

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Energy Conservation Cost Recovery
Clause

Docket No: 140002-EI
Date: March 20, 2014

**FLORIDA POWER & LIGHT COMPANY'S FIRST REQUEST
FOR EXTENSION OF CONFIDENTIAL CLASSIFICATION
OF MATERIALS PROVIDED PURSUANT TO AUDIT NO. 12-010-4-3**

Pursuant to Section 366.093, Florida Statutes (2013) ("Section 366.093"), and Rule 25-22.006, Florida Administrative Code (2013) ("Rule 25-22.006"), Florida Power & Light Company ("FPL") hereby submits its First Request for Extension of Confidential Classification of certain materials provided to the Staff of the Florida Public Service Commission ("Staff") pursuant to Audit Control No. 12-010-4-3 ("the Audit"). In support of this request, FPL states as follows:

1. On July 30, 2012 FPL filed a Request for Confidential Classification of the confidential information, which included Exhibits A, B, C and D ("July 30, 2012 Request"). By Order No. PSC-12-0570-CFO-EI, dated October 24, 2012 ("Order 0570"), the Commission granted FPL's July 30, 2012 Request. FPL adopts and incorporates by reference the July 30, 2012 Request and Order 0570.

2. The period for confidential treatment granted by Order 0570 will soon expire. The Confidential Information that was subject of FPL's July 30, 2012 Request and Order 0570 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. All of the information designated in Exhibit A, Exhibit B and Exhibit C to the July 30, 2012 Request remains confidential. Accordingly, those exhibits will not be reproduced or reattached here.

4. Included herewith and made a part hereof is First Revised Exhibit D. First Revised Exhibit D contains the affidavit of Anita Sharma.

5. FPL submits that the highlighted information in Exhibit A and referenced in Exhibit B, Exhibit C and First Revised Exhibit D continues to be proprietary confidential business information within the meaning of 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 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.

6. As the affidavit included in First Revised Exhibit D indicates, certain documents provided by FPL contain competitively sensitive information, the disclosure of which would impair the competitive business of the provider of the information. Additionally, certain documents contain information that relates to customer-specific account information, which if disclosed would impair FPL's competitive interests. 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. Such information is protected by Section 366.093(3)(e).

7. Nothing has changed since the Commission entered Order 0570 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 a period of at least another 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. *See* § 366.093(4), Fla. Stat. (2013).

WHEREFORE, for the above and foregoing reasons, as more fully set forth in the supporting materials and affidavit included herewith, Florida Power & Light Company respectfully requests that its First Request for Extension of Confidential Classification be granted.

Respectfully submitted,

Maria J. Moncada, Principal Attorney
Florida Power & Light Company
700 Universe Boulevard
Juno Beach, FL 33408
Telephone: (561) 304-5795
Facsimile: (561) 691-7135
Email: maria.moncada@fpl.com

By: /s/ Maria J. Moncada
Maria J. Moncada
Fla. Bar No. 0773301

CERTIFICATE OF SERVICE
Docket No. 140002-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 service this 20th day of March, 2014 to the following:

Lee EngTan, Esq.
Office of General Counsel
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850
Ltan@psc.state.fl.us

Office of Public Counsel
J. R. Kelly, Esq.
Patricia Ann Christensen, Esq.
C. Rehwinkel, Esq.
c/o The Florida Legislature
111 West Madison St., Room 812
Tallahassee, FL 32399-1400
Kelly.jr@leg.state.fl.us
Christensen.patty@leg.state.fl.us
Rehwinkel.charles@leg.state.fl.us

Beggs & Lane Law Firm
Jeffrey Stone, Esq./Russell Badders, Esq./
Steven Griffin, Esq.
Attorneys for Gulf Power Company
501 Commendencia Street
Pensacola, FL 32502-5953
jas@beggslane.com
rab@beggslane.com
srg@beggslane.com

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

James W. Brew, Esq.
F. Alvin Taylor, Esq.
Attorneys for White Springs Agricultural
Chemicals, Inc.
Brickfield, Burchette, Ritts & Stone, P.C.
1025 Thomas Jefferson St., NW
Eighth Floor, West Tower
Washington, DC 20007
jbrew@bbrslaw.com
ataylor@bbrslaw.com

Beth Keating, Esq.
Gunster Firm
Attorneys for FPUC
215 So. Monroe St., Suite 618
Tallahassee, Florida 32301-1804
bkeating@gunster.com

Jon C. Moyle, Jr., Esq.
Moyle Law Firm, P.A.
Attorneys for Florida Industrial Power
Users Groups (FIPUG)
118 North Gadsden Street
Tallahassee, FL 32301
jmoyle@moylelaw.com

Duke Energy Service Company, LLC
John T. Burnett, Esq.
Diane Triplett, Esq.
299 First Avenue North
St. Petersburg, FL 33701
john.burnett@duke-energy.com
Dianne.triplett@duke-energy.com

By: /s/ Maria J. Moncada
Maria J. Moncada

FIRST REVISED

EXHIBIT D

AFFIDAVIT

FIRST REVISED EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Energy Conservation Cost
Recovery Clause

Docket No: 140002-EG

STATE OF FLORIDA)
)
MIAMI-DADE COUNTY)

AFFIDAVIT OF ANITA SHARMA

BEFORE ME, the undersigned authority, personally appeared Anita Sharma who, being first duly sworn, deposes and says:

1. My name is Anita Sharma. I am currently employed by Florida Power & Light Company ("FPL") as Manager, DSM Cost and Performance. My business address is 9250 West Flagler Street, Miami Florida, 33174. I have personal knowledge of the matters stated in this affidavit.

2. I have reviewed the documents that are referenced in FPL's First Request for Extension of Confidential Classification of Information Provided Pursuant to Audit No. 12-010-4-3. Such documents or materials that I have reviewed and which, in whole or in part, are asserted by FPL to be proprietary confidential business information, contain or constitute competitively sensitive information, the disclosure of which would impair the competitive business of the provider of the information. Specifically, some of the information contains or constitutes information pertaining to payroll, pension and welfare rates. Additionally, some information pertains to negotiated terms with third party vendors for equipment and services related to FPL's implementation of demand side management and conservation programs. Some documents contain 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 account information. This policy includes, but is not limited to: customer names, addresses, telephone numbers, 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. 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, these documents should remain confidential for a period of not less than 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.

Anita Sharma

Anita Sharma

SWORN TO AND SUBSCRIBED before me this 13th day of March 2014, by Anita Sharma, who is personally known to me and who did take an oath.

Carolyn J Smith

Notary Public, State of Florida

My Commission Expires:

