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August 13, 2014

**VIA HAND DELIVERY**

Ms. Carlotta S. Stauffer  
Commission Clerk  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850

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COMMISSION  
CLERK

**REDACTED**

**Re: Docket No. 140001-EI**

Dear Ms. Stauffer:

I am enclosing for filing in the above docket the original and seven (7) copies of FPL's Request for Confidential Classification of Certain Information Contained in Hedging Activity Report (Exhibit GJY-4). The original includes Exhibits A through D. The copies include Exhibits C and D only.

Exhibit A contains the confidential information that is the subject of FPL's Request for Confidential Classification. Exhibit A is submitted for filing separately and marked "**EXHIBIT A**" - **CONFIDENTIAL**. Exhibit B is an edited version of Exhibit A, in which the information FPL asserts is confidential has been redacted. Exhibit C contains FPL's justification for its Request for Confidential Classification. Exhibit D contains the Affidavit of Gerard J. Yupp in support of FPL's Request for Confidential Classification. In accordance with Rule 25.22.006(3)(d), FPL requests confidential treatment of the information in EXHIBIT A pending disposition of FPL's request for Confidential Classification.

Also included herewith is a CD containing FPL's Request for Confidential Classification and Exhibit C.

If there are any questions regarding this transmittal, please contact me at 561-304-5795

Sincerely,

Maria J. Moncada

Enclosures  
cc: parties of record, w/o exhibits

COM	
AFD	2 + Redacted EXB + CD
APA	
ECO	
ENG	
GCL	
IDM	
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**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

IN RE: Fuel and Purchase Power Cost  
Recovery Clause with Generating Performance  
Incentive Factor

Docket No: 140001-EI  
Filed: August 13, 2014

**FLORIDA POWER AND LIGHT COMPANY'S REQUEST FOR  
CONFIDENTIAL CLASSIFICATION OF CERTAIN INFORMATION  
CONTAINED IN THE FUEL HEDGING ACTIVITY REPORT (EXHIBIT GJY-4)**

Florida Power & Light Company ("FPL"), pursuant to Rule 25-22.006, F.A.C., and Section 366.093, Florida Statutes, requests confidential classification of certain information contained in FPL's Fuel Hedging Activity Report. In support of its Request, FPL states as follows:

1. Pursuant to Order No. PSC-08-0316-PAA-EI, issued on May 14, 2008, FPL filed its Fuel Hedging Activity Report on August 13, 2014, which will be adopted as exhibit GJY-4 in the testimony of FPL witness Gerry J. Yupp in FPL's August 22, 2014 filing in this docket. FPL's Fuel Hedging Activity Report contains FPL proprietary confidential business information regarding market comparisons and hedging activities. This request is intended to request confidential classification of information contained in the Fuel Hedging Activity Report.
2. The following exhibits are included with this Request:
  - a. Exhibit A is a copy of the Fuel Hedging Activity Report, in which the confidential information has been highlighted.
  - b. Exhibit B consists of two copies of the Fuel Hedging Activity Report in which the confidential information has been redacted.
  - c. Exhibit C is a table containing an identification of the information highlighted in Exhibit A, together with references to the specific statutory bases for the claim of confidentiality and to the affidavit in support of the requested confidential classification.

d. Exhibit D consists of the affidavit of Gerard J. Yupp, Senior Director of Wholesale Operations for FPL's Energy Marketing and Trading Division in support of this Request for Confidential Classification.

3. FPL submits that the highlighted information in Exhibit A is proprietary confidential business information within the meaning of Section 366.093(3), F.S. This information is intended to be and is treated by FPL as private, and its confidentiality has been maintained. Pursuant to Section 366.093, F.S., such information is entitled to confidential treatment and it is 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.

4. FPL's Fuel Hedging Activity Report contains or constitutes data pertinent to FPL's fuel hedging program, specifically, the physical and financial details related to FPL's year-to-date hedging results for natural gas. This information constitutes trade secrets of FPL, and is protected by Section 366.093(3)(a), F.S.

5. Additionally, this information, if disclosed would impair the efforts of FPL to contract for goods and services on favorable terms for the benefit of its customers, would impair the competitive interests of FPL and its vendors, and would place FPL at a competitive disadvantage when coupled with other information that is publicly available. This information is protected by Sections 366.093(3)(d) and (e), F.S.

6. Upon a finding by the Commission that the Fuel Hedging Activity Report in Exhibit A is proprietary confidential business information within the meaning of Section 366.093(3), F.S., pursuant to Section 366.093(4), F.S. such materials should not be declassified



for 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.

**WHEREFORE,** FPL respectfully requests confidential classification of the Fuel Hedging Activity Report.

Respectfully submitted,  
R. Wade Litchfield, Esq.  
Vice President and General Counsel  
John T. Butler, Esq.  
Assistant General Counsel – Regulatory  
Maria J. Moncada  
Principal Attorney  
Florida Power & Light Company  
700 Universe Boulevard  
Juno Beach, FL 33408  
Telephone: (561) 304-5639  
Facsimile: (561) 691-7135

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



Maria J. Moncada  
Fla. Bar No. 0773301

**CERTIFICATE OF SERVICE**  
**Docket No. 140001-EI**

I HEREBY CERTIFY that a true and correct copy of the foregoing\* has been furnished by electronic mail on this 13th day of August, 2014 to the following:

Martha F. Barrera, Esq.  
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Florida Public Service Commission  
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Michael Barrett  
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Florida Public Service Commission  
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Tallahassee, Florida 32399-0850  
mbarrett@psc.state.fl.us

By:   
\_\_\_\_\_  
Maria J. Moncada  
Fla. Bar No. 0773301

\* The 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**



	A	B	C	D	E	F
			FPL NATURAL GAS PROCUREMENT			
			VOLUME (MMBTU)			
	<u>PERIOD</u>	<u>INSTRUMENT</u>	<u>PURCHASES</u>	<u>SALES</u>	<u>OPTION PREMIUMS</u>	<u>SAVINGS/(COSTS)</u>
1						
2						
3						
4	YEAR-TO-DATE	FIXED PRICE TRANSACTIONS				
5	(JAN - JULY) 2014	SWAPS				
6		OVER-THE-COUNTER OPTIONS				
7		BROKER FEES				
8						\$ 131,436,091
9						
10						
11		AVERAGE PERIOD OF HEDGE (Days) - FINANCIAL				

CONFIDENTIAL

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11

A	B	C	D	E	F
FPL NATURAL GAS PROCUREMENT					
VOLUME (MMBTU)					
<u>PERIOD</u>	<u>INSTRUMENT</u>	<u>PURCHASES</u>	<u>SALES</u>	<u>OPTION PREMIUMS</u>	<u>SAVINGS/(COSTS)</u>
January-2014	FIXED PRICE TRANSACTIONS SWAPS OVER-THE-COUNTER OPTIONS BROKER FEES	[REDACTED]			

CONFIDENTIAL

	A	B	C	D	E	F
			FPL NATURAL GAS PROCUREMENT			
			VOLUME (MMBTU)			
	<u>PERIOD</u>	<u>INSTRUMENT</u>	<u>PURCHASES</u>	<u>SALES</u>	<u>OPTION PREMIUMS</u>	<u>SAVINGS/(COSTS)</u>
1						
2						
3						
4	February-2014	FIXED PRICE TRANSACTIONS				
5		SWAPS				
6		OVER-THE-COUNTER OPTIONS				
7		BROKER FEES				
8						
9						
10						
11						

CONFIDENTIAL

	A	B	C	D	E	F
			FPL NATURAL GAS PROCUREMENT			
			VOLUME (MMBTU)			
	<u>PERIOD</u>	<u>INSTRUMENT</u>	<u>PURCHASES</u>	<u>SALES</u>	<u>OPTION PREMIUMS</u>	<u>SAVINGS/(COSTS)</u>
1						
2						
3						
4	March-2014	FIXED PRICE TRANSACTIONS				
5		SWAPS				
6		OVER-THE-COUNTER OPTIONS				
7		BROKER FEES				
8						
9						
10						
11						



CONFIDENTIAL

	A	B	C	D	E	F
			FPL NATURAL GAS PROCUREMENT			
			VOLUME (MMBTU)			
	<u>PERIOD</u>	<u>INSTRUMENT</u>	<u>PURCHASES</u>	<u>SALES</u>	<u>OPTION PREMIUMS</u>	<u>SAVINGS/(COSTS)</u>
1						
2						
3						
4	April-2014	FIXED PRICE TRANSACTIONS				
5		SWAPS				
6		OVER-THE-COUNTER OPTIONS				
7		BROKER FEES				
8						
9						
10						
11						

CONFIDENTIAL

	A	B	C	D	E	F
			FPL NATURAL GAS PROCUREMENT			
			VOLUME (MMBTU)			
	<u>PERIOD</u>	<u>INSTRUMENT</u>	<u>PURCHASES</u>	<u>SALES</u>	<u>OPTION PREMIUMS</u>	<u>SAVINGS/(COSTS)</u>
1						
2						
3						
4	May-2014	FIXED PRICE TRANSACTIONS				
5		SWAPS				
6		OVER-THE-COUNTER OPTIONS				
7		BROKER FEES				
8						
9						
10						
11						

CONFIDENTIAL

	A	B	C	D	E	F
			FPL NATURAL GAS PROCUREMENT			
			VOLUME (MMBTU)			
	<u>PERIOD</u>	<u>INSTRUMENT</u>	<u>PURCHASES</u>	<u>SALES</u>	<u>OPTION PREMIUMS</u>	<u>SAVINGS/(COSTS)</u>
1						
2						
3						
4	June-2014	FIXED PRICE TRANSACTIONS				
5		SWAPS				
6		OVER-THE-COUNTER OPTIONS				
7		BROKER FEES				
8						
9						
10						
11						

