

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-**

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**DATE:** June 21, 2023  
**TO:** Division of Accounting and Finance, Office of Primary Responsibility  
**FROM:** OFFICE OF COMMISSION CLERK  
**RE:** CONFIDENTIALITY OF CERTAIN INFORMATION

DOCKET NOS: 20230001-EI DOCUMENT NO: 02642-2021

DESCRIPTION: FPL (Lee) – (CONFIDENTIAL) Information provided in response to OPC’s 1<sup>st</sup> request for PODs (No. 2); Bates Nos. FCR-21-000001 through FCR-21-000300 and Bates Nos. FCR-21-004003 through FCR-21-0041271.

SOURCE: Florida Power & Light Company

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The above confidential material was filed along with a request for extension of confidential classification. Please complete the following form by checking all applicable information and forward it to the attorney assigned to the docket, along with a brief memorandum supporting your recommendation.

- The document(s) is (are), in fact, what the utility asserts it (them) to be.
- The utility has provided enough details to perform a reasoned analysis of its request.
- The material has been received incident to an inquiry.
- The material is confidential business information because it includes:
  - (a) Trade secrets;
  - (b) Internal auditing controls and reports of internal auditors;
  - (c) Security measures, systems, or procedures;
  - (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;
  - (e) Information relating to competitive interests, the disclosure of which would impair the competitive business of the provider of information;
  - (f) Employee personnel information unrelated to compensation, duties, qualifications, or responsibilities;
- The material appears to be confidential in nature and harm to the company or its ratepayers will result from public disclosure.
- The material appears not to be confidential in nature.
- The material is a periodic or recurring filing and each filing contains confidential information.

This response was prepared by /s/Garret Kelley on 6/21/2023, a copy of which has been sent to the Office of Commission Clerk and the Office of General Counsel.

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**DATE:** June 21, 2023

**TO:** Suzanne S. Brownless, Special Counsel, Office of the General Counsel

**FROM:** Garret Kelley, Public Utility Analyst I, Division of Accounting & Finance

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Pursuant to Section 366.093, Florida Statutes (F.S.), and Rule 25-22.006, Florida Administrative Code, Florida Power & Light (FPL or Company) requests an extension of confidential classification of certain information originally filed in Docket No. 20210001-EI, dated March 8, 2021.

The Company is claiming confidentiality of its filing 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 the information.”

More specifically, the information at issue relates to claimed proprietary and confidential technical information regarding a third-party’s (to FPL) analysis of electric plant equipment failure. FPL asserts that if it cannot demonstrate to its third-party partners that the Company has the ability to protect those third-parties’ confidential and proprietary business information, it will be less likely that FPL can secure contracts that benefit its customers.

Staff has reviewed the extension of confidentiality request. It is staff’s opinion the request meets the criteria for an extension of confidentiality contained in Section 366.093(3)(e), F.S.