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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for rate increase by Florida
Power & Light Company.

DOCKET NO. 20210015-EI
ORDER NO. PSC-2021-0273-PCO-EI
ISSUED: July 29, 2021

THIRD ORDER REVISING ORDER ESTABLISHING PROCEDURE

Section VII.D., Cross-Examination Exhibits, of Order No. PSC-2021-0116-PCO-EI¹, Order Establishing Procedure, states as follows:

An electronic copy of all potential cross-examination exhibits, including impeachment exhibits, related to utility direct testimony and intervenor and staff testimony must be provided to the Clerk's Office no later than the close of business on August 2, 2021. An electronic copy of all potential cross-examination exhibits, including impeachment exhibits, related to utility rebuttal testimony must be provided to the Clerk's Office no later than the close of business on August 9, 2021. The procedures to be followed regarding cross-examination exhibits are set forth in Attachment A. A Notice of Intent, consistent with the requirements of Section 366.093, F.S., and Rule 25-22.006, F.A.C., must be provided with any confidential exhibits.

This procedure for handling cross-examination exhibits was developed to accommodate a remote hearing due to the Governor's emergency order related to the COVID-19 pandemic. At this time the emergency order has been rescinded and both the Prehearing Conference on August 2, 2021, and the Final Hearing on August 16-27, 2021, will be conducted in person in Room 148 of the Betty Easley Conference Center.

Due to the number of parties and witnesses, and the large volume of documents involved, the parties are no longer required to prefile their electronic cross-examination exhibits with the Clerk prior to the hearing. Instead, each party shall bring 40 paper copies of each non-confidential cross-examination exhibit they plan to proffer. Parties must also provide 40 paper copies of all confidential exhibits to be used during cross-examination in red folders, with the confidential information highlighted in yellow. Prior to each witness taking the stand, parties must provide Commission staff with collated copies of their cross-examination exhibits for distribution to the parties and hearing participants.

Thus, Section VII.D. of Order No. PSC-2021-0116-PCO-EI shall be modified as follows:

Each party shall bring 40 paper copies of all cross examination exhibits for distribution at the hearing when the witness being crossed is tendered for cross examination. All confidential exhibits shall be placed in red folders, with the confidential information highlighted in yellow, and the red folders will be

¹ Order No. PSC-2021-0116-PCO-EI, issued March 24, 2021, in Docket No. 20210015-EI, *In re: Petition for rate increase by Florida Power & Light Company*.

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for rate increase by Florida
Power & Light Company.

DOCKET NO. 20210015-EI
ORDER NO. PSC-2021-0274-CFO-EI
ISSUED: July 29, 2021

ORDER GRANTING FLORIDA POWER & LIGHT COMPANY'S
REQUEST FOR CONFIDENTIAL CLASSIFICATION
(DOCUMENT NO. 05977-2021)

On June 15, 2021, 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) filed a Request for Confidential Classification (Request) of information contained in its responses to Florida Industrial Power User Group's (FIPUG) Second Request for Production of Documents No. 55 (Document No. 05977-2021). This request was filed in Docket No. 20210015-EI.

Request for Confidential Classification

FPL contends that the information contained in its responses to FIPUG's Second Request for Production of Documents No. 55, constitutes proprietary and confidential business information entitled to protection under Section 366.093, F.S., and Rule 25-22.006, F.A.C. FPL asserts that this information is intended to be and is treated by FPL as private and has not been publicly disclosed.

FPL contends that these documents, for which confidentiality is requested, consist of capital cost projections and software that is proprietary to a third party vendor who provides it to FPL as part of a subscription service. FPL argues that information consists of information relating to competitive interests, the disclosure of which would impair the competitive business of FPL. FPL argues that this information is protected by Section 366.093(3)(e), F.S.

Ruling

Section 366.093(1), F.S., provides that records the Florida Public Service Commission (Commission) has found to contain proprietary business information shall be kept confidential and shall be exempt from Chapter 119, F.S. 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 has not been voluntarily disclosed to the public. Section 366.093(3), F.S., provides that proprietary confidential business information includes, but is not limited to:

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

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for rate increase by Florida
Power & Light Company.

DOCKET NO. 20210015-EI
ORDER NO. PSC-2021-0275-CFO-EI
ISSUED: July 29, 2021

ORDER GRANTING FLORIDA POWER & LIGHT COMPANY'S
REQUEST FOR CONFIDENTIAL CLASSIFICATION
(DOCUMENT NO. 05998-2021)

On June 15, 2021, 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) filed a Request for Confidential Classification (Request) of information contained in its responses to the Office of Public Counsel's (OPC) Fourteenth Set of Interrogatories No. 246 (Document No. 05998-2021). This request was filed in Docket No. 20210015-EI.

Request for Confidential Classification

FPL contends that the information contained in its responses to OPC's Fourteenth Set of Interrogatories No. 246, constitutes proprietary and confidential business information entitled to protection under Section 366.093, F.S., and Rule 25-22.006, F.A.C. FPL asserts that this information is intended to be and is treated by FPL as private and has not been publicly disclosed.

FPL contends that these documents, for which confidentiality is requested, consist of employee incentive compensation payment projections, which, if made public, could make it more difficult for FPL to hire and retain employees. FPL argues that information consists of information relating to competitive interests, the disclosure of which would impair the competitive business of FPL. FPL argues that this information is protected by Section 366.093(3) (e), F.S.

Ruling

Section 366.093(1), F.S., provides that records the Florida Public Service Commission (Commission) has found to contain proprietary business information shall be kept confidential and shall be exempt from Chapter 119, F.S. 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 has not been voluntarily disclosed to the public. Section 366.093(3), F.S., provides that proprietary confidential business information includes, but is not limited to:

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

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for rate increase by Florida
Power & Light Company.

DOCKET NO. 20210015-EI
ORDER NO. PSC-2021-0276-CFO-EI
ISSUED: July 29, 2021

ORDER GRANTING FLORIDA POWER & LIGHT COMPANY'S
REQUEST FOR CONFIDENTIAL CLASSIFICATION
(DOCUMENT NO. 06309-2021)

On June 21, 2021, 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) filed a Request for Confidential Classification (Request) of information contained in the Exhibits RCS-2 and RCS-3 to the testimony of the Office of Public Counsel's (OPC) witness Ralph C. Smith filed on June 21, 2021 (Document No. 06309-2021). This request was filed in Docket No. 20210015-EI.

Request for Confidential Classification

FPL contends that the information contained in the Exhibits RCS-2 and RCS-3 to the testimony of OPC's witness Ralph C. Smith filed on June 21, 2021, constitutes proprietary and confidential business information entitled to protection under Section 366.093, F.S., and Rule 25-22.006, F.A.C. FPL asserts that this information is intended to be and is treated by FPL as private and has not been publicly disclosed.

FPL contends that these exhibits, for which confidentiality is requested, consist of information pertaining to premiums paid by FPL for certain insurance policies. FPL argues that the information consists of information concerning bids and other contractual data, the disclosure of which would impair the efforts of FPL to contract for goods or services on favorable terms. FPL argues that this information is protected by Section 366.093(3)(d), F.S.

Ruling

Section 366.093(1), F.S., provides that records the Florida Public Service Commission (Commission) has found to contain proprietary business information shall be kept confidential and shall be exempt from Chapter 119, F.S. 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 has not been voluntarily disclosed to the public. Section 366.093(3), F.S., provides that proprietary confidential business information includes, but is not limited to:

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for rate increase by Florida
Power & Light Company.

DOCKET NO. 20210015-EI
ORDER NO. PSC-2021-0277-CFO-EI
ISSUED: July 29, 2021

ORDER GRANTING FLORIDA POWER & LIGHT COMPANY'S
REQUEST FOR CONFIDENTIAL CLASSIFICATION
(DOCUMENT NO. 06923-2021)

On June 25, 2021, 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) filed a Request for Confidential Classification (Request) of certain information contained in the testimony of Floridians Against Increased Rates, Inc.'s (FAIR) witness Breandan T. Mac Mathuna (Document No. 06923-2021). This request was filed in Docket No. 20210015-EI.

