12, 25	(e)	Maria Besada
		N	7	N/A	N/A	N/A
		N	8	N/A	N/A	N/A
		Y	9	Lines 33-35	(e)	Maria Besada
		N	10	N/A	N/A	N/A
		Y	11	Lines 32-34	(e)	Maria Besada
		N	12	N/A	N/A	N/A
43-2	Cost Allocation	N	1-21	N/A	N/A	N/A
43-2A	Observation of FPL representative-notes	N	1-3	N/A	N/A	N/A
43-3	Cost Allocation Manual	N	1-4	N/A	N/A	N/A
44 p.2	Bill Insert	Y	1	Line 20	(e)	Maria Besada
44-17	Bill Insert Cost	Y	1	Lines 1-33, 35-37	(a); (e)	Maria Besada
44-19	Bill Insert Information	Y	1	Lines 18, 20	(e)	Maria Besada
		Y	2	Lines 8-9	(e)	Maria Besada
44-20	Policy on bill inserts	N	1-2	N/A	N/A	N/A
44-21	Bill stuffers information	Y	1	Lines 18-23	(e)	Maria Besada
44-23	Cost related to bill inserts	N	1	N/A	N/A	N/A
		Y	1	Lines 7, 11, 16-21	(e)	Maria Besada
		Y	2	Lines 13-15 Col. N, Lines 17-23 Cols. S & T	(e)	Maria Besada
44-24	FPL Revenue	N	3	N/A	N/A	N/A
		Y	4	Lines 17, 27, Col. N	(e)	Maria Besada
		Y	5	Line 17, Col. N	(e)	Maria Besada
		N	6	N/A	N/A	N/A
45	FPL Group Code of Conduct	N	1-20	N/A	N/A	N/A
46	Total revenue received by FPLES related to service connect calls	Y	1	Lines 19, 21	(e)	Maria Besada
46-1A	Web shot display	N	1-2	N/A	N/A	N/A
		Y	1	Lines 15 - 22, Col. C	(e)	Maria Besada
46-1	Gas service revenues	Y	2-3	All	(e)	Maria Besada
		N	4	N/A	N/A	N/A
		Y	5	Lines 15-21, Col. C	(e)	Maria Besada
		Y	6-7	All	(e)	Maria Besada
		N	8	N/A	N/A	N/A
		Y	1	Lines 15 - 19, Col. C	(a); (e)	Maria Besada
		N	2-3	N/A	N/A	N/A
		Y	4	Lines, 5, 11, 17, 22, 28, Col. B, Lines 5 - 33, Cols. D - F	(e)	Maria Besada
		Y	5	Lines 5, 11, 16, 24, 29, Col. B, Lines 5 - 34, Col. D - F	(e)	Maria Besada
		Y	6	Lines 5, 10, 16, Col. B, Lines 5 - 22, Cols. D - F	(e)	Maria Besada
		Y	7	Lines 5, 10, 16, 21, 26, 34, Col. B, Lines 5 - 34, Cols. D - F	(e)	Maria Besada
		Y	8	Lines 9, 14, 19, 25, 31, Col. B, Lines 5 - 32, Cols. D - F	(e)	Maria Besada
46-2	Cash receipts received on behalf of FPLES	Y	9	Lines 8, 13, 18, 23, 28, 33, Col. B, Lines 5 - 33, Cols. D - F	(e)	Maria Besada
		Y	10	Lines 9, 17, 22, 28, 34, Col. B, Lines 5 - 34, Cols. D - G	(e)	Maria Besada
		Y	11	Lines 10, 15, 20, 25, 30, Col. B, Lines 5 - 33, Cols. D - F	(e)	Maria Besada
		Y	12	Lines 7, 14, 20, 25, 34, Col. B, Lines 5 - 34, Cols. D - F	(e)	Maria Besada
		Y	13	Lines, 9, 14, 19, 27, 33, Col. B, Lines 5 - 33, Col. D-F	(e)	Maria Besada
		Y	14	Lines 9, 17, 22, 30, Col. B, Lines 5 - 35, Cols. D - G	(e)	Maria Besada
		Y	15	Lines 5, 11, 17, 22, 27, Col. B,	(e)	Maria Besada

Work paper No.	Description	Conf. Y/N	No. of Pages	Line No. Column No.	Florida Statute 366.093(3) Subsection	Affiant
		Y	16	Lines 5 - 34, Col. D - G	(e)	Maria Besada
		Y	17	Lines 6, 11, 17, 23, 29, Col. B, Lines 5 - 32, Cols. D - F	(e)	Maria Besada
		Y	18	Lines 6, 11, 18, 23, 28, 33, Col. B, Lines 5 - 33, Cols. D - F	(e)	Maria Besada
		Y	19	Lines 9, 14, 19, 24, 29, Col. B, Lines 5 - 34, Cols. D - F	(e)	Maria Besada
		N	20	Lines 31, 36, Col. B, Lines 5 - 43, Cols. D - G	(e)	Maria Besada
		N	20	N/A	N/A	N/A
46-3	Transfer cash collected at FPL for VAPS to inter-company payable account to FPLES	Y	1	Lines 16 - 25, Col. C	(e)	Maria Besada
		Y	2	Lines 5 - 7, 12, Cols. D - E & Lines 8-21, Col. B	(e)	Maria Besada
		Y	3	Lines 5 - 8, Cols. C & D	(e)	Maria Besada
		Y	4	Lines 4 - 11, Cols. B & E	(e)	Maria Besada
		Y	5	Lines 4 - 7, Cols. B - F & Lines 9 - 12, Col. F & Line 14, Col. D	(e)	Maria Besada
		Y	6	Lines 4 - 9, Cols. B - H & Lines 11 - 16, Col. H	(e)	Maria Besada
		Y	7	Lines 15 - 18, Col. C	(a); (e)	Maria Besada
Y	8	Lines 6 - 8, Col. B & Lines 19 - 21, Line 23, Col. A & Lines 25 - 26, Col. C	(a); (e)	Maria Besada		
Y	9	Lines 9 - 12.5, Cols. A - E, G, H	(a); (e)	Maria Besada		
46-4	Journal entry to true-up bad debt provision for the in-territory portion of natural gas	Y	1	Lines 15 - 17, Col. C	(e)	Maria Besada
		Y	2-4	All	(e)	Maria Besada
		Y	5	Line 29, Col. B	(e)	Maria Besada
		Y	6	Lines 11 - 12 & Lines 16 - 18, Col. B	(e)	Maria Besada
		N	7	N/A	N/A	N/A
		Y	8	Line 6, Col. B & Line 8, Col. D & Line 10, Col. F & Lines 19 - 22, 24 & Lines 31 - 32 & Line 33, Col. I	(e)	Maria Besada
Y	9	Lines 8 - 9, Col. G & Line 18, Cols. L & N, Lines 19 - 20	(e)	Maria Besada		
47-1	General Ledger Monthly Transaction 12/04	N	1-4	N/A	N/A	N/A
		Y	5	Lines 14-18, Col. B	(e)	Maria Besada
		N	6	N/A	N/A	N/A
47-2	General Ledger Monthly Transaction 12/04	Y	1	Lines 7-9, Cols. D-E	(e)	Maria Besada
		Y	2	Lines 14-19, Cols. B	(e)	Maria Besada
		Y	3	Lines 7-11, Cols. D-E	(e)	Maria Besada
		N	4	N/A	N/A	N/A
		Y	5	Lines 14-21, Col. B	(e)	Maria Besada
49	Web site information	N	1-17	N/A	N/A	N/A