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COMMISSION  
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November 4, 2013

**VIA HAND DELIVERY**

Ms. Ann Cole, Director  
Division of the Commission Clerk and Administrative Services  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850

**REDACTED**

**Re: Docket No. 130007-EI**

Dear Ms. Cole:

I enclose for filing in the above docket an original and seven (7) copies of Florida Power & Light Company's ("FPL's") Request for Confidential Classification of Late Filed Exhibits WLY-3 and 4 to William Yeager Deposition. 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 is a justification table in support of FPL's Request for Confidential Classification. Exhibit D contains one 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.

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

Sincerely,  
  
Maria J. Moncada

COM	_____
AFD	1
APA	1
ECO	1
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TEL	_____
CLK	_____
*+   EXH B.	

Enclosure

cc: Counsel for Parties of Record (w/ copy of FPL's Request for Confidential Classification)

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

Environmental Cost Recovery Clause

Docket No: 130007-EI

Date: November 4, 2013

**REQUEST FOR CONFIDENTIAL CLASSIFICATION OF INFORMATION OF  
LATE FILED EXHIBITS WLY-3 AND 4 TO WILLIAM YEAGER DEPOSITION**

Pursuant to Section 366.093 of the Florida Statutes, and Rule 25-22.006, Florida Administrative Code, Florida Power & Light Company (“FPL”) requests confidential classification of certain information contained in Exhibits WLY-3 and 4 (a combined exhibit) to the deposition of William L. Yeager. In support of its Request, FPL states as follows:

1. On October 15, 2013, FPL filed a Notice of Intent to Request Confidential Classification of Exhibits WLY-3 and 4 (a combined exhibit) to the deposition of William L. Yeager. 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 in Late Filed Exhibits WLY-3 and 4 to the deposition of William L. Yeager.

2. The following exhibits are included with this Request:

a. Exhibit A consists of a copy of Exhibits WLY-3 and 4 in which all of the confidential information is highlighted.

b. Exhibit B consists of a copy of Exhibits WLY-3 and 4 in which all of the Confidential Information is redacted.

c. Exhibit C is a table that identifies by page, line or column the Confidential Information, together with references to the specific statutory bases for the claim of confidentiality and to the affiant who supports the requested classification.

d. Exhibit D is the affidavit of William L. Yeager in support of this request.

3. FPL submits that the highlighted information in Exhibit A is proprietary confidential business information within the meaning of Section 366.093(3), Florida Statutes (“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 determined 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.

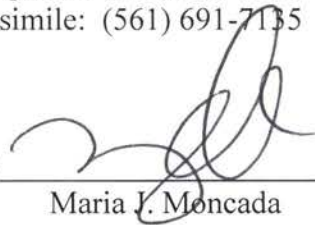
4. FPL seeks confidential protection for the highlighted information contained in Exhibits WLY-3 and 4, which consists of information relating to competitive interests of FPL and its vendor. Disclosure of this information would harm the competitive interests of both FPL and its vendor, and impair FPL’s ability to enter into contracts on commercially favorable terms in the future for the benefit of its customers. Such information is protected by Section 366.093(3)(e).

5. Upon a finding by the Commission that the Confidential Information is proprietary confidential business information within Section 366.093(3), such information should not be declassified for 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. § 366.093(4), Fla. Stat.

**WHEREFORE**, FPL respectfully requests confidential classification of the Confidential Information contained in Late Filed Exhibits WLY-3 and 4 to the deposition of William Yeager.

Respectfully submitted,  
R. Wade Litchfield, Esq.  
Vice President and General Counsel  
John T. Butler, Esq.  
Assistant General Counsel – Regulatory  
Maria J. Moncada  
Principal Attorney Florida Power & Light Company  
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Facsimile: (561) 691-7135

By: \_\_\_\_\_



Maria J. Moncada  
Fla. Bar No. 0773301

**CERTIFICATE OF SERVICE**  
**Docket No. 130007-EI**

**I HEREBY CERTIFY** that a true and correct copy of the foregoing has been furnished by electronic mail and United States mail this 4th day of November 2013, to the following:

Charles Murphy, Esq. \*  
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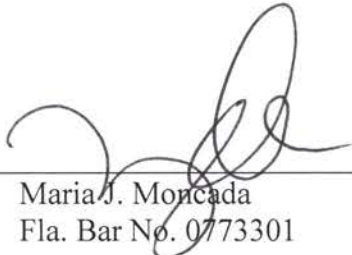
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By:   
\_\_\_\_\_  
Maria J. Moncada  
Fla. Bar No. 0773301

\*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**

# **EXHIBIT B**

## **REDACTED COPIES**



DOCKET NO. 130007-EI

LATE FILED EXHIBITS 3 AND 4

OCTOBER 9, 2013 DEPOSITION OF  
WILLIAM L. YEAGER

DESOTO ADDITIONAL CAPITAL COSTS

CONFIDENTIAL

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

# **EXHIBIT C**

## **JUSTIFICATION TABLE**

**EXHIBIT C**

**Florida Power and Light Company  
Late Filed Exhibits 3 and 4 to the Deposition of William L. Yeager  
Docket No. 130007-EI**

<b>Description</b>	<b>No. of Pages</b>	<b>Conf. Y/N</b>	<b>Line No./ Col. No.</b>	<b>Florida Statute 366.093 (3) Subsection</b>	<b>Affiant</b>
LFX WLY 3 and 4 (combined), Additional DeSoto Capital Costs	1	Y	Pg. 1, All	(e)	William L. Yeager

**EXHIBIT D**

**AFFIDAVIT**

EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

Environmental Cost Recovery Clause

Docket No: 130007-EI

STATE OF FLORIDA )
COUNTY OF PALM BEACH )

AFFIDAVIT OF WILLIAM L. YEAGER

BEFORE ME, the undersigned authority, personally appeared William L. Yeager who, being first duly sworn, deposes and says:

1. My name is William L. Yeager. I am currently employed by NextEra Energy, Inc. as Executive Vice President of Engineering, Construction and Integrated Supply Chain ("ISC"). I have personal knowledge of the matters stated in this affidavit.

2. I have reviewed the documents and information included in Exhibit A to FPL's Request for Confidential Classification of Exhibits WLY-3 and WLY-4 (a combined exhibit) to the late filed deposition of William L. Yeager. The documents or materials that I have reviewed and which are asserted by FPL to be proprietary confidential business information relate to the competitive interests of FPL and one of its vendors. Specifically, the confidential information relates to proprietary information regarding one of FPL's vendors. Disclosure of this information would impair the efforts of FPL to contract for goods and services with this or other vendors on favorable terms for the benefit of its customers and would impair the competitive interests of FPL and its vendor. To the best of my knowledge, FPL has maintained the confidentiality of these documents and materials.

3. Consistent with the provisions of the Florida Administrative Code, such materials should remain confidential for a period of eighteen (18) months. In addition, they should be returned to FPL as soon as the information is no longer necessary for the Commission to conduct its business so that FPL can continue to maintain the confidentiality of these documents.

4. Affiant says nothing further.

[Handwritten signature of William L. Yeager]

William L. Yeager

SWORN TO AND SUBSCRIBED before me this 30th day of October 2013, by William L. Yeager, who is personally known to me or who has produced (type of identification) as identification and who did take an oath.

[Handwritten signature of ELSA M. AKIN]

Notary Public, State of Florida

My Commission Expires:

