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November 13, 2013

**VIA HAND DELIVERY**

Ms. Ann Cole  
Commission Clerk  
Florida Public Service Commission  
Betty Easley Conference Center  
2540 Shumard Oak Boulevard, Room 110  
Tallahassee, FL 32399-0850

**REDACTED**

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COMMISSION  
CLERK

Re: Docket No. 130260-EU

Dear Ms. Cole:

Enclosed for filing on behalf of Florida Power and Light Company ("FPL") and the Peace River Electric Cooperative, Inc. (PRECO) are the original and seven (7) copies of Request for Confidential Classification of Appendix B to its Joint Petition for Approval of Territorial Agreement.

Exhibit A consists of the confidential documents on which all the information that FPL asserts is entitled to confidential treatment has been highlighted. Exhibit B is an edited version of Exhibit A, on 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 two affidavits in support of FPL's Request for Confidential Classification. Also included in this filing is a compact disc containing FPL's Request for Confidential Classification and Exhibit C, in Microsoft Word format.

If you should have any questions, please do not hesitate to contact me at 561-304-5633.

- COM \_\_\_\_\_
- AFD \_\_\_\_\_
- APA \_\_\_\_\_
- ECO 6 + CD + 1 redacted
- ENG \_\_\_\_\_
- GCL 1
- IDM \_\_\_\_\_
- TEL \_\_\_\_\_
- CLK \_\_\_\_\_

Enclosures

Sincerely,

Scott A. Goorland

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

Florida Power & Light Company and Peace  
River Electric Cooperative, Inc.'s, Joint  
Petition for Approval of Transfer of Customers

Docket No. 130260-EU  
November 13, 2013

**FLORIDA POWER & LIGHT COMPANY'S  
REQUEST FOR CONFIDENTIAL CLASSIFICATION**

Pursuant to section 366.093, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, Florida Power & Light Company ("FPL") hereby submits this Request for Confidential Classification of Appendix B to FPL and the Peace River Electric Cooperative, Inc.'s ("PRECO'S") Joint Petition for Approval of Territorial Agreement, and in support states:

1. On October 23, 2013, FPL and PRECO submitted Florida Power & Light Company and the Peace River Electric Cooperative, Inc.'s Joint Petition for Approval of Transfer of Customers ("Petition"). Separately, on the same date, FPL submitted a Notice of Intent to Request Confidential Classification of Exhibit B to the Petition, along with a confidential copy of Exhibit B. The original Exhibit B submitted on October 23, 2013, inadvertently included confidential information which should have been redacted. On October 24, 2013, FPL submitted a revised version of Exhibit B in redacted form and requested the return of the original Exhibit B. On October 28, 2013, the Commission returned the original Exhibit B to FPL. On November 8, 2013, FPL identified errors in the revised Exhibit B submitted on October 24, 2013. FPL submitted a redacted corrected second revised version of Exhibit B.

2. Exhibit B contains an identification of customers who will be transferred as a result of the Petition. Pursuant to Rule 25-22.006(3)(a), Florida Administrative Code, FPL is filing this Request for Confidential Classification.

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

(a) Exhibit A is an unredacted copy of the documents for which FPL seeks confidential treatment. Exhibit A is being submitted separately in a sealed envelope labeled “CONFIDENTIAL.” In the unredacted version, the information asserted to be confidential is highlighted in yellow.

(b) Exhibit B contains two copies of a redacted version of the documents for which FPL requests confidential classification. The specific information for which confidential treatment is requested has been redacted.

(c) Exhibit C is a table that identifies the information for which FPL seeks confidential classification and the specific statutory bases for seeking confidential treatment; and

(d) Exhibit D consists of the affidavits of David T. Bromley of FPL and Randall W. Shaw of PRECO in support of this request.

4. 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 and PRECO 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 hard of disclosure against the public interest in access to the information.

5. As indicated in Mr. Bromley’s affidavit that is included in Exhibit D, the information that FPL asserts is proprietary and confidential business information is customer-specific account information with respect to non-governmental customers. FPL has a corporate

policy not to disclose customer specific information. This policy includes, but is not limited to: customer names, addresses, telephone numbers, account numbers, rates, billing determinants (kW and kWh usage), conservation savings in kW, kWh and bills. FPL treats such information as confidential and does not disclose it, except as required by law, to entities or persons other than the customer without the permission of the customer. FPL's policy is premised upon customers' right to privacy and the potential that the disclosure of customer specific information may harm some customers' competitive interests. Such information is protected from public disclosure pursuant to Section 366.093(3)(e), Florida Statutes.

