

State of Florida



Public Service Commission
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3 AUG - 8 AM 8:50
COMMISSION
CLERK

DATE: August 8, 2013
TO: Kathryn Cowdery, Office of the General Counsel
FROM: Walter Clemence, Office of Industry Development and Market Analysis *mc*
RE: Confidentiality Request by Florida Power and Light Company - Document No. 04403-13 – Docket No. 130160-EI

Florida Power and Light Company (FPL) has requested that certain information concerning their response to question 17 of Staff's First Data Request in Docket No. 130160-EI be afforded confidential treatment. This information was requested by staff in Docket No. 130160-EI.

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

(3) Proprietary confidential business information means information, regardless of form or characteristics, which is owned or controlled by the person or company, is intended to be and is 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.

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

Staff has reviewed FPL's confidentiality request. In staff's opinion, the request does meet the criteria for confidentiality contained in Subsection 366.093(3)(d) and (e), F.S.

Therefore, staff recommends that FPL's request for confidential treatment of certain information included in the response to question 17 of Staff's First Data Request be approved.

cc: Mark Futrell
David Dowds
Debra Betton
Office of Commission Clerk