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September 18, 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
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Re: Docket No. 140001-EI

REDACTED

Dear Ms. Stauffer:

I enclose for filing in the above docket the original and seven (7) copies of FPL's Request for Confidential Classification of Certain Information Provided in Response to Staff's Fifth Set of Interrogatories No. 154. 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, in Microsoft Word format.

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

Sincerely,

Maria J. Moncada

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Enclosures
cc: parties of record, w/o exhibits

:1508734

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

Fuel and purchase power cost recovery clause
with generating performance incentive factor

Docket No: 140001-EI
Date Filed: September 18, 2014

**REQUEST FOR CONFIDENTIAL CLASSIFICATION
OF INFORMATION PROVIDED IN RESPONSE
TO STAFF'S FIFTH SET OF INTERROGATORIES (No. 154)**

Pursuant to Section 366.093, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, Florida Power & Light Company ("FPL") requests confidential classification of certain information provided in response to the Staff of the Florida Public Service Commission's ("Staff") Fifth Set of Interrogatories No. 154 ("Confidential Discovery Responses"). In support of its Request, FPL states as follows:

1. FPL served its responses to Staff's Fifth Set of Interrogatories electronically on September 18, 2014. This request is being filed contemporaneously with the service of the responses to Staff, in order to request confidential classification of the Confidential Discovery Responses consistent with Rule 25-22.006, Florida Administrative Code.

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

a. Exhibit A consists of a copy of the Confidential Discovery Responses on which all information that FPL asserts is entitled to confidential treatment has been highlighted.

b. Exhibit B consists of an edited version of the Confidential Discovery Responses on which all information that FPL asserts is entitled to confidential treatment 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 classification.

d. Exhibit D is the affidavit of Gerard J. Yupp, Senior Director of Wholesale Operations, in FPL's Energy, Marketing and Trading Division.

3. 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 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.

4. As the affidavit included in Exhibit D indicates, the information provided by FPL contains information concerning bids or other contractual data about FPL's monthly hedging transactions for natural gas, the disclosure of which would impair FPL's ability to contract for goods or services on favorable terms within the meaning of Section 366.093(3)(d), F.S.

5. 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 Confidential Discovery Responses as described herein.

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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 18th day of September 2014 to the following:

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mbarrett@psc.state.fl.us

By: _____


Maria J. Moneada
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

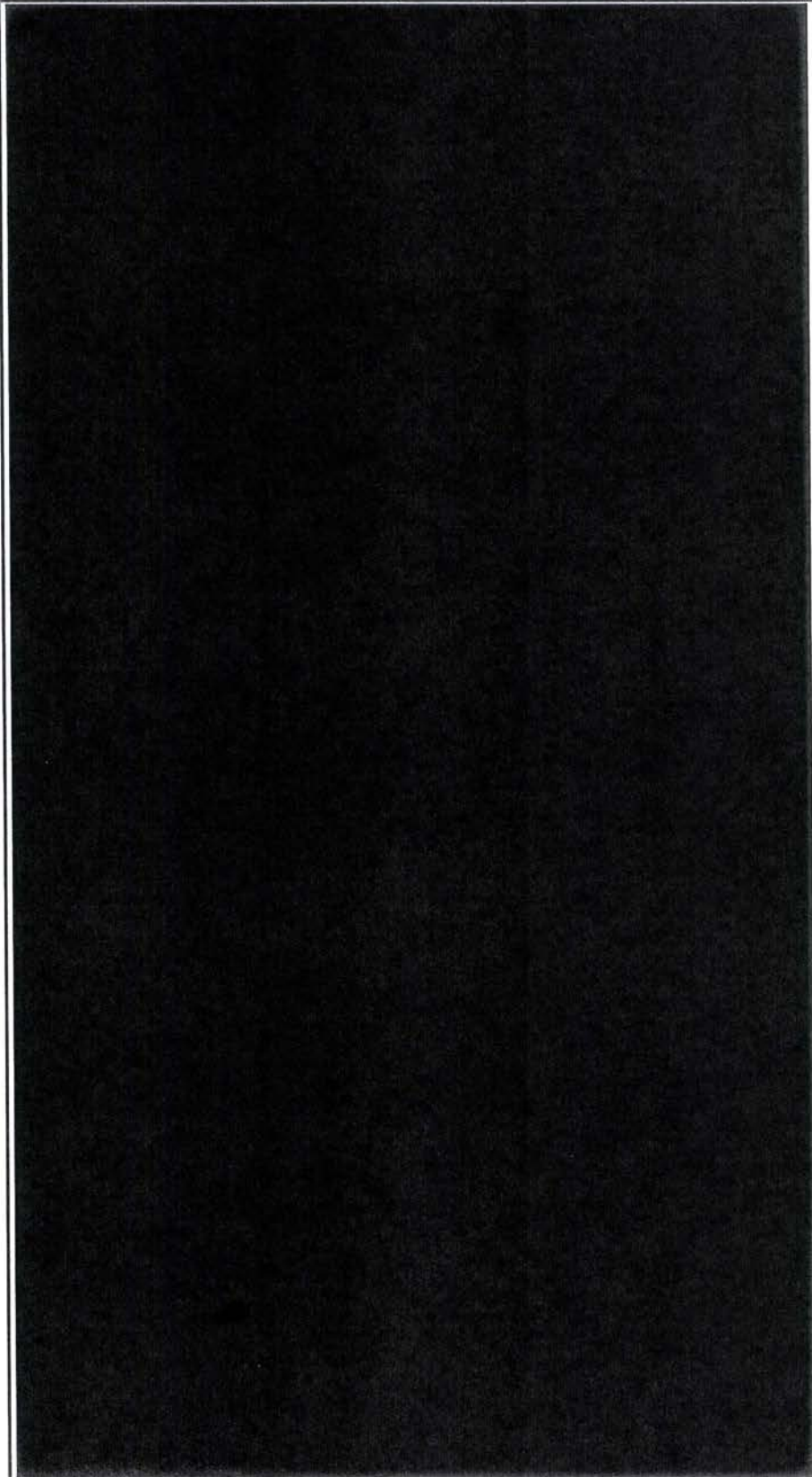
CONFIDENTIAL

FILED UNDER SEPARATE COVER

EXHIBIT B

REDACTED COPIES

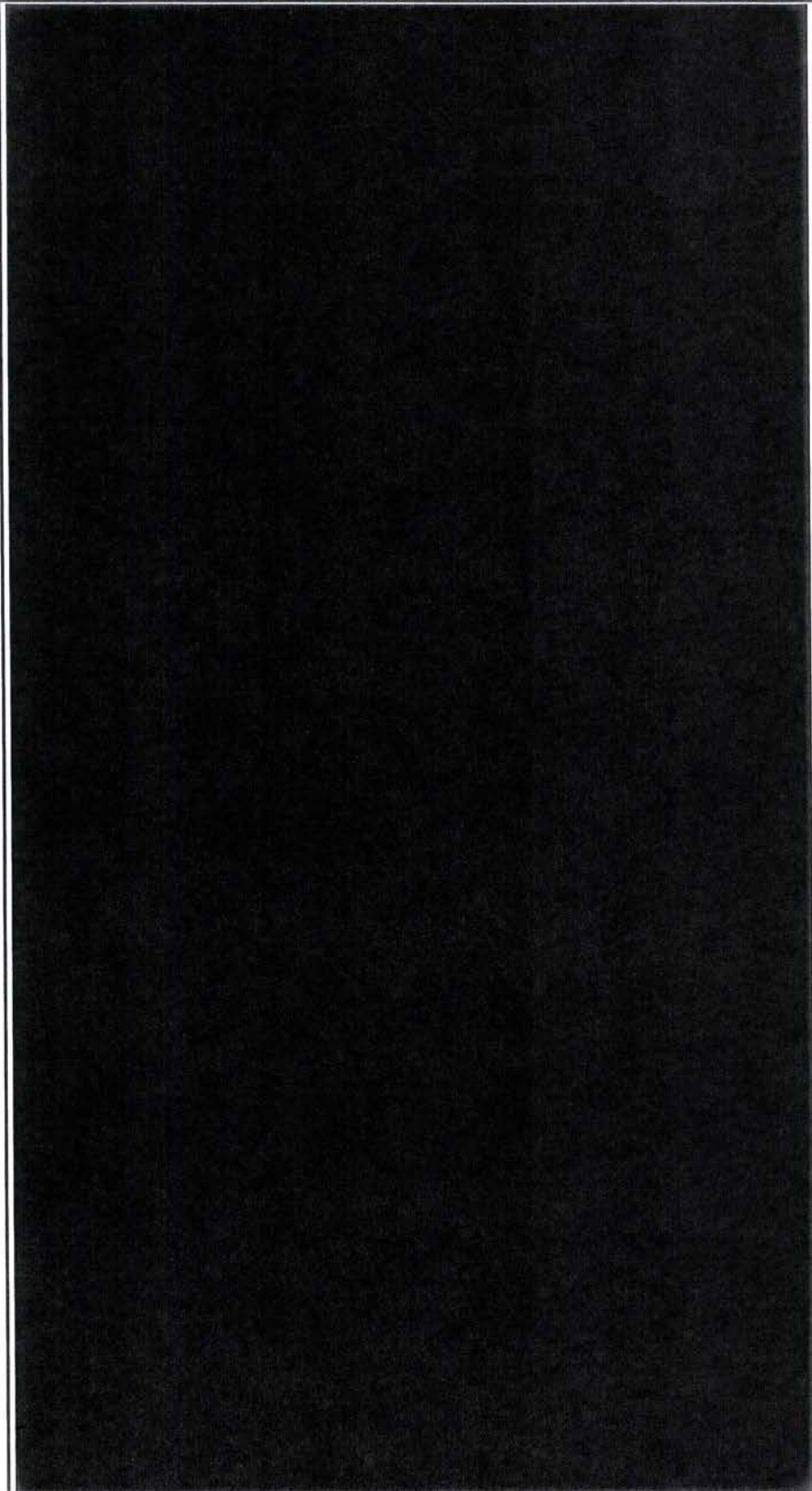
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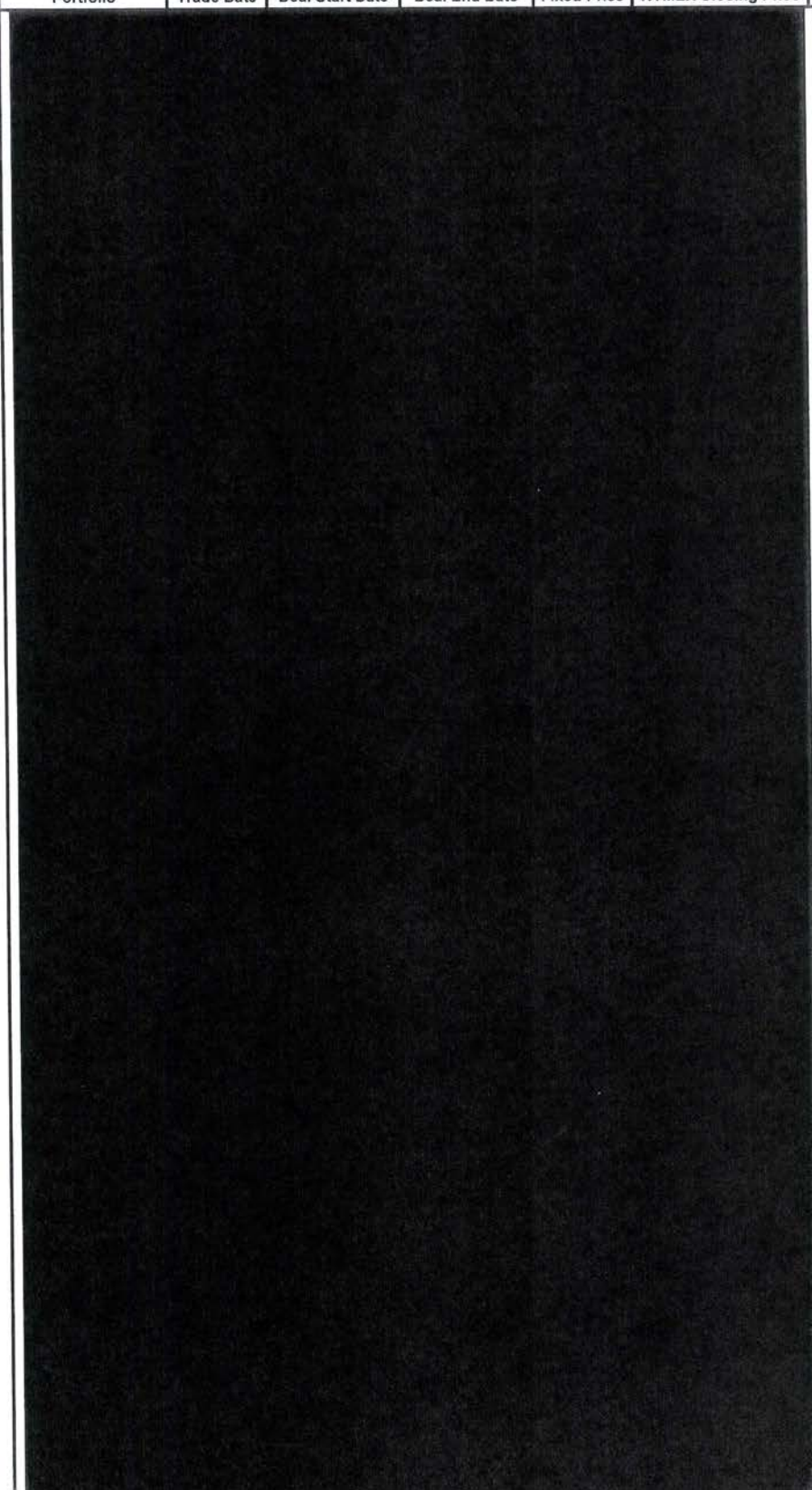
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(*) Note: These deals were originally executed as 12-month strip transactions. The October-December component was transferred to an affiliate of the counterparty, with the same terms and conditions as originally executed, prior to settlement. The fixed price vs. NYMEX closing price calculations use closing values from the dates on which the transactions were originally executed.