6. As further indicated in Randall W. Shaw's affidavit that is included in Exhibit D, the information that FPL asserts is proprietary and confidential business information, on behalf of PRECO, is PRECO customer-specific account information. PRECO has a policy not to disclose customer specific information. This policy includes, but is not limited to: customer names, addresses, telephone numbers, account numbers, rates, billing determinants (kW and kWh usage), conservation savings in kW, kWh and bills. PRECO treats such information as confidential and does not disclose it, except as required by law, to entities or persons other than the customer without the permission of the customer. PRECO's policy is based upon the customer's right to privacy and the potential that the disclosure of the customer specific information may harm some customers' competitive interests. Such information is protected from public disclosure pursuant to 366.093(3)(e), Florida Statutes.

7. Upon a finding by the Commission that the information provided in Exhibit A, and referenced in Exhibits B, C and D is proprietary confidential business information, the information should not be declassified for a period of at least eighteen (18) months and should be

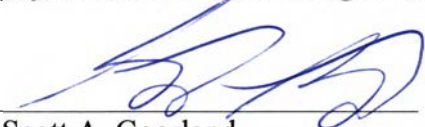
returned to FPL as soon as the information is no longer necessary for the Commission to conduct its business. *See S.366.093(4)*, F.S.

**WHEREFORE**, FPL respectfully requests confidential classification of the material described herein.

Respectfully submitted this 13th day of November, 2013.

R. Wade Litchfield, Esq.  
Vice President and General Counsel  
John T. Butler, Esq.  
Assistant General Counsel-Regulatory  
Scott A. Goorland, Esq.  
Principal Attorney  
700 Universe Boulevard  
Juno Beach, FL 33408  
*Attorneys for Florida Power & Light Company*

By: \_\_\_\_\_

  
Scott A. Goorland  
Florida Bar No. 0066834

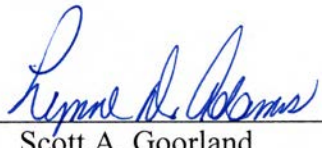
**CERTIFICATE OF SERVICE**  
**Docket No. 130260-EU**

**I HEREBY CERTIFY** that a true and correct copy of the foregoing Request for Confidential Classification\* has been furnished by hand delivery\*\* and/or by United States Mail on this 13th day of November, 2013 to the following:

Caroline Klancke, Esq.\*\*  
Division of Legal Services  
Florida Public Service Commission  
2540 Shumard Oak Blvd  
Tallahassee, Florida 32399-0850

Peace River Electric Cooperative, Inc.  
P.O. Box 1310  
Wauchula, FL 33873-1310

Martin P. McDonnell, Esq.  
Rutledge Law Firm  
P.O. Box 551  
Tallahassee, FL 32302-0551

By:   
\_\_\_\_\_  
Scott A. Goorland  
Fla. Bar No. 0066834

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

**EXHIBIT A**

**CONFIDENTIAL**

**FILED UNDER SEPARATE COVER**

# **EXHIBIT B**

## **REDACTED COPIES**



Docket No. 130260-EI  
FPL and PRECO Affected Customers  
Exhibit B, redacted version

**REDACTED**

Exhibit "B"

*FPL Affected Customers*

	A Account No.	B Name	C Address	Account Type	Date Notified
1	[REDACTED]	[REDACTED]	[REDACTED]	Residential	June 27, 2013
2	[REDACTED]	[REDACTED]	[REDACTED]	Commercial	June 27, 2013
3	[REDACTED]	[REDACTED]	[REDACTED]	Outdoor lighting	June 27, 2013
4	[REDACTED]	[REDACTED]	[REDACTED]	Residential	June 27, 2013

*PRECO Affected Customer*

5	[REDACTED]	[REDACTED]	[REDACTED]	Residential	June 7, 2013, November 6, 2013
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# **EXHIBIT C**

## **JUSTIFICATION TABLE**

**EXHIBIT C**

**COMPANY: Florida Power & Light Company**

**TITLE: List of Confidential Documents**

**DOCKET TITLE: 130260-EI, Florida Power & Light Company and Peace River Electric Cooperative, Inc.'s, Joint Petition for Approval of Transfer of Customers**

**DATE: November 13, 2013**

<b>Document Title, Page Number</b>	<b>Confidential Y/N</b>	<b>Line/Column</b>	<b>366.093 (3) F.S.</b>	<b>Affiant(s)</b>
Exhibit B, Page 1	Y	Columns A-C, Rows 1-4 Columns A-C, Row 5	(e)	David T. Bromley Randall W. Shaw

**EXHIBIT D**

**AFFIDAVITS**

**EXHIBIT D**

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Florida Power & Light Company and  
Peace River Electric Cooperative, Inc.'s,  
Joint Petition for Approval of Transfer of  
Customers

Docket No. 130260-EU

STATE OF FLORIDA )  
HARDEE COUNTY )

**AFFIDAVIT OF RANDALL W. SHAW**

**BEFORE ME**, the undersigned authority, personally appeared Randall W. Shaw who, being first duly sworn, deposes and says:

1. My name is Randall W. Shaw. I am currently employed by Peace River Electric Cooperative, Inc. as CEO/General Manager. My business address is 210 Metheny Road Wauchula, FL 33873. I have personal knowledge of the matters stated in this affidavit.

2. I have reviewed Exhibit C, and the documents which are included in Exhibit A to PRECO's Request for Confidential Classification for which I am identified as the affiant. The documents or materials that I have reviewed and which are asserted by PRECO to be proprietary confidential business information contain or constitute customer-specific account information. PRECO has a policy not to disclose customer specific information. This policy includes, but is not limited to: customer names, addresses, telephone numbers, account numbers, rates, billing determinants (kW and kWh usage), conservation savings in kW, kWh and bills. PRECO treats such information as confidential and does not disclose it, except as required by law, to entities or persons other than the customer without the permission of the customer. PRECO's policy is based upon the customer's right to privacy and the potential that the disclosure of the customer specific information may harm some customers' competitive interests. Such information is protected from public disclosure pursuant to 366.093(3)(e), Florida Statutes.

3. Consistent with the provisions of the Florida Administrative Code, such materials should remain confidential for a period of not less than 18 months. In addition, they should be returned to PRECO as soon as the information is no longer necessary for the Commission to conduct its business so that PRECO can continue to maintain the confidentiality of these documents.

4. Affiant says nothing further.

*RWM W Shaw*  
\_\_\_\_\_  
RANDALL W. SHAW

**SWORN TO AND SUBSCRIBED** before me this 12 day of Nov; by Randall W. Shaw, who is personally known to me or who has produced \_\_\_\_\_ as identification and who did take an oath.

*Kendell Coker*  
\_\_\_\_\_  
Notary Public, State of Florida

My Commission Expires



EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Florida Power & Light Company and Peace River Electric Cooperative, Inc.'s, Joint Petition for Approval of Transfer of Customers

Docket No. 130250-EU

STATE OF FLORIDA )
BROWARD COUNTY )

AFFIDAVIT OF DAVID T. BROMLEY

BEFORE ME, the undersigned authority, personally appeared David T. Bromley who, being first duly sworn, deposes and says:

1. My name is David T. Bromley. I am currently employed by FPL as Manager, Distribution Regulatory. My business address is 7200 Northwest 4th Street, Plantation, Florida, 33317. I have personal knowledge of the matters stated in this affidavit.

2. I have reviewed Exhibit C, and the documents which are included in Exhibit A to FPL's Request for Confidential Classification for which I am identified as the affiant. The documents or materials that I have reviewed and which are asserted by FPL to be proprietary confidential business information contain or constitute customer-specific account information. FPL has a corporate policy not to disclose customer specific information. This policy includes, but is not limited to: customer names, addresses, telephone numbers, account numbers, rates, billing determinants (kW and kWh usage), conservation savings in kW, kWh and bills. FPL treats such information as confidential and does not disclose it, except as required by law, to entities or persons other than the customer without the permission of the customer. FPL's policy is premised upon customers' right to privacy and the potential that the disclosure of customer specific information may harm some customers' competitive interests. Such information is protected from public disclosure pursuant to Section 366.093(3)(e), Florida Statutes.

3. Consistent with the provisions of the Florida Administrative Code, such materials should remain confidential for a period of not less than 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. Affiant says nothing further.

Handwritten signature of David T. Bromley above a horizontal line, with the printed name DAVID T. BROMLEY below it.

SWORN TO AND SUBSCRIBED before me this 13 day of Nov, 2013, by DAVID T. BROMLEY, who is personally known to me or who has produced as identification and who did take an oath.

My Commission Expires



Handwritten signature of Vickie Floyd above a horizontal line, with the printed name Notary Public, State of Florida below it.