



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-

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CLERK

DATE: October 5, 2012

TO: Keino Young, Senior Attorney, Office of the General Counsel

FROM: Betty L. Gardner, Regulatory Analyst III, Division of Accounting & Finance

RE: Florida Power & Light Company - Docket No. 120015-EI-Confidentiality Request

On September 19, 2012, pursuant to Section 366.093, Florida Statutes (F. S.), Florida Power and Light Company (FPL) filed a request for confidential classification with respect to the highlighted information contained in Document Number 06289-12: FPL's Responses to Staff's 6th Request for Documents Number 50 that includes Bates Stamped Numbers 4181-4218, 4680-4764, 4807-4845, and 5136-5227; and cross-referenced with Document Number 05903-12. FPL's responses to Staff's 6th Request for Documents Number 50 were used as Hearing Exhibits during the August 20 through 24 and August 27 through 31, 2012 hearing, that included Exhibit 30-Bates Numbers 4680-4764 as Hearing Exhibit Number 609 cross-referenced with Document 05923-12. Also, Exhibits A, B, C, and D that are related to the above Bates Stamped Numbers, are included and made a part of this request by the Company. FPL states that the information contained in these responses should be classified as proprietary, confidential, business information pursuant to Section 366.093(3)(d) and (e), F.S.

FPL requests confidentiality under Subsection 366.093(3)(d) and (e) F.S., which states:

(3) Proprietary confidential business information means information, regardless of form or characteristic, which is owned or controlled by the person or company, is intended to be and treated by the person or company as private in that the disclosure of the information would cause harm to the ratepayers or the person's or company's business operations, and has not been disclosed unless disclosed pursuant to a statutory provision, an order of a court or administrative body, or private agreement that provides that the information will not be released to the public. Proprietary confidential business information includes, but is not limited to:

- (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 the information.

DOCUMENT NUMBER-DATE

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- (f) Employees personnel information unrelated to compensation, duties, qualifications, or responsibilities.

Upon review of the aforementioned documents, staff concurs with FPL that the highlighted information contained in Document No. 06289-12 meets the requirements for confidential classification pursuant to Section 366.093(3)(d) and (e), F.S. Accordingly, this information should be treated as confidential.

cc: Office of Commission Clerk



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

DATE: October 5, 2012
TO: Division of Accounting and Finance, Office of Primary Responsibility
FROM: OFFICE OF COMMISSION CLERK
RE: CONFIDENTIALITY OF CERTAIN INFORMATION

DOCKET NO(s): 120015-EI DOCUMENT NO(s): 06289-12

DESCRIPTION: FPL (Moncada) - (CONFIDENTIAL) Documents produced in response to staff's 6th request for PODs (No. 50) (Bates Nos. 4181-4218, 4680-4764, 4807-4845, and 5136-5227). [x-ref. DN 05903-12] [CLK note: staff's 6th POD (No. 50); Exh 30; Bates Nos. 4680-4764 is Hearing Exhibit No. 609 [DN 05923-12] from 8/20-24 and 27-31/12 hearing.]

SOURCE: Florida Power & Light Company

The above confidential material was filed along with a request for 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 company to contract for services on favorable terms;
 - (e) Information relating to competitive interests, the disclosure of which would impair the competitive business of the provider of the information.
 - (f) Employees 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 Betty Gardner on 10/5/12, a copy of which has been sent to the Office of Commission Clerk and the Office of General Counsel.