CONFIDENTIAL

	A	B	C	D	E	F
			FPL NATURAL GAS PROCUREMENT			
			VOLUME (MMBTU)			
	<u>PERIOD</u>	<u>INSTRUMENT</u>	<u>PURCHASES</u>	<u>SALES</u>	<u>OPTION PREMIUMS</u>	<u>SAVINGS/(COSTS)</u>
1						
2						
3	<u>PERIOD</u>	<u>INSTRUMENT</u>				
4	July-2014	FIXED PRICE TRANSACTIONS				
5		SWAPS				
6		OVER-THE-COUNTER OPTIONS				
7		BROKER FEES				
8						
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# **EXHIBIT C**

## **JUSTIFICATION TABLE**

**EXHIBIT C**

**COMPANY:** Florida Power & Light Company  
**TITLE:** List of Confidential Documents  
**DOCKET NO.:** 140001-EI  
**DOCKET TITLE:** Fuel and Purchased Power Cost Recovery Clause  
**SUBJECT:** Fuel Hedging Activity Report  
**DATE:** August 13, 2014

Description	Page No.	Conf. Y/N	Line No./ Col. No.	Florida Statute 366.093(3) Subsection	Affiant
Year to Date FPL Natural Gas Procurement Jan-July 2014	1	Y	Cols C-D, Lns 4-8, 11 Col E, Lns 4-8 Col F, Lns 4-7	(a), (d), (e)	G. J. Yupp
January 2014 FPL Natural Gas Procurement	2	Y	Cols C-F, Lns 4-8	(a), (d), (e)	G. J. Yupp
February 2014 FPL Natural Gas Procurement	3	Y	Cols C-F, Lns 4-8	(a), (d), (e)	G. J. Yupp
March 2014 FPL Natural Gas Procurement	4	Y	Cols C-F, Lns 4-8	(a), (d), (e)	G. J. Yupp
April 2014 FPL Natural Gas Procurement	5	Y	Cols C-F, Lns 4-8	(a), (d), (e)	G. J. Yupp
May 2014 FPL Natural Gas Procurement	6	Y	Cols C-F, Lns 4-8	(a), (d), (e)	G. J. Yupp
June 2014 FPL Natural Gas Procurement	7	Y	Cols C-F, Lns 4-8	(a), (d), (e)	G. J. Yupp
July 2014 FPL Natural Gas Procurement	8	Y	Cols C-F, Lns 4-8	(a), (d), (e)	G. J. Yupp

**EXHIBIT D**

**AFFIDAVIT**

EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Fuel and Purchase Power Cost  
Recovery Clause with Generating  
Performance Incentive Factor

Docket No. 140001-EI

STATE OF FLORIDA )  
 )  
PALM BEACH COUNTY )

AFFIDAVIT OF GERARD J. YUPP

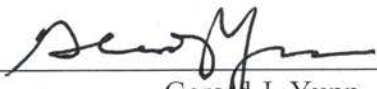
BEFORE ME, the undersigned authority, personally appeared Gerard J. Yupp who, being first duly sworn, deposes and says:

1. My name is Gerard J. Yupp. I am currently employed by Florida Power & Light Company ("FPL") as Senior Director, Wholesale Operations in the Energy Marketing and Trading Department. I have personal knowledge of the matters stated in this affidavit.

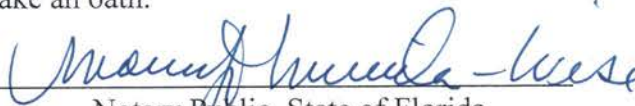
2. I have reviewed the documents and information included in Exhibit A to FPL's Request for Confidential Classification of the Fuel Hedging Activity Report. The documents and materials that I have reviewed and which are asserted by FPL to be proprietary confidential business information contain or constitute data pertinent to FPL's hedging program. Specifically, the documents contain information regarding the physical and financial details related to FPL's year-to-date hedging results for natural gas. This information constitutes trade secrets of FPL. Additionally, this information, if disclosed, would impair the efforts of FPL to contract for goods and services on favorable terms for the benefit of its customers, would impair the competitive interests of FPL and its vendors, and would place FPL at a competitive disadvantage when coupled with other information that is publicly available.

3. 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. Affiant says nothing further.

  
Gerard J. Yupp

SWORN TO AND SUBSCRIBED before me this 6 day of August 2014, by Gerard J. Yupp, who is personally known to me or who has produced \_\_\_\_\_ (type of identification) as identification and who did take an oath.

  
Notary Public, State of Florida

My Commission Expires:

