

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Fuel and Purchased Power Cost Recovery  
Clause with Generating Performance Incentive  
Factor.

Docket No: 20230001-EI  
Date: June 15, 2023

**FLORIDA POWER AND LIGHT COMPANY'S REQUEST  
FOR EXTENSION OF CONFIDENTIAL CLASSIFICATION  
OF INFORMATION PROVIDED IN RESPONSE TO THE OFFICE OF PUBLIC  
COUNSEL'S FIRST REQUEST FOR PRODUCTION OF DOCUMENTS (No. 2)**

Pursuant to Section 366.093, Florida Statutes ("Section 366.093"), and Rule 25-22.006, Florida Administrative Code, Florida Power & Light Company ("FPL") hereby submits its Request for Extension of Confidential Classification of Information provided in response to the Office of Public Counsel's ("OPC") First Request for Production of Documents, (No. 2) ("Confidential Information"). In support of this request, FPL states as follows:

1. On March 8, 2021, FPL filed a Request for Confidential Classification of the Confidential Information, which included Exhibits A, B, C and D ("March 8, 2021 Request"). By Order No. PSC-2022-0020-CFO-EI, dated January 12, 2022 ("Order 0020"), the Commission granted FPL's March 8, 2021 Request. FPL adopts and incorporates by reference the March 8, 2021 Request and Order 0020.

2. The period of confidential treatment granted by Order 0020 will soon expire. The Confidential Information that was the subject of FPL's March 8, 2021 Request and Order 0020 warrants continued treatment as proprietary and confidential business information within the meaning of Section 366.093(3). Accordingly, FPL hereby submits its Request for Extension of Confidential Classification.

3. All the information designated in Exhibit A to the March 8, 2021 Request remains confidential. Accordingly, Exhibits A and B remain unchanged and will not be reproduced or reattached here.

4. A Revised Exhibit C is included to reflect the naming of a new declarant. The declaration of Ila De La Vega in support of this Request is included as Revised Exhibit D.

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, 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 the declaration included in Revised Exhibit D indicates, the documents include competitively sensitive information, the disclosure of which would impair the competitive business of FPL and the counterparties to its contracts. Specifically, the confidential documents contain information provided pursuant to FPL's contracts that prohibit FPL from disclosing the subject data. Disclosure of this information would impair FPL's efforts to contract with third parties for their services on favorable terms in the future, to the detriment of FPL's customers. 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. This information is protected pursuant to Section 366.093(3)(e), Fla. Stat.

7. Nothing has changed since the Commission entered Order 0220 to render the Confidential Information stale or public, such that continued confidential treatment would not be appropriate.

8. Pursuant to Section 366.093(4), F.S., the information for which confidential classification is granted remains protected from disclosure up to 18 months unless good cause is

shown to grant protection from disclosure for a longer period. The nature of these materials will not change in the next three years. Therefore, to promote administrative efficiency, FPL requests confidential classification for a period of thirty-six (36) months. Upon a finding by the Commission that the Confidential Information remains proprietary and confidential business information, the information should not be declassified for at least an additional thirty-six (36) month period and should be returned to FPL as soon as it is no longer necessary for the Commission to conduct its business. *See* § 366.093(4), Fla. Stat.

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

Respectfully submitted,

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By: s/ David M. Lee  
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Florida Bar No.103152

**CERTIFICATE OF SERVICE**  
**Docket No. 20230001-EI**

I HEREBY CERTIFY that a true and correct copy of the foregoing was served by electronic mail this 15<sup>th</sup> day of June, 2023 to the following:

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By: s/ David M. Lee  
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**REVISED EXHIBIT “C”**

**JUSTIFICATION TABLE**

**REVISED EXHIBIT C**

**COMPANY:** Florida Power & Light Company  
**TITLE:** List of Confidential Documents  
**DOCKET NO.:** 20230001-EI  
**DOCKET TITLE:** Fuel and Purchased Power Cost Recovery Clause with Generating Performance Incentive Factor  
**SUBJECT:** FPL's Response to OPC's First Request for Production (No. 2)  
**DATE:** June 15, 2023

\* Bold indicates change in declarant.

<b>OPC's First POD's</b>	<b>Bates Nos.</b>	<b>Description</b>	<b>Line No./ Col. No.</b>	<b>Florida Statute 366.093(3) Subsection</b>	<b>Declarant</b>
Request No. 2	FCR-21-000001 through FCR-21-000008	Electric Rotating Stator Generator with Permanent Magnets and Fixed Rotor with Concentrated Windings: Analysis and Study on its Magnetic Circuit	ALL	(e)	<b>I. De La Vega</b>
	FCR-21-000009 through FCR-21-000017	7/15/20 ElectroMechanical Engineering Associates, Inc. Review of Analysis of TP 4 PMG Failure Rev 0	ALL		
	FCR-21-000018 through FCR-21-000028	7/15/20 ElectroMechanical Engineering Associates, Inc. Review of Analysis of TP 4 PMG Failure Rev 1	ALL		
	FCR-21-000029 through FCR-21-000057	INPO July 2004 Topical Report TR4-38	ALL		
	FCR-21-000058 through FCR-21-000110	INPO August 2005 Topical Report TR5-48	ALL		
	FCR-21-000111 through FCR-21-000288	EPRI December 2002 Final Report	ALL		
	FCR-21-000289 through FCR-21-000300	12/3/1998 presentation at EPRI - PM and overhaul experience – brushless exciter EPRI report	ALL		
	FCR-21-004003 through FCR-21-004009	Siemen's General Inspection Report	ALL		
	FCR-21-004010 through FCR-21-004127	Siemen's General Inspection / Generator Rotor Bore Inspection Report	ALL		

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**REVISED EXHIBIT “D”**

**DECLARATION**



**REVISED EXHIBIT D**

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Clause with Generating Performance Incentive  
Factor

Docket No: 20230001-EI

**DECLARATION OF ILA DE LA VEGA**

1. My name is Ila De La Vega. I am currently employed by Florida Power & Light Company ("FPL") as Principal Business Analyst, Nuclear Finance. I have personal knowledge of the matters stated in this written declaration.

2. I have reviewed Exhibit C and the documents and information included in Exhibit A to FPL's March 8, 2021 Request for Confidential Classification. The documents and materials in Exhibit A which are asserted by FPL to be proprietary confidential business relate to competitive interests of third parties. Specifically, the confidential documents contain information provided pursuant to FPL's contracts that prohibit FPL from disclosing the subject data. Disclosure of this information would impair FPL's efforts to contract with third parties for their services on favorable terms in the future, to the detriment of FPL's customers. To the best of my knowledge, FPL has maintained the confidentiality of this information.

3. Nothing has occurred since the issuance of Order No. PSC-2022-0020-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 thirty-six (36) 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. 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.

  
\_\_\_\_\_  
Ila De La Vega

Date: June 8, 2023