

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-

DATE: October 23, 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: 02217-2022

DESCRIPTION: FPL (Lee) - (CONFIDENTIAL) Certain portions of Exhs RBD-2 and RBD-4 to direct testimony of Renae B. Deaton; and Exh GJY-1 to direct testimony of Gerard J. Yupp.

SOURCE: Florida Power & Light Company

The above confidential material was filed along with a first 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/Devlin Higgins on 10/23/23, a copy of which has been sent to the Office of Commission Clerk and the Office of General Counsel.

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-M-E-M-O-R-A-N-D-U-M-

DATE: October 23, 2023

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

FROM: Devlin Higgins, Public Utility Supervisor, Division of Accounting & Finance

RE: CONFIDENTIALITY OF CERTAIN INFORMATION
DOCKET NO: 20230001-EI DOCUMENT NO: 02217-2022
DESCRIPTION: FPL (Lee) - (CONFIDENTIAL) Certain portions of Exhs RBD-2 and RBD-4 to direct testimony of Renae B. Deaton; and Exh GJY-1 to direct testimony of Gerard J. Yupp.

SOURCE: Florida Power & Light Company

Pursuant to Section 366.093, Florida Statutes (F.S.), and Rule 25-22.006, Florida Administrative Code, Florida Power & Light Company (FPL or Company) requests an extension of confidential classification of certain information filed in the above-referenced docket, dated April 1, 2022. The initial confidential classification was granted pursuant to Order No. PSC-2022-0149-CFO-EI.¹

The Company is claiming confidentiality of its filing under Section 366.093(3)(d), F.S., and Section 366.093(3)(e), F.S. Per the Statute, propriety of confidential business information includes, but is not limited to: Subsection (d) “[i]nformation 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,” and 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 relates to pricing data for short-term capacity purchases, information related to the competitive interests of suppliers from whom FPL purchases capacity, and financial details related to FPL’s asset optimization activities for natural gas and electric transmission. FPL contends the disclosure of this information would impair its ability to execute business transactions on favorable terms for the benefit of its customers.

¹Order No. PSC-2022-0149-CFO-EI, issued April 22, 2022, in Docket No. 20220001-EI, *In re: Fuel and purchased power cost recovery clause with generating performance incentive factor.*

Staff has reviewed the Company's information and confidentiality request. It is staff's opinion that the information subject to this request continues to meet the criteria for confidentiality contained in Section 366.093(3)(d), F.S., and Section 366.093(3)(e), F.S.