(**) Note: These deals were originally executed as 7-month (April-October) strip transactions. The October component was transferred to an affiliate of the counterparty, with the same terms and conditions as originally executed, prior to settlement. The fixed price vs. NYMEX closing price calculations use closing values from the dates on which the transactions were originally executed.

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: FPL's Responses to Staff's 5th Set of Interrogatories No. 154
DATE: September 18, 2014

| Staff's 5th Interrogatory No. | Page Nos. | Conf. Y/N | Line No./ Col. No. | Florida Statute 366.093(3) Subsection | Affiant |
|---|------------------|----------------------|-------------------------------|--|----------------|
| 154 (Attachment I) | 1 through 6 | Y | Cols. A-F | (d) | G. Yupp |

EXHIBIT D

AFFIDAVIT

EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

Fuel and purchase power cost recovery clause
with generating performance incentive factor

Docket No: 140001-EI

STATE OF FLORIDA)
)
COUNTY OF PALM BEACH)

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 Division. 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. The documents and materials in Exhibit A which are asserted by FPL to be proprietary confidential business information concern bids and other contractual data about FPL's monthly hedging transactions for natural gas, the disclosure of which would impair FPL's ability to contract for goods or services on favorable terms.
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
Gerard J. Yupp

SWORN TO AND SUBSCRIBED before me this 15th day of September 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.

Maritza Miranda-Wise
Notary Public, State of Florida

My Commission Expires:

