



FILED 7/26/2024
DOCUMENT NO. 07922-2024
FPSC - COMMISSION CLERK

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

July 26, 2024

VIA HAND DELIVERY

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

REDACTED

RECEIVED-FPSC
2024 JUL 26 PM 12:59
COMMISSION
CLERK

Re: Docket No. 20240001-EI

Dear Mr. Teitzman:

I enclose for filing in the above docket Florida Power & Light Company's ("FPL") Request for Confidential Classification of Certain Information included in FPL's 2025 Risk Management Plan, which is being filed contemporaneously with this request as part of FPL's 2024 Actual/Estimated True-up Petition in Docket 20240001-EI. The request includes Exhibits A, B (two copies), C and D.

Exhibit A consists of the confidential documents, wherein all the information that FPL asserts is entitled to confidential treatment has been highlighted. Exhibit B 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 FPL's Request for Confidential Classification. Exhibit D contains the declaration in support of FPL's Request.

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

Sincerely,

David M. Lee

COM
AFD 1 Efh
APA uB
ECO
ENG
GCL
IDM
CLK

Enclosure

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

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: July 26, 2024

**FLORIDA POWER & LIGHT COMPANY'S REQUEST FOR
CONFIDENTIAL CLASSIFICATION OF MATERIALS
PROVIDED IN ITS 2025 RISK MANAGEMENT PLAN**

Pursuant to Section 366.093, Florida Statutes and Rule 25-22.006, Florida Administrative Code, Florida Power & Light Company ("FPL") requests confidential classification of certain materials provided in its 2025 Risk Management Plan (the "Confidential Information"), which is being filed contemporaneously with this request as part of FPL's 2024 Actual/Estimated True-up Petition. In support of its Request, FPL states as follows:

1. FPL is filing its 2025 Risk Management Plan as part of FPL's 2024 Actual/Estimated True-up Petition contemporaneously with this request. Attachments 1 and 2 to FPL's 2025 Risk Management Plan contain confidential information.

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

a. Exhibit A is a copy of Attachments 1 and 2 to FPL's 2025 Risk Management Plan on which all of the Confidential Information has been highlighted.

b. Exhibit B consists of two copies of Attachments 1 and 2 on which all the Confidential Information has been redacted. As the documents in Exhibit A are confidential in their entirety, FPL is including only identifying cover pages in Exhibit B.

c. Exhibit C is a table that identifies the specific page and line references for the information for which confidential treatment is sought, provides a brief description of the Confidential Information, references the specific statutory bases for the claim of confidentiality, and lists the declarant who supports the requested classification.

d. Exhibit D is the declaration of Michael V. Cashman in support of this request.

3. FPL submits that the highlighted information in Exhibit A is proprietary confidential business information within the meaning of Section 366.093(3), Florida Statutes. This information is intended to be and is treated by FPL as private, and its confidentiality has been maintained. Pursuant to Section 366.093, such information is entitled to confidential treatment and is exempt from the disclosure provisions of the public records law. Thus, once the Commission determined 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 described more fully in the declaration included as Exhibit D and described in Exhibit C, the Confidential Information includes details of FPL's strategy and plans for fuel purchases in 2025 and beyond. Certain Confidential Information contained in Exhibit A relates to bids or other contractual data, the disclosure of which would impair the efforts of FPL to contract for goods on favorable terms, to the detriment of FPL and its customers. This information is protected by Section 366.093(3)(d), Fla. Stat.

5. Additionally, the Confidential Information contained in the Risk Management Plan also relates to competitive interests of FPL, and its disclosure would impair the competitive business of FPL. Specifically, the confidential information contained in the 2025 Risk Management Plan relates to competitive interests and internal policy and procedures of FPL, the disclosure of which would impair the competitive business as well as the efforts of FPL to contract for goods and services on favorable terms, also to the detriment of FPL and its customers. This information is protected by Section 366.093(3)(e), Fla. Stat.

6. 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 eighteen (18) 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, Florida Power & Light Company respectfully requests that its Request for Confidential Classification be granted.

Respectfully submitted,

Maria Jose Moncada
Assistant General Counsel
David M. Lee
Senior Attorney
Florida Power & Light Company
700 Universe Boulevard
Juno Beach, FL 33408
Telephone: (561) 304-5795
Facsimile: (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. 20240001-EI

I HEREBY CERTIFY that a true and correct copy of the foregoing* has been furnished by electronic mail on this 26th day of July 2024 to the following:

Suzanne Brownless
Ryan Sandy
Office of General Counsel
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850
sbrownle@psc.state.fl.us
rsandy@psc.state.fl.us

J. Jeffrey Wahlen
Malcolm N. Means
Virginia Ponder
Ausley & McMullen
P.O. 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
Regulatory Coordinator
Post Office Box 111
Tampa, Florida 33601-0111
regdept@tecoenergy.com

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

Walt Trierweiler
Charles J. Rehwinkel
Mary Wessling
Patricia A. Christensen
Octavio Ponce
Austin Watrous
Office of Public Counsel
The Florida Legislature
111 West Madison St., Room 812
Tallahassee, FL 32399-1400
Trierweiler.walt@leg.state.fl.us
christensen.patty@leg.state.fl.us
rehwinkel.charles@leg.state.fl.us
wessling.mary@leg.state.fl.us
ponce.octavio@leg.state.fl.us
watrous.austin@leg.state.fl.us
**Attorneys for the Citizens of the State of
Florida**

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

Dianne M. Triplett
299 First Avenue North
St. Petersburg, Florida 33701
dianne.triplett@duke-energy.com
Attorneys for Duke Energy Florida

Beth Keating
Gunster, Yoakley & Stewart, P.A.
215 South Monroe St., Suite 601
Tallahassee, Florida 32301-1804
bkeating@gunster.com
**Attorneys for Florida Public Utilities
Company**

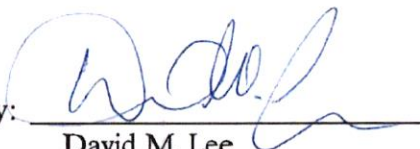
Michelle D. Napier
Director, Regulatory Affairs Distribution
Florida Public Utilities Company
1635 Meathe Drive
West Palm Beach, FL33411
mnapier@fpuc.com

Robert Scheffel Wright
John T. LaVia, III
Gardner, Bist, Bowden, Dec. 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
mqalls@moylelaw.com
**Attorneys for Florida Industrial Power
Users Group**

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

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.

By: 
David M. Lee
Florida Bar No. 103152

* The exhibits to this Request are not included with the service copies, but copies of Exhibits C and D are available upon request.

Docket No. 20240001-EI

EXHIBIT “B”

REDACTED

**FPL’s RISK MANAGEMENT PLAN
(ATTACHMENT NOS. 1 AND 2)**

REDACTED VERSION OF CONFIDENTIAL DOCUMENTS
[Pages 2 through 26]

NextEra Energy, Inc., Risk and
Credit Exposure Management Policy

REDACTED VERSION OF CONFIDENTIAL DOCUMENTS
[Pages 2 through 61]

FPL Risk and Credit Exposure Management Procedures Manual

REDACTED VERSION OF CONFIDENTIAL DOCUMENTS
[Pages 2 through 26]

NextEra Energy, Inc., Risk and
Credit Exposure Management Policy

REDACTED VERSION OF CONFIDENTIAL DOCUMENTS
[Pages 2 through 61]

FPL Risk and Credit Exposure Management Procedures Manual

Docket No. 20240001-EI

EXHIBIT “C”

**FPL’s RISK MANAGEMENT PLAN
(ATTACHMENT NOS. 1 AND 2)**

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: July 26, 2024

Description	Page Nos.	Column No./Line No.	Florida Statute 366.093 (3) Subsection	Declarant
Attachment 1 (NEE Risk and Credit Exposure Management Policy - January 2023)	2 through 26	ALL	(d), (e)	Michael V. Cashman
Attachment 2 (EMT/FPL Risk and Credit Exposure Management Procedures Manual - May 2023)	2 through 61	ALL	(d), (e)	Michael V. Cashman

Docket No. 20240001-EI

EXHIBIT “D”

**FPL’s RISK MANAGEMENT PLAN
(ATTACHMENT NOS. 1 AND 2)**

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 MICHAEL V. CASHMAN

1. My name is Michael V. Cashman. 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 declaration.

2. I have reviewed Exhibit C and the documents that are included in Exhibit A to FPL's Request for Confidential Classification of Materials Provided in Its 2025 Risk Management Plan. The documents or materials that I have reviewed, and which are asserted by FPL to be proprietary confidential business information, contain or constitute data pertinent to FPL's procurement activities. Additionally, the confidential information contained in the 2025 Risk Management Plan relates to competitive interests and internal policy and procedures of FPL, the disclosure of which would impair the competitive business as well as the efforts of FPL to contract for goods and services on favorable terms, also to the detriment of FPL and its customers. 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 least eighteen (18) 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.



Michael V. Cashman

Date:

July 24, 2024