



Florida Power & Light Company, P.O. Box 14000, Juno Beach, FL 33408-0420
Law Department

John T. Butler
Assistant General Counsel - Regulatory
Florida Power & Light Company
700 Universe Boulevard
Juno Beach, FL 33408-0420
(561) 304-5639
(561) 691-7135 (Facsimile)
Email: John.Butler@fpl.com

FILED AUG 21, 2014
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FPSC - COMMISSION CLERK

August 21, 2014

VIA HAND DELIVERY

Ms. Carlotta S. Stauffer
Division of the Commission Clerk and
Administrative Services
Florida Public Service Commission
Betty Easley Conference Center, Room 110
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

RECEIVED-FPSC
14 AUG 21 PM 12:31
COMMISSION
CLERK

**Re: Florida Power & Light Company's Request for Confidential Classification of
Certain Material Provided in Connection with the Monthly Fuel Filings
Docket No. 140001-EI**

Dear Ms. Stauffer:

I enclose and hand you herewith for filing in the above-referenced matter, an original and seven (7) copies of Florida Power & Light Company's ("FPL") Request for Confidential Classification. The original includes Attachments A, B, and C.

Attachment A contains the confidential information that is the subject of FPL's Request for Confidential Classification. Attachment A is submitted for filing separately and marked "**ATTACHMENT A - CONFIDENTIAL.**" Attachment B is an edited version of Attachment A, in which the information FPL asserts is confidential has been redacted. Attachment C contains FPL's justification for its request for confidential classification.

In accordance with Rule 25-22.006(3)(d), FPL requests confidential treatment of the information in Attachment A pending disposition of FPL's request for Confidential Classification.

Also included herewith is a CD containing electronic files of FPL's Request for Confidential Classification and Attachment C. Please contact me should you or your Staff have any questions regarding this filing.

Sincerely,

John T. Butler

COM _____
AFD 2 + 1 CD
APA _____
ECO _____
ENG _____
GCL _____
IDM _____
TEL _____
CLK _____

Enclosures
cc: Service List (w/out attachments)

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Fuel and purchased power cost recovery
clause with generating performance incentive
factor

Docket No. 140001-EI
Filed: August 21, 2014

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 requests confidential classification of certain information on Florida Public Service Commission (“FPSC” or “Commission”) Forms 423-1(a), 423-2, 423-2(a) and 423-2(b) for May/April submitted in Docket No. 140001-EI. In support of its Request, FPL states as follows:

1. Petitioner’s principal business address is as follows:

Florida Power & Light Company
700 Universe Boulevard
Juno Beach, Florida 33408

Orders, notices, or other pleadings related to this request should be served on:

Kenneth Hoffman
Vice President Regulatory Affairs
Florida Power & Light Company
215 S. Monroe Street, Suite 810
Tallahassee, FL 32301-1858
(850) 521-3919
(850) 521-3939 Fax
Email: Ken.Hoffman@fpl.com

John T. Butler
Assistant General Counsel - Regulatory
Florida Power & Light Company
700 Universe Boulevard
Juno Beach, FL 33408-0420
(561) 304-5639
(561) 691-7135 Fax
Email: John.Butler@fpl.com

2. The following attachments are included herewith and made a part hereof:

- a. Attachment A includes the complete and unedited version of Florida Power & Light Company's (FPL) May 2014 Form 423-1(a), St. Johns River Power Park's (SJRPP) May 2014 Forms 423-2, 423-2(a) and 423-2(b) and R.W. Scherer's (Plant Scherer) April 2014 Forms 423-2, 423-2(a) and 423-2(b) which contain certain information that FPL asserts should be accorded confidential treatment. The information in Attachment A for which FPL seeks confidential classification has been highlighted. Attachment A is submitted separately in a sealed envelope marked "**CONFIDENTIAL.**"
- b. Attachment B is the edited version of Attachment A. All information that FPL asserts is entitled to confidential treatment has been redacted in Attachment B.
- c. Attachment C identifies information for which confidential treatment is sought and, with regard to each item or type of information, contains a brief statement that explains the need for confidentiality and refers to the specific statutory basis or bases for the request.


3. Pursuant to section 366.093, FPL seeks confidential protection for the information highlighted in Attachment A. FPL submits that such information is proprietary confidential business information within the meaning of section 366.093(3). 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.

4. The statutory bases and support for FPL's assertion of confidentiality with regard to specific items or types of information are set forth in Attachment C. The information for which confidential classification is sought is intended to be and is treated by FPL as confidential and, to the best of FPL's knowledge and belief, has not been publicly disclosed.

5. Upon a finding by the Commission that the material in Attachment A for which FPL seeks confidential treatment is proprietary confidential business information within the meaning of section 366.093(3), pursuant to section 366.093(4) such materials should not be declassified for eighteen (18) months, or as otherwise extended by the Commission. Further, the materials should be returned to FPL as soon as the information is no longer necessary for the Commission to conduct its business.

WHEREFORE, for the above and foregoing reasons, including those set forth in the supporting materials included herewith, Florida Power & Light Company respectfully requests that its Request for Confidential Classification be granted.

Respectfully submitted,



John T. Butler
Assistant General Counsel – Regulatory
Florida Bar No. 283479
Attorney for Florida Power & Light Company
700 Universe Boulevard
Juno Beach, Florida 33408-0420
Tel.: (561) 304-5639
Fax: (561) 691-7135
Email: John.Butler@fpl.com

CERTIFICATE OF SERVICE

Docket No. 140001-EI

I, THE UNDERSIGNED COUNSEL, HEREBY CERTIFY that a copy of Florida Power & Light Company's Request for Confidential Classification, without attachments,* has been served via electronic mail this 21st day of August, 2014:

Martha F. Barrera, Esq.
Division of Legal Services
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850
mbarrera@psc.state.fl.us

Jon C. Moyle, Esq.
Moyle Law Firm, P.A.
Attorneys for FIPUG
118 N. Gadsden St.
Tallahassee, Florida 32301
jmoyle@moylelaw.com

Beth Keating, Esq.
Gunster Law Firm
Attorneys for FPUC
215 South Monroe St., Suite 601
Tallahassee, Florida 32301-1804
bkeating@gunster.com

John T. Burnett, Esq.
Dianne M. Triplett, Esq.
Attorneys for DEF
299 First Avenue North
St. Petersburg, Florida 33701
john.burnett@duke-energy.com
dianne.triplett@duke-energy.com

James D. Beasley, Esq.
J. Jeffrey Wahlen, Esq.
Ashley M. Daniels, Esq.
Ausley & McMullen
Attorneys for Tampa Electric
P.O. Box 391
Tallahassee, Florida 32302
jbeasley@ausley.com
jwahlen@ausley.com
adaniels@ausley.com

Jeffrey A. Stone, Esq.
Russell A. Badders, Esq.
Steven R. Griffin, Esq.
Beggs & Lane
Attorneys for Gulf Power
P.O. Box 12950
Pensacola, Florida 32591-2950
jas@beggslane.com
rab@beggslane.com
srg@beggslane.com


Robert Scheffel Wright, Esq.
John T. LaVia, III, Esq.
Gardner, Bist, Wiener, et al
Attorneys for Florida Retail Federation
1300 Thomaswood Drive
Tallahassee, Florida 32308
schef@gbwlegal.com
jlavia@gbwlegal.com

James W. Brew, Esq.
F. Alvin Taylor, Esq.
Brickfield, Burchette, Ritts & Stone, P.C
Attorney for White Springs
1025 Thomas Jefferson Street, NW
Eighth Floor, West Tower
Washington, DC 20007-5201
jbrew@bbrslaw.com
ataylor@bbrslaw.com

J. R. Kelly, Esq.
Patricia Christensen, Esq.
Charles Rehwinkel, Esq.
Joseph A. McGlothlin, Esq.
Erik L. Sayler, Esq.
Office of Public Counsel
c/o The Florida Legislature
111 West Madison Street, Room 812
Tallahassee, Florida 32399
kelly.jr@leg.state.fl.us
christensen.patty@leg.state.fl.us
rehwinkel.charles@leg.state.fl.us
mcglathlin.joseph@leg.state.fl.us
sayler.erik@leg.state.fl.us

Michael Barrett
Division of Economic Regulation
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850
mbarrett@psc.state.fl.us

By: _____



John T. Butler
Fla. Bar No. 283479

*Copies of Exhibits B and C are available upon request.

