



David M. Lee  
Senior Attorney  
Florida Power & Light Company  
700 Universe Boulevard  
Juno Beach, FL 33408-0420  
(561) 691-7263  
(561) 691-7135 (Facsimile)  
E-mail: david.lee@fpl.com

September 1, 2023

**-VIA HAND DELIVERY -**

Adam Teitzman  
Commission Clerk  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850

**REDACTED**

RECEIVED-FPSC  
2023 SEP -1 AM 11:11  
COMMISSION  
CLERK

**Re: Docket No. 20230001-EI**

Dear Mr. Teitzman:

Enclosed for filing on behalf of Florida Power & Light Company ("FPL") is FPL's Request for Extension of Confidential Classification of certain information provided in Exhibit GJY-1 to the April 2, 2021, prepared direct testimony of FPL witness Gerard J. Yupp. The request includes Revised Exhibits A through D.

Revised Exhibit A consists of the confidential documents, wherein all the information that FPL asserts is entitled to confidential treatment has been highlighted. Revised Exhibit B (two copies) is an edited version of Exhibit A, in which the information FPL asserts is confidential has been redacted. Revised Exhibit C is a justification table in support of FPL's Request for Confidential Classification. Revised Exhibit D contains the declaration in support of FPL's Request. In accordance with Rule 25-22.006(3)(d), FPL requests confidential treatment of the information in Exhibit A pending disposition of FPL's Request for Confidential Classification.

Please contact me if you have or your Staff has any questions regarding this filing.

Sincerely,

David M. Lee

- COM
- AFD I Exh "B"
- APA
- ECO
- ENG — Enclosures
- GCL \_\_\_ cc: Counsel for Parties of Record (w/ copy of FPL's Request for Confidential Classification)
- IDM
- CLK — Florida Power & Light Company

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Fuel and purchase power cost recovery  
clause with generating performance incentive  
factor

Docket No: 20230001-EI

Date: September 1, 2023

**FLORIDA POWER & LIGHT COMPANY'S REQUEST FOR EXTENSION OF  
CONFIDENTIAL CLASSIFICATION OF CERTAIN PORTIONS OF EXHIBIT GJY-1**

Pursuant to Section 366.093, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, Florida Power & Light Company ("FPL") hereby submits its Request for Extension of Confidential Classification of certain information provided in Exhibit GJY-1 to the April 2, 2021, prepared direct testimony of FPL witness Gerard J. Yupp (the "Confidential Information"). In support of this request, FPL states as follows:

1. On April 2, 2021, FPL filed a request for confidential classification of the certain confidential information contained in Exhibits RBD-2 and GJY-1 to the prepared direct testimony of witnesses Renae B. Deaton and Gerry J. Yupp, respectively, (Document No. 03229-2021, Docket No. 20210001-EI) ("April 2, 2021 Request"). By Order No. PSC-2022-0098-CFO-EI, dated March 1, 2022 ("Order 0098"), the Commission granted FPLs April 2, 2021 Request. FPL adopts and incorporates by reference the April 2, 2021 Request and Order 0098.

2. The period of confidential treatment granted by Order 0098 is expiring. Some of the confidential information that was the subject of FPLs April 2, 2021 Request and Order 0098 warrants continued treatment as proprietary and confidential business information within the meaning of Section 366.093(3), Fla. Stat. Accordingly, FPL hereby submits its Request for Extension of Confidential Classification.

3. Some of the information designated in the April 2, 2021 Request remains confidential. Included with this request are Revised Exhibits A-D to reduce the number of pages

for which confidential treatment is sought. FPL has identified in Revised Exhibits A, B and C all the information that warrants continued confidential treatment.

a. Revised Exhibit A consists of a copy of the confidential material on which all the information that FPL asserts is entitled to confidential treatment has been highlighted.

b. Revised Exhibit B consists of two copies of the documents in Revised Exhibit A on which all the information that FPL asserts is entitled to confidential treatment has been redacted.

c. Revised Exhibit C is a table that identifies the specific pages, lines or columns of information that remain confidential. The table also references the specific statutory basis for confidentiality and the declarant who supports the requested classification.

d. Revised Exhibit D is the declaration of Gerard J. Yupp in support of this request.

4. 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 information is entitled to confidential treatment and is 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.

5. As more fully described in the declaration in Revised Exhibit D, the documents provided by FPL contain information that constitutes contractual data and information relating to competitive interests of FPL and its vendors, the disclosure of which would impair the competitive business of FPL or its vendors. Specifically, the documents contain financial details related to

FPL's asset optimization activities for natural gas and electric transmission. The disclosure of this information would impair FPL's ability to execute transactions for natural gas commodity sales, natural gas storage, natural gas transportation, and electricity transmission on favorable terms for the benefit of its customers. Disclosure would also impair the competitive interests of FPL and its vendors and would place FPL at a competitive disadvantage when coupled with other information that is publicly available. This information is protected by Sections 366.093(3)(d) and (e), Fla. Stat.


6. Upon a finding by the Commission that the Confidential Information remains 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* § 366.093(4), Fla. Stat.

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

Respectfully submitted,

Maria Jose Moncada, Esq.  
Managing Attorney  
David M. Lee, Esq.  
Senior Attorney  
Florida Power & Light Company  
700 Universe Boulevard  
Juno Beach, Florida 33408-0420  
Tel.: (561) 691-7263  
Fax: (561) 691-7135  
Email: maria.moncada@fpl.com  
david.lee@fpl.com

By: \_\_\_\_\_



David M. Lee  
Florida Bar No. 103152

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

I **HEREBY CERTIFY** that a true and correct copy of the foregoing\* has been furnished by electronic mail on this 1<sup>st</sup> day of September, 2023 to the following:

Suzanne Brownless  
Ryan Sandy  
Division of Legal Services  
**Florida Public Service Commission**  
2540 Shumard Oak Blvd.  
Tallahassee, Florida 32399-0850  
sbrownle@psc.state.fl.us  
rsandy@psc.state.fl.us

J. Jeffry Wahlen  
Malcolm N. Means  
Virginia Ponder  
Ausley McMullen  
123 S. Calhoun Street  
Post Office Box 391  
Tallahassee, Florida 32302  
jwahlen@ausley.com  
mmeans@ausley.com  
vponder@ausley.com  
**Attorneys for Tampa Electric Company**

Paula K. Brown, Manager  
**Tampa Electric Company**  
Post Office Box 111  
Tampa, Florida 33601-0111  
regdept@tecoenergy.com

Mike Cassel  
Vice President Regulatory Affairs  
**Florida Public Utilities Company**  
208 Wildlight Ave.  
Yulee, Florida 32097  
mcassel@fpuc.com

Michelle D. Napier  
Director, Regulatory Affairs Distribution  
**Florida Public Utilities Company**  
1635 Meathe Drive  
West Palm Beach, FL33411  
mnapier@fpuc.com  
Robert Scheffel Wright

Walt Trierweiler  
Charles J. Rehwinkel  
Mary A. Wessling  
Patricia A. Christensen  
Office of Public Counsel  
The Florida Legislature  
111 W. Madison Street, Room 812  
Tallahassee, Florida 32399  
trierweiler.walt@leg.state.fl.us  
rehwinkel.charles@leg.state.fl.us  
christensen.patty@leg.state.fl.us  
wessling.mary@leg.state.fl.us

Dianne M. Triplett  
299 First Avenue North  
St. Petersburg, Florida 33701  
Dianne.triplett@duke-energy.com

Matthew R. Bernier  
Stephanie A. Cuello  
106 East College Avenue, Suite 800  
Tallahassee, Florida 32301  
matthew.bernier@duke-energy.com  
stephanie.cuello@duke-energy.com  
**Attorneys for Duke Energy Florida**

Robert L. Pickels  
**Duke Energy Florida**  
106 East College Avenue, Suite 800  
Tallahassee, Florida 32301  
robert.pickels@duke-energy.com  
FLRegulatoryLegal@duke-energy.com

Beth Keating  
Gunster Law Firm  
215 South Monroe St., Suite 601  
Tallahassee, Florida 32301-1804  
bkeating@gunster.com  
**Attorneys for Florida Public Utilities Company**



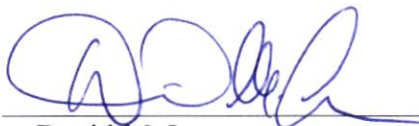
John Thomas LaVia, III  
Gardner, Bist, Bowden, Dee, LaVia,  
Wright, Perry & Harper, P.A.  
1300 Thomaswood Drive  
Tallahassee, FL 32308  
schef@gbwlegal.com  
jlavia@gbwlegal.com  
**Attorneys for Florida Retail Federation**

Jon C. Moyle, Jr.  
Moyle Law Firm, P.A.  
118 North Gadsden Street  
Tallahassee, FL 32301  
jmoyle@moylelaw.com  
mqualls@moylelaw.com  
**Attorneys for Florida Industrial Power  
Users Group**

William C. Garner, Esq.  
Law Office of William C. Garner, PLLC  
3425 Bannerman Road  
Unit 105, No. 414  
Tallahassee, Florida 32312  
bgarner@wcglawoffice.com  
**Attorney for Southern Alliance for  
Clean Energy**

Peter J. Mattheis  
Michael K. Lavanga  
Joseph R. Briscar  
Stone Mattheis Xenopoulos & Brew, PC  
1025 Thomas Jefferson Street, NW  
Eighth Floor, West Tower  
Washington, DC 20007-5201  
pjm@smxblaw.com  
mkl@smxblaw.com  
jrb@smxblaw.com  
**Attorneys for Nucor Steel Florida, Inc.**

James W. Brew  
Laura Wynn Baker  
Stone Mattheis Xenopoulos & Brew, P.C. 1025  
Thomas Jefferson Street, NW  
Eighth Floor, West Tower  
Washington, D.C. 20007  
jbrew@smxblaw.com  
lwb@smxblaw.com  
**Attorneys for White Springs  
Agricultural Chemicals, Inc. d/b/a PCS  
Phosphate – White Springs**

By:   
David M. Lee  
Florida Bar No. 103152

\* Copies of Exhibits B, C and D are available upon request.

**Docket No. 20230001-EI**

**REVISED EXHIBIT “B”**

**REDACTED**

**FPL’s REQUEST FOR EXTENSION OF  
CONFIDENTIAL CALSSIFICATION FOR  
EXHIBIT GJY-1 TO APRIL 2, 2021, DIRECT  
TESTIMONY OF GERARD J. YUPP**

REDACTED

	A	B	C	D	E	F	G	H	I	J	K	L
1	<b>ASSET OPTIMIZATION DETAIL</b>											
2	Actual for the Period of: January 2020 through December 2020											
3												
4	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)
5		Natural Gas	Natural Gas	Natural Gas	Natural Gas	Delivered	Natural Gas	Natural Gas	OBA	Electric Transmission	NOX	Total
6		Delivered City-Gate	Production Area	Capacity Release	Option	Natural Gas	Storage	AMA	Service	Capacity Release	Emissions	Asset Optimization
7		Sales	Sales	Firm Transport	Premiums	Savings	Optimization	Gains	Gains	Firm Transmission	Sales	Gains
8	Month	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)
10	January											
11												
12	February											
13												
14	March											
15												
16	April											
17												
18	May											
19												
20	June											
21												
22	July											
23												
24	August											
25												
26	September											
27												
28	October											
29												
30	November											
31												
32	December											
33												
34	Total	1,919,429	800,131	2,838,728	7,548,469	0	1,679,113	3,161,263	28,000	0	0	17,975,132



**Docket No. 20230001-EI**

**REVISED EXHIBIT “C”**

**FPL’s REQUEST FOR EXTENSION OF  
CONFIDENTIAL CALSSIFICATION FOR  
EXHIBIT GJY-1 TO APRIL 2, 2021, DIRECT  
TESTIMONY OF GERARD J. YUPP**

REVISED EXHIBIT C

COMPANY: Florida Power & Light Company  
 TITLE: List of Confidential Exhibits  
 DOCKET TITLE: Fuel and Purchased Power Cost Recovery Clause with Generating Performance Incentive Factor  
 DOCKET NO: 20230001-EI  
 DATE: September 1, 2023

**Bold denotes revision to reduce the amount of information for which confidential classification was previously requested.**

Exhibit No.	Description	Pages	Conf Y/N	Column No./Line No.	Florida Statute 366.093 (3) Subsection	Declarant
RBD-2	Schedule A12 - Capacity Costs	2	N  N	Pg. 1  Pg. 2, Lns 1 and 3, Cols. A-L Line 2, Cols. A-D Line 4, Cols. A, C and J Lns 5 and 6, Cols. A and C	(d) and (e)	G. Yupp
GJY-1	Asset Optimization Detail	4	N  Y  N	Pgs. 1-2  Pg. 3, Cols. B-L, Lns. 10, 12, 14, 16, 18, 20, 22, 24, 26, 28, 30, 32  Pg. 4	(d) and (e)	G. Yupp

**Docket No. 20230001-EI**

**REVISED EXHIBIT “D”**

**FPL’s REQUEST FOR EXTENSION OF  
CONFIDENTIAL CALSSIFICATION FOR  
EXHIBIT GJY-1 TO APRIL 2, 2021, DIRECT  
TESTIMONY OF GERARD J. YUPP**

**FIRST REVISED EXHIBIT D**

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

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

Docket No: 20230001-EI

**DECLARATION OF GERARD J. YUPP**

1. My name is Gerard J. Yupp. I am currently employed by Florida Power & Light Company ("FPL") as Senior Director of Wholesale Operations in the Energy Marketing and Trading Division. I have personal knowledge of the matters stated in this written declaration.

2. I have reviewed Revised Exhibit A and Revised Exhibit C to FPL's Request for Extension of Confidential Classification of Information included in Exhibit GJY-1 to the April 2, 2021, prepared direct testimony of FPL witness Gerard J. Yupp. The documents and materials in Revised Exhibit A, which are asserted by FPL to be proprietary confidential business information, contain or constitute contractual data, the disclosure of which would impair the efforts of FPL to contract for goods or services on favorable terms. Specifically, the documents contain financial details related to FPL's asset optimization activities for natural gas and electric transmission. The disclosure of this information would impair FPL's ability to execute transactions for natural gas commodity sales, natural gas storage, natural gas transportation, and electricity transmission on favorable terms for the benefit of its customers. Disclosure would also impair the competitive interests of FPL and its vendors and would place FPL at a competitive disadvantage when coupled with other information that is publicly available. To the best of my knowledge, FPL has maintained the confidentiality of this information.

3. Consistent with the provisions of the Florida Administrative Code, such materials should remain confidential for a period of eighteen (18) months. In addition, the materials 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.

  
GERARD J. YUPP

Date: 8/28/23