Request for Confidential Classification

FPL contends that the information contained in specifically identified portions of the direct testimony of FAIR's witness Breandan T. Mac Mathuna, dated June 21, 2021, constitutes proprietary and confidential business information entitled to protection under Section 366.093, F.S., and Rule 25-22.006, F.A.C. FPL asserts that this information is intended to be and is treated by FPL as private and has not been publicly disclosed.

FPL contends that the information, for which confidentiality is requested, consists of information pertaining to an equity analyst report. FPL argues that information consists of information relating to competitive interests, the disclosure of which would impair the competitive business of FPL. FPL argues that this information is protected by Section 366.093(3)(e), F.S.

Ruling

Section 366.093(1), F.S., provides that records the Florida Public Service Commission (Commission) has found to contain proprietary business information shall be kept confidential and shall be exempt from Chapter 119, F.S. 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 has not been voluntarily disclosed to the public. Section 366.093(3), F.S., provides that proprietary confidential business information includes, but is not limited to:

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

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for rate increase by Florida
Power & Light Company.

DOCKET NO. 20210015-EI
ORDER NO. PSC-2021-0278-CFO-EI
ISSUED: July 29, 2021

ORDER GRANTING FLORIDA POWER & LIGHT COMPANY'S
REQUEST FOR CONFIDENTIAL CLASSIFICATION
(DOCUMENT NO. 04813-2021)

On June 14, 2021, 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) filed a Request for Confidential Classification (Request) of information contained in its response to Vote Solar's Second Request for Production of Documents Nos. 61 and 76 (Document No. 04813-2021). This request was filed in Docket No. 20210015-EI.

Request for Confidential Classification

FPL contends that the information contained in its response to Vote Solar's Second Request for Production of Documents Nos. 61 and 76, constitutes proprietary and confidential business information entitled to protection under Section 366.093, F.S., and Rule 25-22.006, F.A.C. FPL asserts that this information is intended to be and is treated by FPL as private and has not been publicly disclosed.

FPL contends that these documents, for which confidentiality is requested, consist of system load projections, and other information contains vendor bids for construction projects. FPL argues that information consists of information relating to competitive interests, the disclosure of which would impair the competitive business of FPL, as well as information concerning bids and other contractual data, the disclosure of which would impair the efforts of FPL to contract for goods or services on favorable terms. FPL argues that this information is protected by Section 366.093(3)(d) and (e), F.S.

Ruling

Section 366.093(1), F.S., provides that records the Florida Public Service Commission (Commission) has found to contain proprietary business information shall be kept confidential and shall be exempt from Chapter 119, F.S. 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 has not been voluntarily disclosed to the public. Section 366.093(3), F.S., provides that proprietary confidential business information includes, but is not limited to:

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for rate increase by Florida
Power & Light Company.

DOCKET NO. 20210015-EI
ORDER NO. PSC-2021-0282-CFO-EI
ISSUED: July 29, 2021

ORDER GRANTING FLORIDA POWER & LIGHT COMPANY'S
REQUEST FOR CONFIDENTIAL CLASSIFICATION
(DOCUMENT NO. 02840-2021, X-REF. 02947-2021)

On March 12, 2021, 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) filed a request for Confidential Classification of portions of Schedules D-2, C-26 and C-28 of the Minimum Filing Requirements (MFRs) (Document No. 02840-2021, x-ref. 02947-2021).

Request for Confidential Classification

FPL contends that portions of the information contained in Schedules D-2, C-26 and C-28 of the MFRs constitute proprietary confidential business information entitled to protection under Section 366.093, F.S., and Rule 25-22.006, F.A.C. FPL asserts that this information is intended to be and is treated by FPL as private and has not been publicly disclosed.

The information contained in Schedules D-2, C-26 and C-28 of the MFRs for which confidentiality is requested consists of projected capital structures of affiliated companies the publication of which would damage the competitive interests of these parties and trigger Securities and Exchange Commission reporting obligations. These schedules also contain tax returns and schedules including pro forma tax documentation incorporated into Nextera Energy's tax return protected by 26 U.S.C. Section 6103. FPL argues that this information is protected by Sections 366.093(3)(d) and (e), F.S.

Ruling

Section 366.093(1), F.S., provides that records the Florida Public Service Commission (Commission) has found to contain proprietary business information shall be kept confidential and shall be exempt from Chapter 119, F.S. 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 has not been voluntarily disclosed to the public. Section 366.093(3), F.S., provides that proprietary confidential business information includes, but is not limited to:

- (d) Information concerning bids or other contractual data, the disclosure of which would impair the efforts of the public utility or its affiliates to contract for goods or services on favorable terms.

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for rate increase by Florida
Power & Light Company.

DOCKET NO. 20210015-EI
ORDER NO. PSC-2021-0283-CFO-EI
ISSUED: July 29, 2021

ORDER GRANTING FLORIDA POWER & LIGHT COMPANY'S
REQUEST FOR CONFIDENTIAL CLASSIFICATION
(DOCUMENT NO. 03262-2021)

On April 6, 2021, 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) filed a request for Confidential Classification of its supplemental responses to Office of Public Counsel's (OPC) First Request for Production of Documents Nos. 12-17, 35, 36, 44, 45, 48-50, 52, 57, 64 and 67 and OPC's First Set of Interrogatories Nos. 48, 49, 54-56, 67, 68, 93-96, 111, 112 and 115 (Document No. 03262-2021).

Request for Confidential Classification

FPL contends that portions of the information contained in OPC's First Request for Production of Documents Nos. 12-17, 35, 36, 44, 45, 48-50, 52, 57, 64 and 67 and OPC's First Set of Interrogatories Nos. 48, 49, 54-56, 67, 68, 93-96, 111, 112 and 115, constitute proprietary confidential business information entitled to protection under Section 366.093, F.S., and Rule 25-22.006, F.A.C. FPL asserts that this information is intended to be and is treated by FPL as private and has not been publicly disclosed.

The information contained in these discovery responses for which confidentiality is requested consists, in part, of third party vendor proprietary information provided to Concentric, FPL's consultant, pursuant to a subscription and the subject of a nondisclosure agreement. The discovery responses also contain credit agency ratings, internal audits, bids, contractual data, and loan agreements. FPL argues that this information is protected by Sections 366.093(3)(b), (d) and (e), F.S.

Ruling

Section 366.093(1), F.S., provides that records the Florida Public Service Commission (Commission) has found to contain proprietary business information shall be kept confidential and shall be exempt from Chapter 119, F.S. 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 has not been voluntarily disclosed to the public. Section 366.093(3), F.S., provides that proprietary confidential business information includes, but is not limited to:

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for rate increase by Florida
Power & Light Company.

DOCKET NO. 20210015-EI
ORDER NO. PSC-2021-0284-CFO-EI
ISSUED: July 29, 2021

ORDER GRANTING FLORIDA POWER & LIGHT COMPANY'S
REQUEST FOR CONFIDENTIAL CLASSIFICATION
(DOCUMENT NO. 03701-2021)

On April 26, 2021, 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) filed a request for Confidential Classification of its second supplemental responses to Office of Public Counsel's (OPC) First Request for Production of Documents Nos. 45 and 57 and OPC's First Set of Interrogatories Nos. 93-96 (Document No. 03701-2021).

Request for Confidential Classification

FPL contends that portions of the information contained in OPC's First Request for Production of Documents Nos. 45 and 57 and OPC's First Set of Interrogatories Nos. 93-96, constitute proprietary confidential business information entitled to protection under Section 366.093, F.S., and Rule 25-22.006, F.A.C. FPL asserts that this information is intended to be and is treated by FPL as private and has not been publicly disclosed.

The information contained in these discovery responses for which confidentiality is requested consists of Corporate Service Charge data related to executive compensation that FPL states, if disclosed, could affect the utility's ability to recruit and retain talented executives. The discovery responses also contain internal audits, bids, contractual data, and insurance contracts. FPL argues that this information is protected by Sections 366.093(3)(b), (d) and (e), F.S.

Ruling

Section 366.093(1), F.S., provides that records the Florida Public Service Commission (Commission) has found to contain proprietary business information shall be kept confidential and shall be exempt from Chapter 119, F.S. 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 has not been voluntarily disclosed to the public. Section 366.093(3), F.S., provides that proprietary confidential business information includes, but is not limited to:

(b) Internal auditing controls and reports of internal auditors.

(d) Information concerning bids or other contractual data, the disclosure of which would impair the efforts of the public utility or its affiliates to contract for goods or services on favorable terms.

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for rate increase by Florida
Power & Light Company.

DOCKET NO. 20210015-EI
ORDER NO. PSC-2021-0285-CFO-EI
ISSUED: July 29, 2021

ORDER GRANTING FLORIDA POWER & LIGHT COMPANY'S
REQUEST FOR CONFIDENTIAL CLASSIFICATION
(DOCUMENT NO. 03704-2021)

On April 26, 2021, 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) filed a request for Confidential Classification of its supplemental responses to Office of Public Counsel's (OPC) Third Request for Production of Documents No. 76 and OPC's Third Set of Interrogatories No. 146 (Document No. 03704-2021).

Request for Confidential Classification

FPL contends that portions of the information contained in OPC's First Request for Production of Documents No. 76 and OPC's Third Set of Interrogatories No. 146, constitute proprietary confidential business information entitled to protection under Section 366.093, F.S., and Rule 25-22.006, F.A.C. FPL asserts that this information is intended to be and is treated by FPL as private and has not been publicly disclosed.

The information contained in FPL's response to OPC's First Request for Production of Documents No. 76 for which confidentiality is being requested consists of reports of internal auditors. The information contained in FPL's response to OPC's Third Set of Interrogatories No. 146 discusses a resource plan computer modeling scenario using a 20% reserve margin rather than a 30% reserve margin in FPL's Step 1 Analysis sponsored by Witness Sim and contains third party proprietary computer software. FPL argues that this information is protected by Sections 366.093(3)(b) and (e), F.S.

Ruling

Section 366.093(1), F.S., provides that records the Florida Public Service Commission (Commission) has found to contain proprietary business information shall be kept confidential and shall be exempt from Chapter 119, F.S. 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 has not been voluntarily disclosed to the public. Section 366.093(3), F.S., provides that proprietary confidential business information includes, but is not limited to:

- (b) Internal auditing controls and reports of internal auditors.

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for rate increase by Florida
Power & Light Company.

DOCKET NO. 20210015-EI
ORDER NO. PSC-2021-0286-CFO-EI
ISSUED: July 29, 2021

ORDER GRANTING FLORIDA POWER & LIGHT COMPANY'S
REQUEST FOR CONFIDENTIAL CLASSIFICATION
(DOCUMENT NO. 03900-2021)

On May 4, 2021, 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) filed a request for Confidential Classification of its second supplemental responses to Office of Public Counsel's (OPC) First Request for Production of Documents No. 13 (Document No. 03900-2021).

Request for Confidential Classification

FPL contends that the information contained in its second supplemental response to OPC's First Request for Production of Documents No. 13, constitutes proprietary confidential business information entitled to protection under Section 366.093, F.S., and Rule 25-22.006, F.A.C. FPL asserts that this information is intended to be and is treated by FPL as private and has not been publicly disclosed.

The information contained in these discovery responses for which confidentiality is requested consists of reports by investment firms on NextEra Energy and Florida Power & Light Company between January 1, 2020 and January 2021, e.g., Barclays, Bernstein Research, Scotia Bank, etc. FPL argues that this information is protected by Section 366.093(3)(e), F.S.

Ruling

Section 366.093(1), F.S., provides that records the Florida Public Service Commission (Commission) has found to contain proprietary business information shall be kept confidential and shall be exempt from Chapter 119, F.S. 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 has not been voluntarily disclosed to the public. Section 366.093(3), F.S., provides that proprietary confidential business information includes, but is not limited to:

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

Upon review, it appears the above-referenced information satisfies the criteria set forth in Section 366.093(3), F.S., for classification as proprietary confidential business information. The

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for rate increase by Florida
Power & Light Company.

DOCKET NO. 20210015-EI
ORDER NO. PSC-2021-0287-CFO-EI
ISSUED: July 29, 2021

ORDER GRANTING FLORIDA POWER & LIGHT COMPANY'S
REQUEST FOR CONFIDENTIAL CLASSIFICATION
(DOCUMENT NO. 03984-2021)

On May 10, 2021, 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) filed a request for Confidential Classification of its responses to Office of Public Counsel's (OPC) First Request for Production of Documents No. 36 and OPC's Fifth Request for Production of Documents No. 91 (Document No. 03984-2021).

Request for Confidential Classification

FPL contends that portions of the information contained in OPC's First Request for Production of Documents No. 36 and OPC's Fifth Request for Production of Documents No. 91 constitute proprietary confidential business information entitled to protection under Section 366.093, F.S., and Rule 25-22.006, F.A.C. FPL asserts that this information is intended to be and is treated by FPL as private and has not been publicly disclosed.

The information contained in the response to OPC's First Request for Production of Documents No. 36 for which confidentiality is requested consists of the workpapers used to develop the testimony of FPL witness Jeffrey T. Kopp. The response to OPC's Fifth Request for Production of Documents No. 91 consists of work papers and Excel files supporting each error and error correction identified by FPL. FPL argues that this information is protected by Section 366.093(3)(d), F.S.

Ruling

Section 366.093(1), F.S., provides that records the Florida Public Service Commission (Commission) has found to contain proprietary business information shall be kept confidential and shall be exempt from Chapter 119, F.S. 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 has not been voluntarily disclosed to the public. Section 366.093(3), F.S., provides that proprietary confidential business information includes, but is not limited to:

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for rate increase by Florida
Power & Light Company.

DOCKET NO. 20210015-EI
ORDER NO. PSC-2021-0288-CFO-EI
ISSUED: July 29, 2021

ORDER GRANTING FLORIDA POWER & LIGHT COMPANY'S
REQUEST FOR CONFIDENTIAL CLASSIFICATION
(DOCUMENT NO. 04019-2021)

On May 11, 2021, 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) filed a request for Confidential Classification of its responses to the Florida Retail Federation's (FRF) First Set of Interrogatories No. 3 (Document No. 04019-2021).

Request for Confidential Classification

FPL contends that portions of the information contained in FRF's First Set of Interrogatories No. 3 constitute proprietary confidential business information entitled to protection under Section 366.093, F.S., and Rule 25-22.006, F.A.C. FPL asserts that this information is intended to be and is treated by FPL as private and has not been publicly disclosed.

The information contained in the response to FRF's First Set of Interrogatories No. 3 for which confidentiality is requested consists of projected system peak loads and projected transfer capability thermal constraints on the North Florida Regional Connection (NFRFC) transmission line from 2022 to 2060. FPL argues that this information is protected by Section 366.093(3)(e), F.S.

Ruling

Section 366.093(1), F.S., provides that records the Florida Public Service Commission (Commission) has found to contain proprietary business information shall be kept confidential and shall be exempt from Chapter 119, F.S. 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 has not been voluntarily disclosed to the public. Section 366.093(3), F.S., provides that proprietary confidential business information includes, but is not limited to:

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

Upon review, it appears the above-referenced information satisfies the criteria set forth in Section 366.093(3), F.S., for classification as proprietary confidential business information. The

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for rate increase by Florida
Power & Light Company.

DOCKET NO. 20210015-EI
ORDER NO. PSC-2021-0289-CFO-EI
ISSUED: July 29, 2021

ORDER GRANTING FLORIDA POWER & LIGHT COMPANY'S
REQUEST FOR CONFIDENTIAL CLASSIFICATION
(DOCUMENT NO. 04218-2021)

On May 24, 2021, 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) filed a request for Confidential Classification of its responses to the Southern Alliance for Clean Energy's (SACE) Second Request for Production of Documents No. 6 (Document No. 04218-2021).

Request for Confidential Classification

FPL contends that portions of the information contained in SACE's Second Request for Production of Documents No. 6 constitutes proprietary confidential business information entitled to protection under Section 366.093, F.S., and Rule 25-22.006, F.A.C. FPL asserts that this information is intended to be and is treated by FPL as private and has not been publicly disclosed.

The information contained in the response to SACE's Second Request for Production of Documents No. 6 for which confidentiality is requested consists of the Henry Hub, PIRA and EIA natural gas price forecast documents used by FPL witness Forrest in the preparation of his testimony. FPL argues that this information is protected by Section 366.093(3)(d) and (e), F.S.

Ruling

Section 366.093(1), F.S., provides that records the Florida Public Service Commission (Commission) has found to contain proprietary business information shall be kept confidential and shall be exempt from Chapter 119, F.S. 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 has not been voluntarily disclosed to the public. Section 366.093(3), F.S., provides that proprietary confidential business information includes, but is not limited to:

- (d) Information concerning bids or other contractual data, the disclosure of which would impair the efforts of the public utility or its affiliates to contract for goods or services on favorable terms.

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for rate increase by Florida
Power & Light Company.

DOCKET NO. 20210015-EI
ORDER NO. PSC-2021-0280-CFO-EI
ISSUED: July 29, 2021

ORDER GRANTING FLORIDA POWER & LIGHT COMPANY'S
REQUEST FOR CONFIDENTIAL CLASSIFICATION
(DOCUMENT NO. 04831-2021)

On June 14, 2021, 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) filed a Request for Confidential Classification (Request) of information contained in its response to Floridians Against Increased Rates' (FAIR) First Request for Production of Documents, Nos. 4, 5, and 8 (Document No. 04831-2021). This request was filed in Docket No. 20210015-EI.

Request for Confidential Classification

FPL contends that the information contained in its response to FAIR's First Request for Production of Documents, Nos. 4, 5, and 8, constitutes proprietary and confidential business information entitled to protection under Section 366.093, F.S., and Rule 25-22.006, F.A.C. FPL asserts that this information is intended to be and is treated by FPL as private and has not been publicly disclosed.

FPL contends that the information contained in these documents for which confidentiality is requested consists of financial forecasts and projected interests rates. FPL states that the disclosure of the confidential financial information would impair the business and competitive interests of FPL. FPL argues that this information is protected by Section 366.093(3)(e), F.S.

Ruling

Section 366.093(1), F.S., provides that records the Florida Public Service Commission (Commission) has found to contain proprietary business information shall be kept confidential and shall be exempt from Chapter 119, F.S. 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 has not been voluntarily disclosed to the public. Section 366.093(3), F.S., provides that proprietary confidential business information includes, but is not limited to:

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

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for rate increase by Florida
Power & Light Company.

DOCKET NO. 20210015-EI
ORDER NO. PSC-2021-0281-CFO-EI
ISSUED: July 29, 2021

ORDER GRANTING FLORIDA POWER & LIGHT COMPANY'S
REQUEST FOR CONFIDENTIAL CLASSIFICATION
(DOCUMENT NO. 04839-2021)

On June 14, 2021, 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) filed a Request for Confidential Classification (Request) of information contained in its responses to The CLEO Institute and Vote Solar's First Request for Production of Documents Nos. 9, 15, and 37 and First Set of Interrogatories, No. 88 (Document No. 04839-2021). This request was filed in Docket No. 20210015-EI.

Request for Confidential Classification

FPL contends that the information contained in its response to The CLEO Institute and Vote Solar's First Request for Production of Documents Nos. 9, 15 and 37 and First Set of Interrogatories, No. 88, constitutes proprietary and confidential business information entitled to protection under Section 366.093, F.S., and Rule 25-22.006, F.A.C. FPL asserts that this information is intended to be and is treated by FPL as private and has not been publicly disclosed.

FPL contends that these documents, for which confidentiality is requested, consist of copies of FPL's collection policies, credit analysis, results of customer surveys, and transmission asset unit costs. FPL argues that information consists of information relating to competitive interests, the disclosure of which would impair the competitive business of FPL, as well as information concerning bids and other contractual data, the disclosure of which would impair the efforts of FPL to contract for goods or services on favorable terms. FPL argues that this information is protected by Section 366.093(3)(d) and (e), F.S.

Ruling

Section 366.093(1), F.S., provides that records the Florida Public Service Commission (Commission) has found to contain proprietary business information shall be kept confidential and shall be exempt from Chapter 119, F.S. 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 has not been voluntarily disclosed to the public. Section 366.093(3), F.S., provides that proprietary confidential business information includes, but is not limited to: