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April 3, 2024

-VIA HAND DELIVERY -

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

REDACTED

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2024 APR -3 PM 1:26
COMMISSION
CLERK

Re: Docket No. 20240001-EI

Dear Mr. Teitzman:

Enclosed for filing on behalf of Florida Power & Light Company ("FPL") is FPL's Request for Confidential Classification of certain information provided in exhibits to the prepared direct testimonies of FPL witnesses Amin A. Mohomed (AAM-2) and Gerard J. Yupp (GJY -1). The request includes Exhibits A through D.

Exhibit A contains the confidential information that is the subject of FPL's Request for Confidential Classification. Exhibit A is submitted for filing in an envelope marked "EXHIBIT A" – CONFIDENTIAL. Exhibit B (two copies) is an edited version of Exhibit A, in which the information FPL asserts is confidential has been redacted. Exhibit C is a justification table in support of the Request for Confidential Classification. Exhibit D contains the declaration of Gerard J. Yupp in support of FPL's Request for Confidential Classification. In accordance with Rule 25-22.006(3)(d), Florida Administrative Code, 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.

- COM _____
- AFD 1 Attachment "B"
- APA _____
- ECO _____
- ENG _____
- GCL _____
- IDM _____
- CLK _____

Enclosures

cc: Counsel for Parties of Record (w/ copy of FPL's Request for Confidential Classification)

Sincerely,

David M. Lee
Fla. Bar No. 103152

Florida Power & Light Company

700 Universe Boulevard, Juno Beach, FL 33408

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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

Docket No: 20240001-EI

Date: April 3, 2024

**FLORIDA POWER & LIGHT COMPANY'S
REQUEST FOR CONFIDENTIAL CLASSIFICATION
OF CERTAIN PORTIONS OF EXHIBITS AAM-2 AND GJY-1**

Pursuant to Section 366.093, Florida Statutes (“Fla. Stat.”), and Rule 25-22.006, Florida Administrative Code (“F.A.C.”), Florida Power & Light Company (“FPL”) requests confidential classification of certain information provided in exhibits to the prepared direct testimonies of FPL witnesses Amin A. Mohamed (AAM-2) and Gerard J. Yupp (GJY-1) (the “Confidential Information”). In support of this request, FPL states as follows:

1. On April 3, 2024, FPL submitted in this docket the prepared testimonies and exhibits of FPL witnesses Amin A. Mohamed and Gerard J. Yupp, including Exhibits AAM-2 and GJY-1 which contain the Confidential Information. This Request seeks confidential classification of the Confidential Information consistent with Rule 25-22.006, F.A.C.

2. The following exhibits are included with and made a part of this Request:

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

b. Exhibit B consists of a copy of the confidential material on which all information that FPL asserts is entitled to confidential treatment has been redacted. Copies of the redacted exhibits are also included in the filing versions of the prepared testimonies of FPL witnesses Mohamed and Yupp.

c. Exhibit C is a table that identifies by page, line, or column the Confidential Information, together with references to the specific statutory bases for the claim of confidentiality and identifies the declarant who supports the requested classification.

d. Exhibit D contains the declaration of Gerard J. Yupp in support of this Request.

3. 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.

4. As more fully described in the declaration included in Exhibit D, the documents provided by FPL contain information concerning contractual data, the disclosure of which would impair the efforts of FPL or its affiliates to contract for goods or services on favorable terms. Specifically, the documents contain information related to the pricing for short-term capacity purchases, the disclosure of which would impair FPL's ability to contract for capacity on favorable terms for the benefit of its customers. This information is protected by Sections 366.093(3)(d), Fla. Stat.


5. Additionally, the information relates to competitive interests, the disclosure of which would impair the competitive businesses of FPL or its vendors. Specifically, the documents contain financial details related to FPL's asset optimization activities for natural gas and electric transmission. This information is protected by Section 366.093(3)(e), Fla. Stat.

6. Upon a finding by the Commission that the Confidential Information highlighted in Exhibit A, and referenced in Exhibit C, is proprietary confidential business information within Section 366.093(3), Fla. Stat., such 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, Florida Power & Light Company respectfully requests that its Request for Confidential Classification be granted.

Respectfully submitted,

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By: 
David M. Lee
Florida Bar No. 103152

CERTIFICATE OF SERVICE

Docket No. 20240001-EI

I HEREBY CERTIFY that a true and correct copy of the foregoing* has been furnished by electronic mail on this 3rd day of April 2024 to the following:

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By: 

David M. Lee
Florida Bar No. 103152

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

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ATTACHMENT “B”

**FPL’s FINAL TRUE-UP TESTIMONY
EXHIBITS AAM-2 AND GJY-1**

Florida Power & Light Company
 Schedule A12 - Capacity Costs: Payments to Non-cogenerators
 Page 2 of 2

A B C D E F G H I J K L M

For the Month of December 2023

<u>Contract</u>	<u>Counterparty</u>	<u>Identification</u>	<u>Contract Start Date</u>	<u>Contract End Date</u>
1	Solid Waste Authority - 40 MW	Other Entity	January, 2012	March 31, 2032
2	Solid Waste Authority - 70 MW	Other Entity	July, 2015	May 31, 2034
3	Central Alabama	Other Entity	November 2, 2009	May 24, 2023
4				
5				

2023 Capacity in MW

<u>Contract</u>	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
1	40	40	40	40	40	40	40	40	40	40	40	40
2	70	70	70	70	70	70	70	70	70	70	70	70
3	885	885	885	885	885	-	-					
4	-	-	-	-			-					
5												
Total	995	995	995	995	995	110	110	110	110	110	110	110

2023 Capacity in Dollars

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Total	7,676,600	7,676,600	7,676,600	7,676,600	6,261,742	1,460,400	1,460,400	1,460,400	1,460,400	1,460,400	1,460,400	1,460,400

Year-to-date Short Term Capacity Payments	47,190,942
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(1) Total capacity costs do not include payments for the Solid Waste Authority - 70 MW unit. Capacity costs for this unit were recovered through the Energy Conservation Cost Recovery Clause in 2014, consistent with Commission Order No. PSC-11-0293-FOF-EU issued in Docket No. 110018-EU on July 6, 2011.

<u>Contract</u>	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
1												
2												
3												
4												
<u>True ups</u>												
1												
2												

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A B C D E F G H I J

ASSET OPTIMIZATION DETAIL
Actual for the Period of January 2023 through December 2023

(1) Month	(2) Natural Gas Delivered City-Gate Sales (\$)	(3) Natural Gas Production Area Sales (\$)	(4) Natural Gas Capacity Release Firm Transport (\$)	(5) Natural Gas Option Premiums (\$)	(6) Natural Gas Storage Optimization (\$)	(7) Natural Gas AMA Gains (\$)	(8) OBA Service Gains (\$)	(9) Solar REC Sales (\$)	(10) Total Asset Optimization Gains (\$)
January									4,245,507
February									3,639,531
March									5,663,820
April									2,469,624
May									3,775,277
June									3,697,546
July									4,274,729
August									4,868,696
September									4,183,923
October									4,658,658
November									4,279,158
December									5,737,208
Total	2,010,170	299,804	6,188,713	16,961,625	916,180	9,063,201	48,000	16,005,985	51,493,678

Docket No. 20240001-EI

ATTACHMENT “C”

**FPL’s FINAL TRUE-UP TESTIMONY
EXHIBITS AAM-2 AND GJY-1**

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: 20240001-EI
DATE: April 3, 2024

Exhibit No.	Description	Pages	Conf Y/N	Column No./Line No.	Florida Statute 366.093 (3) Subsection	Declarant
AAM-2	Schedule A12 - Capacity Costs	18	N Y	Pg. 1-16, and 18 Pg. 17, Cols. B-M, Lns 21-27	(d), (e)	Gerard J. Yupp
GJY-1	Asset Optimization Detail	4	N Y	Pg. 1-2, and 4 Pg. 3, Cols. B-I, Lines 10-27	(e)	Gerard J. Yupp

Docket No. 20240001-EI

ATTACHMENT “D”

**FPL’s FINAL TRUE-UP TESTIMONY
EXHIBITS AAM-2 AND GJY-1**

EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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

Docket No: 20240001-EI


DECLARATION OF GERARD J. YUPP

1. My name is Gerard J. Yupp. I am currently employed by Florida Power & Light Company ("FPL") as Executive 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 the exhibits to FPL's Request for Confidential Classification of Information included in the testimony of FPL witness Amin A. Mohamed (Exhibit AAM-2) and the testimony of FPL witness Gerard J. Yupp (Exhibit GJY-1). The documents and materials 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 information related to the pricing for short-term capacity purchases, the disclosure of which would impair FPL's ability to contract for capacity on favorable terms for the benefit of its customers. The information provided by FPL also contains information related to the competitive interests of suppliers from whom FPL purchases capacity, the disclosure of which would impair the competitive businesses of the providers of the information. Additionally, 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 also would 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: 4/2/24