

State of Florida



Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

-M-E-M-O-R-A-N-D-U-M-

DATE: July 9, 2021
TO: Suzanne Brownless, Office of the General Counsel
FROM: Matthew Andrews, Division of Accounting and Finance
RE: CONFIDENTIALITY OF CERTAIN INFORMATION
DOCKET NOS: 20210015-EI DOCUMENT NO: 02840-2021

RECEIVED-FPSC
2021 JUL 21 AM 11:28
COMMISSION
CLERK

DESCRIPTION: FPL (Moncada) - (CONFIDENTIAL) Portions of MFRs D-2 (2022 test year and 2023 subsequent year), C-26 (2020 historic tear year), and C-28 (2020 historic test year).

SOURCE: Florida Power & Light

Pursuant to Section 366.093 of the Florida Statutes (F.S.), and Rule 25-22.006, Florida Administrative Code, Florida Power & Light (FPL or Company) requests confidential classification of certain information filed in the above referenced docket, dated April 26, 2021.

The Company is claiming confidentiality of its information under Section 366.093(3)(e), F.S. Per the Statute, propriety of confidential business information includes, but is not limited to: Subsection (e) "[i]nformation relating to competitive interests, the disclosure of which would impair the competitive business of the provider of information."

More specifically, the information consists of competitive interests of third parties. In addition, some of the information describes the projected capital structures of affiliated companies. FPL asserts that if this information is publicly disclosed, such disclosure could harm the competitive interests of the provider of the information and would trigger Securities and Exchange Commission reporting obligations.

FPL asserts that some of the confidential information relates to competitive business information regarding corporate income taxes. Specifically, the material contains tax returns and schedules, including pro forma tax documentation incorporated into Nextera Energy's tax return, which FPL asserts that the information is confidential pursuant to 26 U.S.C. § 6103. FPL states that the disclosure of this information would impair the competitive business of the company.

Staff has reviewed the subject information as well as the Company's confidentiality request, and in staff's opinion, the request meets the criteria for confidentiality contained in Section 366.093(3)(e), F.S. and 26 U.S.C. § 6103.