ATTACHMENT “A”

**CONFIDENTIAL
FILED UNDER SEPARATE COVER**

**FPL FPSC FORM
423-1(a)**

**SJRPP FPSC FORMS
423-2
423-2 (a)
423-2 (b)**

**R.W. SCHERER FPSC FORMS
423-2
423-2 (a)
423-2 (b)**

REDACTED

ATTACHMENT "B"

EDITED VERSION

FPL FPSC FORM

423-1(a)

SJRPP FPSC FORMS

423-2

423-2 (a)

423-2 (b)

R.W. SCHERER FPSC FORMS

423-2

423-2 (a)

423-2 (b)

MONTHLY REPORT OF COST AND QUALITY OF FUEL OIL FOR ELECTRIC PLANTS
 DETAIL OF INVOICE AND TRANSPORTATION CHARGES

FPSC FORM NO. 423-1 (a)

1. REPORTING MONTH: MAY YEAR: 2014

2. REPORTING COMPANY: FLORIDA POWER LIGHT COMPANY

3. NAME, TITLE, TELEPHONE NUMBER OF CONTACT PERSON CONCERNING DATA
 SUBMITTED ON THIS FORM: TERRY KEITH, REGULATORY AFFAIRS, (305)-552-4334

4. SIGNATURE OF OFFICIAL SUBMITTING REPORT: 

5. DATE COMPLETED: 06/19/2014

EDITED COPY

| (A) | (B) | (C) | (D) | (E) | (F) | (G) | (H) | (I) | (J) | (K) | (L) | (M) | (N) | (O) | (P) | (Q) | (R) |
|----------|-------|----------|-------------------|---------------|----------|--------------|------------------------|---------------------|---------------|-----------------|--------------------|--------------------------|------------------------------|-------------------------|--------------------------------|---------------------|--------------------------|
| LINE NO. | PLANT | SUPPLIER | DELIVERY LOCATION | DELIVERY DATE | TYPE OIL | VOLUME (BBL) | INVOICE PRICE (\$/BBL) | INVOICE AMOUNT (\$) | DISCOUNT (\$) | NET AMOUNT (\$) | NET PRICE (\$/BBL) | QUALITY ADJUST. (\$/BBL) | EFFECTIVE PUR PRICE (\$/BBL) | TRANSP TO TERM (\$/BBL) | ADDITIONAL TRANS CHGS (\$/BBL) | OTHER CHGS (\$/BBL) | DELIVERED PRICE (\$/BBL) |
| 1 | PMT | SUBURBAN | | 05/12/2014 | PRO | 11 | | | | | | | | 0.0000 | | | 72.4746 |

MONTHLY REPORT OF COST AND QUALITY OF COAL FOR ELECTRIC PLANTS
ORIGIN, TONNAGE, DELIVERED PRICE AND AS RECEIVED QUALITY

1. Report For Month/Yr: **May 2014**

4. Name, Title & Telephone Number of Contact
Person Concerning Data Submitted on this Form: **Terry Keith (305-552-4334)**

2. Reporting Company: **Florida Power & Light**

5. Signature of Official Submitting Report:



3. Plant Name: **St. Johns River Power Park (SJRPP)**

6. Date Completed: **June 25, 2014**

| Line No. | Supplier Name | Mine Location | Purchase Type | Transportation Mode | Tons | Effective Purchase Price (\$/Ton) | Total Trans Cost (\$/Ton) | FOB Plant Price (\$/Ton) | As Received Coal Quality | | | |
|----------|------------------------|---------------|---------------|---------------------|--------|-----------------------------------|---------------------------|--------------------------|--------------------------|-----------------|-----------------|----------------------|
| | | | | | | | | | Sulfur Content (%) | Btu Content (%) | Ash Content (%) | Moisture Content (%) |
| (a) | (b) | (c) | (d) | (e) | (f) | (g) | (h) | (i) | (j) | (k) | (l) | (m) |
| 1 | Coal Marketing Company | 45,IM,999 | LTC | OC | 38,935 | | | 71.83 | 0.64 | 11,290 | 10.54 | 11.01 |
| 2 | Oaktown | ,, | LTC | UR | 15,952 | | | 79.83 | 2.27 | 11,515 | 7.72 | 13.82 |
| 3 | Prosperity | ,IN, | LTC | UR | 10,759 | | | 79.83 | 1.87 | 11,511 | 7.01 | 14.79 |

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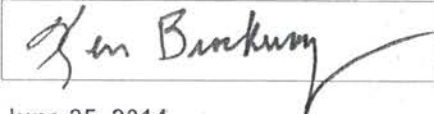
MONTHLY REPORT OF COST AND QUALITY OF COAL FOR ELECTRIC PLANTS
 DETAIL OF INVOICE PURCHASE PRICE

1. Report For Month/Yr: **May 2014**

4. Name, Title & Telephone Number of Contact
 Person Concerning Data Submitted on this Form: **Terry Keith (305-552-4334)**

2. Reporting Company: **Florida Power & Light**

5. Signature of Official Submitting Report:



3. Plant Name: **St. Johns River Power Park (SJRPP)**

6. Date Completed: **June 25, 2014**

| Line No. | Supplier Name | Mine Location | Purchase Type | Tons | FOB Mine Price (\$/Ton) | Short Haul & Loading Charge | Original Invoice Price (\$/Ton) | Retro-active Price Increases (\$/Ton) | Base Price (\$/Ton) | Quality Adjustments (\$/Ton) | Effective Purchase Price (\$/Ton) |
|----------|------------------------|---------------|---------------|--------|-------------------------|-----------------------------|---------------------------------|---------------------------------------|---------------------|------------------------------|-----------------------------------|
| (a) | (b) | (c) | (d) | (e) | (f) | (g) | (h) | (i) | (j) | (k) | (l) |
| 1 | Coal Marketing Company | 45,IM,999 | LTC | 38,935 | | 0.00 | | 0.00 | | 0.00 | |
| 2 | Oaktown | ,, | LTC | 15,952 | | 0.00 | | 0.00 | | 0.00 | |
| 3 | Prosperity | ,IN, | LTC | 10,759 | | 0.00 | | 0.00 | | 0.00 | |

EDITED COPY

MONTHLY REPORT OF COST AND QUALITY OF COAL FOR ELECTRIC PLANTS
 DETAIL OF TRANSPORTATION CHARGES

1. Report For Month/Yr: **May 2014**

4. Name, Title & Telephone Number of Contact

Person Concerning Data Submitted on this Form: **Terry Keith (305-552-4334)**

2. Reporting Company: **Florida Power & Light**

5. Signature of Official Submitting Report:

Zun Brinkway

3. Plant Name: **St. Johns River Power Park (SJRPP)**

6. Date Completed:

June 25, 2014

| Line No. | Supplier Name | Mine Location | Shipping Point | Transportation Mode | Tons | Effective Purchase Price (\$/Ton) | Short Haul & Loading Charge (\$/Ton) | Rail Charges | | Waterborne Charges | | | | | Total Transport Charges (\$/Ton) | FOB Plant Price (\$/Ton) |
|----------|------------------------|---------------|----------------|---------------------|--------|-----------------------------------|--------------------------------------|--------------------|-----------------------------|---------------------------|-----------------------------|---------------------------|------------------------------|--------------------------|----------------------------------|--------------------------|
| | | | | | | | | Rail Rate (\$/Ton) | Other Rail Charges (\$/Ton) | River Barge Rate (\$/Ton) | Trans-loading Rate (\$/Ton) | Ocean Barge Rate (\$/Ton) | Other Water Charges (\$/Ton) | Related Charges (\$/Ton) | | |
| (a) | (b) | (c) | (d) | (e) | (f) | (g) | (h) | (i) | (j) | (k) | (l) | (m) | (n) | (o) | (p) | (q) |
| 1 | Coal Marketing Company | 45,IM,999 | EL CERREJON | OC | 38,935 | | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | | 71.83 |
| 2 | Oaktown | " | OAKTOWN #2 M | UR | 15,952 | | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | | 79.83 |
| 3 | Prosperity | ,IN, | PROSPERITY MI | UR | 10,759 | | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | | 79.83 |

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MONTHLY REPORT OF COST AND QUALITY OF COAL FOR ELECTRIC PLANTS
ORIGIN, TONNAGE, DELIVERED PRICE, AND AS RECEIVED QUALITY

1. Reporting Month: April Year: 2014
 2. Reporting Company: FLORIDA POWER & LIGHT COMPANY
 3. Plant Name: R.W.SCHERER

4. Name, Title & Telephone Number of Contact Person Concerning Data
 Submitted on this Form: Terry Keith
 (305) 552-4334

5. Signature of Official Submitting Report:



6. Date Completed: 17-Jul-14

| Line No. | Supplier Name | Mine Location | Purchase Type | Transport Mode | Tons | Purchase Price (\$/Ton) | Effective Transport Charges (\$/Ton) | Total FOB Plant Price (\$/Ton) | Sulfur Content (%) | Btu Content (Btu/lb) | Ash Content (%) | Moisture Content (%) |
|----------|-------------------------|---------------|---------------|----------------|-----------|-------------------------|--------------------------------------|--------------------------------|--------------------|----------------------|-----------------|----------------------|
| (a) | (b) | (c) | (d) | (e) | (f) | (g) | (h) | (i) | (j) | (k) | (l) | (m) |
| (1) | ALPHA COAL SALES CO, LI | 19/WY/5 | S | UR | 22,301.39 | | | 42.470 | 0.29 | 8,375 | 4.44 | 30.04 |
| (2) | BUCKSKIN MINING CO | 19/WY/5 | S | UR | 58,415.41 | | | 43.330 | 0.26 | 8,525 | 4.33 | 29.40 |
| (3) | COAL SALES, LLC | 19/WY/5 | S | UR | 21,890.08 | | | 39.845 | 0.25 | 8,620 | 4.53 | 27.97 |
| (4) | ARCH COAL SALES CO, INC | 19/WY/5 | S | UR | 5,834.96 | | | 41.585 | 0.31 | 8,845 | 5.12 | 27.01 |
| (5) | COAL SALES, LLC | 19/WY/5 | S | UR | 14,144.44 | | | 53.710 | 0.25 | 8,594 | 4.35 | 28.46 |
| (6) | COAL SALES, LLC | 19/WY/5 | S | UR | 27,285.39 | | | 40.025 | 0.22 | 8,573 | 4.44 | 28.24 |

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**MONTHLY REPORT OF COST AND QUALITY OF COAL FOR ELECTRIC PLANTS
DETAILED PURCHASED COAL INVOICE INFORMATION**

1. Reporting Month: **April** Year: **2014**
 2. Reporting Company: **FLORIDA POWER & LIGHT COMPANY**
 3. Plant Name: **R.W.SCHERER**

4. Name, Title & Telephone Number of Contact Person Concerning Data Submitted on this Form: Terry Keith
 (305) 552-4334

5. Signature of Official Submitting Report:



6. Date Completed: 17-Jul-14

| <u>Line No.</u> (a) | <u>Supplier Name</u> (b) | <u>Mine Location</u> (c) | <u>Purch. Type</u> (d) | <u>Tons</u> (e) | <u>FOB Mine Price (\$/Ton)</u> (f) | <u>Shorthaul & Loading Charges (\$/Ton)</u> (g) | <u>Original Invoice Price (\$/Ton)</u> (h) | <u>Retroactive Price Increase (\$/Ton)</u> (i) | <u>Base Price (\$/Ton)</u> (j) | <u>Quality Adjustments (\$/Ton)</u> (k) | <u>Effective Purchase Price (\$/Ton)</u> (l) |
|------------------------|-----------------------------|-----------------------------|---------------------------|--------------------|---------------------------------------|--|---|---|-----------------------------------|--|---|
| (1) | ALPHA COAL SALES CO, L | 19/WY/5 | S | 22,301.39 | | 0.147 | | - | | (0.027) | |
| (2) | BUCKSKIN MINING CO | 19/WY/5 | S | 58,415.41 | | 0.116 | | - | | 0.172 | |
| (3) | COAL SALES, LLC | 19/WY/5 | S | 21,890.08 | | 0.170 | | - | | (0.205) | |
| (4) | ARCH COAL SALES CO, IN | 19/WY/5 | S | 5,834.96 | | 0.162 | | - | | 0.063 | |
| (5) | COAL SALES, LLC | 19/WY/5 | S | 14,144.44 | | 0.170 | | - | | (0.290) | |
| (6) | COAL SALES, LLC | 19/WY/5 | S | 27,285.39 | | 0.170 | | - | | (0.275) | |

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MONTHLY REPORT OF COST AND QUALITY OF COAL FOR ELECTRIC PLANTS
 DETAILED TRANSPORTATION INVOICE INFORMATION

1. Reporting Month: **April** Year: **2014**
 2. Reporting Company: **FLORIDA POWER & LIGHT COMPANY**
 3. Plant Name: **R.W.SCHERER**

4. Name, Title & Telephone Number of Contact Person Concerning Data
 Submitted on this Form: Terry Keith
 (305) 552-4334
 5. Signature of Official Submitting Report: *Ken Brockway*
 6. Date Completed: 17-Jul-14

| Line No. (a) | Supplier Name (b) | Mine Location (c) | Shipping Point (d) | Transport Mode (e) | Tons (f) | Effective Purchase Price (\$/Ton) (g) | Additional Shorthaul & Loading Charges (\$/Ton) (h) | Rail Charges | | Waterborne Charges | | | | Other Related Charges (\$/Ton) (o) | Total Transportation Charges (\$/Ton) (p) | FOB Plant Price (\$/Ton) (q) |
|-----------------|----------------------|----------------------|-----------------------|-----------------------|-------------|---|---|------------------------------|---------------------------------------|-------------------------------------|---------------------------------------|-------------------------------------|--|--|---|------------------------------------|
| | | | | | | | | Rail Rate (\$/Ton) (i) | Other Rail Charges (\$/Ton) (j) | River Barge Rate (\$/Ton) (k) | Trans-loading Rate (\$/Ton) (l) | Ocean Barge Rate (\$/Ton) (m) | Other Water Charges (\$/Ton) (n) | | | |
| (1) | ALPHA COAL SALES CO | 19/WY/5 | EAGLE BUTTE JC | UR | 22,301.39 | - | - | - | - | - | - | - | - | - | - | 42.470 |
| (2) | BUCKSKIN MINING CO | 19/WY/5 | BUCKSKIN JCT, W | UR | 58,415.41 | - | - | - | - | - | - | - | - | - | - | 43.330 |
| (3) | COAL SALES, LLC | 19/WY/5 | NACCO JCT, WY | UR | 21,890.08 | - | - | - | - | - | - | - | - | - | - | 39.845 |
| (4) | ARCH COAL SALES CO, | 19/WY/5 | THUNDER JCT, W | UR | 5,834.96 | - | - | - | - | - | - | - | - | - | - | 41.585 |
| (5) | COAL SALES, LLC | 19/WY/5 | NACCO JCT, WY | UR | 14,144.44 | - | - | - | - | - | - | - | - | - | - | 53.710 |
| (6) | COAL SALES, LLC | 19/WY/5 | NACCO JCT, WY | UR | 27,285.39 | - | - | - | - | - | - | - | - | - | - | 40.025 |

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Justification for Confidentiality for Florida Power & Light Company Report of May, 2014:

| <u>FORM</u> | <u>LINE(S)</u> | <u>COLUMN</u> | <u>RATIONALE</u> |
|-------------|----------------|---------------|------------------|
| 423-1(a) | 1 | H | (1) |
| 423-1(a) | 1 | I | (2) |
| 423-1(a) | 1 | J | (2), (3) |
| 423-1(a) | 1 | K | (2) |
| 423-1(a) | 1 | L | (2) |
| 423-1(a) | 1 | M | (2), (4) |
| 423-1(a) | 1 | N | (2), (5) |
| 423-1(a) | 1 | P | (6), (7), (8) |
| 423-1(a) | 1 | Q | (6), (7), (8) |

Rationale for confidentiality:

- (1) This information is contractual information which, if made public, “would impair the efforts of [FPL] to contract for goods or services on favorable terms.” Section 366.093(3)(d), Fla. Stat. The information delineates the price per barrel FPL has paid for fuel oil for specific shipments from specific suppliers. This information would allow suppliers to compare an individual supplier’s price with the market quote for that date of delivery and thereby determine the contract pricing formula between FPL and that supplier.

Contract pricing formulas generally contain two components, which are: (1) a markup in the market quoted price for that day; and (2) a transportation charge for delivery at an FPL chosen port of delivery. Discounts and quality adjustment components of fuel price contract formulas are discussed in paragraphs 3 and 4. Disclosure of the invoice price would allow suppliers to determine the contract price formula of their competitors. The knowledge of others’ prices (*i.e.*, contract formulas) among fuel oil suppliers is reasonably likely to cause the suppliers to converge on a target price, or to follow a price leader, effectively eliminating any opportunity for a major buyer like FPL to obtain price concessions from any one

supplier. The end result is reasonably likely to be increased fuel oil prices and therefore increased electric rates.

- (2) The contract data found in Columns I through N are an algebraic function of Column H. That is, the publication of these Columns together, or independently, could allow a supplier to derive the invoice price of oil.
- (3) If FPL fuel contracts provide for an early payment incentive in the form of a discount from the invoice price, the existence and amount of such discount is confidential for the reasons stated in paragraph (1) relative to price concessions.
- (4) For fuel that does not meet contract requirements, FPL may reject the shipment, or accept the shipment and apply a quality adjustment. The amount of the quality adjustment is, in effect, a pricing term which is as important as the price itself and is therefore confidential for the reasons stated in paragraph (1) relative to price concessions.
- (5) Column N is as important as H from a confidentiality standpoint because of the relatively few times that there are quality or discount adjustments. That is, Column N will equal Column H most of the time. Consequently, Column N needs to be protected for the same reasons as set forth in paragraph (1).
- (6) Column R is used to mask the delivered price of fuel such that the invoice or effective price of fuel cannot be determined. Columns P and Q are algebraic variables of Column R. Consequently, disclosure of Columns P and Q would allow a supplier to calculate the invoice or effective purchase price of oil (Columns H and N) by subtracting these columnar variables from Column R.
- (7) Terminaling and transportation services in Florida tend to have the same, if not more severe, oligopolistic attributes of fuel oil suppliers. Due to the small demand in Florida for both of these services, market entry is difficult. In instances in which FPL has attempted to determine the level of interest in bidding either or both of these services, FPL has found only a very few qualified parties with such an interest. Consequently, disclosure of these contract data is reasonably likely to result in increased prices for terminaling and transportation services.
- (8) Petroleum inspection services also have the market characteristics of an oligopoly. Due to the limited number of fuel terminal operations, there are correspondingly few requirements for fuel inspection services. In FPL's last bidding process for petroleum inspection services, only six qualified bidders were found for FPL's bid solicitations. Consequently, disclosure of these contract data is reasonably likely to result in increased prices for petroleum inspection services.

Justification for Confidentiality for St. Johns River Power Park (SJRRP) Report of May 2014:

| <u>FORM</u> | <u>LINE(S)</u> | <u>COLUMNS</u> | <u>RATIONALE</u> |
|-------------|----------------|----------------|------------------|
| 423-2 | 1-3 | G, H | (1) |
| 423-2 | 1-3 | H | (2) |

Rationale for Confidentiality:

- (1) Disclosure of the effective purchase price “would impair the efforts of [JEA, acting on its own behalf and as agent for FPL] to contract for goods or services [at the St. Johns River Power Park (SJRRP)] on favorable terms.” Section 366.093(3)(d), Fla. Stat. The data informs other potential coal suppliers as to the price SJRRP is paying for coal. Disclosure of this information, which is particularly sensitive given SJRRP’s reliance on long term contracts with fixed price provisions or short term spot transactions, could adversely affect FPL’s interests in subsequent solicitations for coal and/or in negotiating coal supply agreements. JEA maintains this information as confidential pursuant to section 163.01(15)(m), Fla. Stat. Additionally, providing the purchase price would enable one to ascertain the total transportation charges in Column H by subtracting the effective purchase price from the delivered price at the transfer facility, shown in Column I.
- (2) Disclosure of the total transportation cost “would impair the efforts of [JEA acting on its own behalf and as agent for FPL] to contract for goods or services [at SJRRP] on favorable terms.” Section 366.093(3)(d), Fla Stat. Moreover, the service provider itself typically designates the transportation costs in the contract as confidential. JEA maintains this information as confidential pursuant to section 163.01(15)(m), Fla. Stat. Further, disclosure of this information would enable potential coal suppliers to calculate Column G which FPL seeks to protect by subtracting Column H from Column I.

Justification for Confidentiality for St. Johns River Power Park (SJRRP) Report of May 2014:

| <u>FORM</u> | <u>LINE(S)</u> | <u>COLUMN</u> | <u>RATIONALE</u> |
|-------------|----------------|---------------|------------------|
| 423-2(a) | 1-3 | F | (1) |
| 423-2(a) | 1-3 | H | (1) |

| | | | |
|----------|-----|---|-----|
| 423-2(a) | 1-3 | J | (1) |
| 423-2(a) | 1-3 | L | (2) |

Rationale for Confidentiality:

- (1) The information presented in these columns are algebraic derivations of the information in column L that FPL seeks to protect.
- (2) Disclosure of the effective purchase price “would impair the efforts of [JEA, acting on its own behalf and as agent for FPL] to contract for goods or services [at the St. Johns River Power Park (SJRPP)] on favorable terms.” Section 366.093(3)(d), Fla. Stat. The data informs other potential coal suppliers as to the price SJRPP is paying for coal. Disclosure of this information could adversely affect FPL’s interests in subsequent solicitations for coal and/or in negotiating coal supply agreements. JEA maintains this information as confidential pursuant to section 163.01(15)(m), Fla. Stat. Additionally, providing the purchase price would enable one to ascertain the total transportation charges in Column H on Form 423-2, which FPL seeks to protect, by subtracting the effective purchase price from the delivered price at the transfer facility shown in Column I on Form 423-2.

Justification for Confidentiality for St. Johns River Power Park (SJRPP) Report of May 2014:

| <u>FORM</u> | <u>LINE(S)</u> | <u>COLUMN</u> | <u>RATIONALE</u> |
|-------------|----------------|---------------|------------------|
| 423-2(b) | 1-3 | G | (1) |
| 423-2(b) | 1-3 | I | (2) |
| 423-2(b) | 1-3 | P | (2) |

Rationale for Confidentiality:

- (1) Disclosure of the effective purchase price “would impair the efforts of [JEA, acting on its own behalf and as agent for FPL] to contract for goods or services [at the St. Johns River Power Park (SJRPP)] on favorable terms.” Section 366.093(3)(d), Fla. Stat. The data informs other potential coal suppliers as to the price SJRPP is paying for coal. Disclosure of this information, which is particularly sensitive given SJRPP’s reliance on long term contracts with fixed price provisions or short term spot transactions, could adversely affect FPL’s interests in subsequent solicitations for coal and/or in negotiating coal supply agreements. JEA maintains this information as confidential pursuant to section 163.01(15)(m), Fla. Stat. Additionally, providing the purchase price would enable one to

ascertain the total transportation charges in Column P, which FPL seeks to protect, by subtracting the effective purchase price from the delivered price at the transfer facility shown in Column Q.

