

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: October 11, 2024

**FLORIDA POWER & LIGHT COMPANY'S REQUEST FOR EXTENSION
OF CONFIDENTIAL CLASSIFICATION OF INFORMATION PROVIDED
IN RESPONSE TO THE OFFICE OF PUBLIC COUNSEL'S FIRST
REQUEST FOR PRODUCTION OF DOCUMENTS (NO. 7)**

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 response to the Office of Public Counsel's ("OPC") First Request for Production of Documents (No. 7) ("Confidential Information"). In support of its Request, FPL states as follows:

1. On March 9, 2023, FPL filed a request for confidential classification of the Confidential Information (Document No. 02144-2023, Docket No. 20230001-EI) ("March 9, 2023 Request"). By Order No. PSC-2023-0123-CFO-EI, dated April 11, 2023 ("Order 0123"), the Commission granted FPL's March 9, 2023 Request. FPL adopts and incorporates by reference the March 9, 2023 Request and Order 0123.

2. The period of confidential treatment granted by Order 0123 will soon expire. The Confidential Information that was the subject of FPL's March 9, 2023 Request and Order 0123 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. All the information designated in the March 9, 2023 Request remains confidential, and to the knowledge of the undersigned attorney, the Confidential Information has not been publicly disclosed. Accordingly, Exhibits A and B will not be reproduced or reattached herein.

Included is Revised Exhibit C to identify a new declarant, Cormac Doyle, who is replacing the previous declarant, Cheryl Dietrich.

4. Also included as Revised Exhibit D is the declaration of Cormac Doyle in support of this request.

5. 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, 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.

6. As explained more fully in the declaration included in Revised Exhibit D, the Confidential Documents contain information that if made public, would impair the competitive interests of FPL and the third-party who provided the information to FPL. Specifically, the confidential documents contain information that was provided to FPL by a third-party as confidential, and which are proprietary to that third-party. If FPL were to publicly disclose this information, third-parties may refuse to share this type of information with FPL in the future, to the detriment of FPL and its customers. This information is protected by Sections 366.093(3)(e), F.S.

7. Nothing has changed since the Commission entered Order 0123 to render the Confidential Information identified in Revised Exhibit C stale or public, such that continued confidential treatment would not be appropriate.

8. 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 materials and declaration included herewith, Florida Power & Light Company respectfully requests that its Request for Extension of Confidential Classification be granted.

Respectfully submitted,

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By: /s/ David M. Lee
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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 11th day of October 2024 to the following:

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REVISED EXHIBIT “C”

**FPL MATERIALS PROVIDED PURSUANT
OPC’S FIRST REQUEST FOR PRODUCTION
OF DOCUMENTS NO. 7**

REVISED EXHIBIT C

COMPANY: Florida Power & Light Company
TITLE: List of Confidential Documents
DOCKET NO.: 20240001-EI
DOCKET TITLE: Fuel and Purchased Power Cost Recovery Clause with Generating Performance Incentive Factor
SUBJECT: FPL's Response to OPC's First Request for Production (No. 7)
DATE: October 11, 2024

*Bold denotes a change to reflect a new declarant.

Item No.	Bates Nos. / Page Nos.	Description	Line No./ Col. No.	Florida Statute 366.093(3) Subsection	Declarant
OPC 1 st POD, No. 7	FRC -23-000365 to FRC -23-000397	Framatome Engineering Information Record (08/12/2020)	ALL	(e)	Cormac Doyle
OPC 1 st POD, No. 7	FRC -23-000398 to FRC -23-000399	Framatome Gripper Observation (10/13/2021)	ALL	(e)	Cormac Doyle

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REVISED EXHIBIT “D”

**FPL MATERIALS PROVIDED PURSUANT
OPC’S FIRST REQUEST FOR PRODUCTION
OF DOCUMENTS NO. 7**

REVISED EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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Factor

Docket No: 20240001-EI

DECLARATION OF CORMAC DOYLE

1. My name is Cormac Doyle. I am currently employed by Florida Power & Light Company (“FPL”) as Executive Director, Nuclear Finance. I have personal knowledge of the matters stated in this written declaration.

2. I have reviewed Revised Exhibit C and the documents and information included in Exhibit A to FPL’s March 9, 2023 Request for Confidential Classification. The documents and materials in Exhibit A which are asserted by FPL to be proprietary confidential business information contain information relating to the competitive interests of a third-party, the disclosure of which would impair the competitive business of the provider of the information. Specifically, the confidential documents contain information that was provided to FPL by a third-party as confidential, and which are proprietary to that third-party. If FPL were to publicly disclose this information, third parties may refuse to share this type of information with FPL in the future, to the detriment of FPL and its customers. To the best of my knowledge, FPL has maintained the confidentiality of this information.

3. Nothing has occurred since the issuance of Order No. PSC-2023-0123-CFO-EI to render the designated information stale or public, such that continued confidential treatment would not be appropriate. Therefore, consistent with the provisions of the Florida Administrative Code, such materials should remain confidential for a period of 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.

Cormac Doyle

Digitally signed by Cormac Doyle
DN: cn=Cormac Doyle, o, ou,
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Date: 2024.10.11 09:39:08 -04'00'

Cormac Doyle