

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition by Florida Power & Light
Company for Base Rate Increase and Rate
Unification

Docket No. 20210015-EI

Filed: January 30, 2023

**FLORIDA POWER & LIGHT COMPANY'S REQUEST FOR EXTENSION OF
CONFIDENTIAL CLASSIFICATION OF CERTAIN INFORMATION PROVIDED IN
ITS RESPONSES TO THE FLORIDA INDUSTRIAL POWER USERS GROUP'S
SECOND REQUEST FOR PRODUCTION OF DOCUMENTS, NO. 55**

Pursuant to Section 366.093, Florida Statutes ("Fla. Stat."), and Rule 25-22.006, Florida Administrative Code, Florida Power & Light Company ("FPL") hereby submits its First Request for Extension of Confidential Classification of certain information provided in its response to the Florida Industrial Power Users Group's Second Request for Production of Documents No. 55 (the "Confidential Information"). In support of its Request, FPL states as follows:

1. On June 15, 2021, FPL filed a Request for Confidential Classification of the Confidential Information, which included Exhibits A, B, C and D ("June 15, 2021 Request"). *See* Document No. 05977-2021. By Order No. PSC-2021-0274-CFO-EI, dated July 29, 2021 ("Order No. 0274"), the Commission granted FPL's June 15, 2021 Request. FPL adopts and incorporates by reference the June 15, 2021 Request and Order No. 0274.

2. The period of confidential treatment granted by Order 0274 will soon expire. The Confidential Information that was the subject of FPL's June 15, 2021 Request and Order No. 0274 warrants continued treatment as proprietary and confidential business information within the meaning of Section 366.093(3), Fla. Stat. Accordingly, FPL hereby submits its First Request for Extension of Confidential Classification.

3. All of the information designated in Exhibits A and B to the June 15, 2021 Request remains confidential. Accordingly, those exhibits will not be reproduced or reattached here. Regarding First Revised Exhibit C, all of the information listed in the June 15, 2021 Request

remains confidential; the Exhibit is revised only to identify Andrew Whitley as a new declarant, who is sponsoring information that was previously sponsored by Steve Sim.

4. Also included is First Revised Exhibit D, which consists of the declaration of Andrew Whitley.

5. The Confidential Information is intended to be and has been treated by FPL as private, its confidentiality has been maintained, and its disclosure would cause harm to FPL and its customers. Pursuant to Section 366.093, Fla. Stat., such materials are entitled to confidential treatment and are 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 described in the declaration included as Exhibit D, the Confidential Information consists of information relating to competitive interests, the disclosure of which would impair the competitive business of the provider of the information. Specifically, some information pertains to projected capital costs and software that is proprietary to a third-party vendor. This information is protected by Section 366.093(3)(e), Fla. Stat.

7. Upon a finding by the Commission that the Confidential Information is proprietary confidential business information, the information should not be declassified for a period of 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. *See* Section 366.093(4), Fla. Stat.

WHEREFORE, for the above and foregoing reasons, as more fully set forth in the supporting materials and declaration, FPL respectfully requests that its Request for Confidential Classification be granted.

Respectfully submitted,

FLORIDA POWER & LIGHT COMPANY

By: /s/ Maria Jose Moncada
Maria Jose Moncada
Managing Attorney
Florida Bar No. 0773301
Florida Power & Light Company
700 Universe Boulevard
Juno Beach, Florida 33408-0420
(561) 691-7101
(561) 691-7135 (fax)
maria.moncada@fpl.com

CERTIFICATE OF SERVICE
20210015-EI

I **HEREBY CERTIFY** that a true and correct copy of the foregoing has been furnished
by electronic mail this 30th day of January 2023 to the following parties:

Suzanne Brownless
Shaw Stiller
Florida Public Service Commission
Office of the General Counsel
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850
sbrownle@psc.state.fl.us
sstiller@psc.state.fl.us

By: s/ Maria Jose Moncada
Maria Jose Moncada
Florida Bar No. 0773301

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FIRST REVISED EXHIBIT “C”

FIRST REVISED EXHIBIT C

COMPANY: Florida Power & Light Company
TITLE: Petition by Florida Power & Light Company for Base Rate Increase and Rate Unification
DOCKET NO.: 20210015-EI
DATE: January 30, 2023

Bold denotes a new declarant.

Int/POD No.	Description	No. of Pages	Conf. Y/N	Bates Nos.	Line / Column	Florida Statute 366.09 3(3) Subsection	Declarant
FIPUG 2 nd POD, No. 55	1 - Avoided Unit Sheet - CPF2019 (2026 CC) - CONFIDENTIAL.xls	8	Y	067027-067034	All	(e)	Andrew Whitley
FIPUG 2 nd POD, No. 55	6 - Consolidated Avoided Unit Sheet - cpf2014 - 3x1J 2019 - 10222013 - CONFIDENTIAL.xls	9	Y	067105-067113	All	(e)	Andrew Whitley
FIPUG 2 nd POD, No. 55	2009_EDM_2019CC - CONFIDENTIAL.xls	28	Y	067035-067062	All	(e)	Andrew Whitley
FIPUG 2 nd POD, No. 55	2009_EDM_2019CC_trans - CONFIDENTIAL.xls	28	Y	067063-067090	All	(e)	Andrew Whitley
FIPUG 2 nd POD, No. 55	2014 Regulatory Filings_Ten Year Site Plan 09252013_Update_Exclude land - CONFIDENTIAL.xlsx	3	Y	067091-067093	All	(e)	Andrew Whitley
FIPUG 2 nd POD, No. 55	20190207 (2019 EDM) Martin CC 2026 - CONFIDENTIAL .xlsm	11	Y	067094-067104	All	(e)	Andrew Whitley
FIPUG 2 nd POD, No. 55	CC and CT Cost Inputs to RAP 6-8-18 - CONFIDENTIAL.xlsx	2	Y	067114-067115	All	(e)	Andrew Whitley

Int/POD No.	Description	No. of Pages	Conf. Y/N	Bates Nos.	Line / Column	Florida Statute 366.09 3(3) Subsection	Declarant
FIPUG 2 nd POD, No. 55	DSM 2016 CC and SC Updated 1-16-09_w_calcs3 - CONFIDENTIAL.xls	1	Y	067116	All	(e)	Andrew Whitley
FIPUG 2 nd POD, No. 55	EDM Okechobee 1 Generation 10042013 - CONFIDENTIAL.xls	38	Y	067117-067154	All	(e)	Andrew Whitley
FIPUG 2 nd POD, No. 55	EDM Okechobee Pipeline 10042013 - CONFIDENTIAL.xls	38	Y	067155-067192	All	(e)	Andrew Whitley
FIPUG 2 nd POD, No. 55	EDM Okechobee 1 transmission 100413 - CONFIDENTIAL.xls	38	Y	067193-067230	All	(e)	Andrew Whitley

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FIRST REVISED EXHIBIT “D”

FIRST REVISED EXHIBIT D

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DECLARATION OF ANDREW WHITLEY

1. My name is Andrew Whitley. I am currently employed by Florida Power & Light Company (“FPL”) as Engineering Manager, Resource Planning. I have personal knowledge of the matters stated in this declaration.

2. I have reviewed the documents referenced and incorporated in FPL’s Request for Confidential Classification, specifically the materials provided in FPL’s Response to the Florida Industrial Power Users Group’s Second Request for Production of Documents, No. 55. The documents or materials that I have reviewed and which are proprietary confidential business information contain competitive business information the disclosure of which would impair the competitive business of the provider of the information. Specifically, the information contains capital cost projections and software that is proprietary to a third party vendor who provides it to FPL as part of a subscription service. To the best of my knowledge, FPL has maintained the confidentiality of these documents and materials.

3. Nothing has occurred since the issuance of Order No. PSC-2021-0274-CFO-EI to render the designated information stale or public, such that continued confidential treatment would not be appropriate. Therefore, consistent with the provisions of the Florida Administrative Code, such materials should remain confidential for a period of at least an additional 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 maintain the confidentiality of these documents.

4. Under penalties of perjury, I declare that I have read the foregoing declaration and that the facts stated in it are true to the best of my knowledge and belief.



Andrew Whitley

Date: 01/27/2023