- (2) Disclosure of the total transportation cost “would impair the efforts of [JEA acting on its own behalf and as agent for FPL] to contract for goods or services [at SJRPP] on favorable terms.” Section 366.093(3)(d), Fla Stat. Moreover, the service provider itself typically designates the transportation costs in the contract as confidential. JEA maintains this information as confidential pursuant to section 163.01(15)(m), Fla. Stat. Further, disclosure of this information would enable potential coal suppliers to calculate Column G which FPL seeks to protect, by subtracting Column P from Column Q.

Justification for Confidentiality for R.W. Scherer (Plant Scherer) Report of April 2014:

| <u>FORM</u> | <u>LINE(S)</u> | <u>COLUMNS</u> | <u>RATIONALE</u> |
|-------------|----------------|----------------|------------------|
| 423-2 | 1-8 | G, H | (1) |

Rationale for Confidentiality:

- (1) On April 1, 2010, FPL was contacted by the BNSF Railway, which transports coal to Plant Scherer, concerning FPL’s disclosure of BNSF transportation rate information on FPL’s Form 423 filing. BNSF has asserted that the transportation rate information is confidential pursuant to its Rail Transportation Agreement BNSF-C-12339 with Georgia Power Company (“GPC”) and that FPL is obligated to maintain the confidentiality of that information. Accordingly, FPL is designating as confidential certain information in the Form 423 filing that, by itself or in conjunction with other information in the filing, would reveal publicly BNSF transportation rate information. FPL argues that this information is confidential under Sections 366.093(3)(d) and 366.093(3)(e), Fla. Stat., because its disclosure would “impair the efforts of [GPC, as agent for FPL] to contract for goods and services on favorable terms” and would “impair the competitive business of” BNSF.

Justification for Confidentiality for R.W. Scherer (Plant Scherer) Report of April 2014:

| <u>FORM</u> | <u>LINE(S)</u> | <u>COLUMNS</u> | <u>RATIONALE</u> |
|-------------|----------------|----------------|------------------|
| 423-2(a) | 1-8 | F, H, J, L | (1) |

Rationale for Confidentiality:

- (1) On April 1, 2010, FPL was contacted by the BNSF Railway, which transports coal to Plant Scherer, concerning FPL's disclosure of BNSF transportation rate information on FPL's Form 423 filing. BNSF has asserted that the transportation rate information is confidential pursuant to its Rail Transportation Agreement BNSF-C-12339 with Georgia Power Company ("GPC") and that FPL is obligated to maintain the confidentiality of that information. Accordingly, FPL is designating as confidential certain information in the Form 423 filing that, by itself or in conjunction with other information in the filing, would reveal publicly BNSF transportation rate information. FPL argues that this information is confidential under Sections 366.093(3)(d) and 366.093(3)(e), Fla. Stat., because its disclosure would "impair the efforts of [GPC, as agent for FPL] to contract for goods and services on favorable terms" and would "impair the competitive business of" BNSF.

Justification for Confidentiality for R.W. Scherer (Plant Scherer) Report of April 2014:

| <u>FORM</u> | <u>LINE(S)</u> | <u>COLUMNS</u> | <u>RATIONALE</u> |
|-------------|----------------|----------------|------------------|
| 423-2(b) | 1-8 | G, I, P | (1) |

Rationale for Confidentiality:

- (1) On April 1, 2010, FPL was contacted by the BNSF Railway, which transports coal to Plant Scherer, concerning FPL's disclosure of BNSF transportation rate information on FPL's Form 423 filing. BNSF has asserted that the transportation rate information is confidential pursuant to its Rail Transportation Agreement BNSF-C-12339 with Georgia Power Company ("GPC") and that FPL is obligated to maintain the confidentiality of that information. Accordingly, FPL is designating as confidential certain information in the Form 423 filing that, by itself or in conjunction with other information in the filing, would reveal publicly BNSF transportation rate information. FPL argues that this information is confidential under Sections 366.093(3)(d) and 366.093(3)(e), Fla. Stat., because its disclosure would "impair the efforts of [GPC, as agent for FPL] to contract for goods and services on favorable terms" and would "impair the competitive business of" BNSF.