



Maria J. Moncada
Principal Attorney
Florida Power & Light Company
700 Universe Boulevard
Juno Beach, FL 33408-0420
(561) 304-5795
(561) 691-7135 (Facsimile)
E-mail: maria.moncada@fpl.com

February 6, 2015

VIA HAND DELIVERY

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

Re: Docket No. 150001-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 Provided in Response to OPC's First Set of Interrogatories No. 6. 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 Don Grissette 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

COM _____
AFD 4 + Redacted
APA _____
ECO _____
ENG _____
GCL 3
IDM _____
TEL _____
CLK _____

Enclosures

cc: parties of record, (Request for Confidential Classification w/o exhibits)

:1921466

RECEIVED - FPSC
15 FEB - 6 AM 11:42
COMMISSION
CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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

Docket No: 150001-EI
Date Filed: February 6, 2015

**FLORIDA POWER & LIGHT COMPANY'S REQUEST FOR
CONFIDENTIAL CLASSIFICATION OF INFORMATION PROVIDED
IN RESPONSE TO CITIZENS' FIRST SET OF INTERROGATORIES (No. 6)**

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 Office of Public Counsel's ("OPC") First Set of Interrogatories No. 6 ("Confidential Discovery Responses"). In support of its Request, FPL states as follows:

1. FPL served its responses to OPC's First Set of Interrogatories¹ on February 6, 2015. This request is being filed contemporaneously with the service of the responses to OPC, 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 is 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 is redacted.

¹ OPC served its First Set of Interrogatories on July 2, 2014 in Docket No. 140001. By agreement of the parties, all issues and discovery pertaining to the subject matter reflected in those interrogatories were deferred.

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 Don Grissette, General Manager of Change Management and Organizational Development in the Nuclear Business Unit.

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.

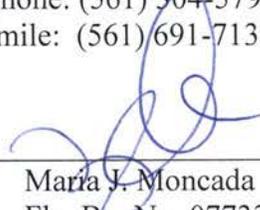
4. As the affidavit included in Exhibit D indicates, the Confidential Discovery Responses provided by FPL contains information related to contractual data, the disclosure of which would impair FPL's ability to contract for goods or services on favorable terms within the meaning of Section 366.093(3)(d), F.S. In addition, the Confidential Discovery Responses also consist of competitive interests, the disclosure of which would impair the competitive business of the provider of the information. Section 366.093(3)(e), 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.

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) 304-5795
Facsimile: (561) 691-7135

By: 

Maria J. Moncada
Fla. Bar No. 0773301

CERTIFICATE OF SERVICE
Docket No. 150001-EI

I HEREBY CERTIFY that a true and correct copy of the foregoing* has been furnished by electronic mail on this 6th day of February 2015 to the following:

Suzanne Brownless, Esq.
Division of Legal Services
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850
sbrownle@psc.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

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

Dianne M. Triplett, Esq.
Attorneys for DEF
299 First Avenue North
St. Petersburg, Florida 33701
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.
Owen J. Kopon, Esq.
Laura A. Wynn, Esq.
Attorneys for White Springs
Brickfield, Burchette, Ritts & Stone, P.C.
1025 Thomas Jefferson Street, NW
Eighth Floor, West Tower
Washington, DC 20007-5201
jbrew@bbrslaw.com
owen.kopon@bbrslaw.com
laura.wynn@bbrslaw.com

Robert L. McGee, Jr.
Gulf Power Company
One Energy Place
Pensacola, Florida 32520-080
rlmcgee@southernco.com

Matthew R. Bernier, Esq.
Duke Energy
106 East College Avenue, Suite 800
Tallahassee, Florida 32301
matthew.bernier@duke-energy.com

Erik L. Sayler, Esq.
John J. Truitt, Esq.
J. R. Kelly, Esq.
Patricia Christensen, Esq.
Charles Rehwinkel, 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
sayler.erik@leg.state.fl.us
truitt.john@leg.state.fl.us

Cheryl Martin, Director – Regulatory Affairs
FPUC
911 South 8th Street
Fernandina Beach, FL 32034
cheryl_martin@fpuc.com

Paula K. Brown, Manager
Tampa Electric Company
Regulatory Coordinator
Post Office Box 111
Tampa, Florida 33601-0111
regdept@tecoenergy.com

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

By: _____


Maria J. Moncada
Florida 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

REDACTED

EXHIBIT B

REDACTED COPIES

Q. Has FPL asserted claims and/or initiated litigation against other parties over either (a) the unusual number of worn steam generator tubes in St. Lucie 2 or (b) the piece of metal that struck one or more steam generator tubes? If your answer is "yes," please identify the other parties and describe the nature of the claims and the positions of the parties.

A. a. Yes, FPL has signed an agreement with ^(A) [REDACTED] 1
[REDACTED] 2
Under the agreement, ^(B) [REDACTED]. 3

b. Subpart (b) of this interrogatory incorrectly states that the piece of metal damaged steam generator tubes. The foreign material, which was found on the primary side of the steam generator, did not contact or damage any steam generator tubes. ^(C) [REDACTED] 4
[REDACTED] 5
[REDACTED] 6
[REDACTED] 7

^(D) [REDACTED]. Please note no 8
evidence was found that the foreign material originated with any [REDACTED] parts or 9
equipment. ^(E)

EXHIBIT C

JUSTIFICATION TABLE

EXHIBIT C

COMPANY: Florida Power & Light Company
TITLE: List of Confidential Documents
DOCKET NO.: 150001-EI
DOCKET TITLE: Fuel and Purchased Power Cost Recovery Clause
SUBJECT: FPL's Responses to OPC's 1st Set of Interrogatories No. 6
DATE: February 6, 2015

OPC's 1 st Interrogatory No.	Page No.	Conf. Y/N	Line No./ Col. No.	Florida Statute 366.093(3) Subsection	Affiant
6	1	Y	Lines 1A, 2, 3B, 4C, 5, 6, 7, 8D, 9E	(d), (e)	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 DON GRISSETTE

BEFORE ME, the undersigned authority, personally appeared Don Grissette who, being first duly sworn, deposes and says:

1. My name is Don Grissette. I am currently employed by Florida Power & Light Company ("FPL") as General Manager of Change Management and Organizational Development in the Nuclear Business Unit. 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. 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 consist of contractual data, the public disclosure of which would impair the efforts of FPL to contract for goods or services on favorable terms. Specifically, the documents contain information regarding FPL's outage activity and negotiated settlement terms. Additionally, this information relates to competitive interests of third party suppliers who FPL engages for outage-related services and equipment. The public disclosure of this information would impair the efforts of FPL to contract for these goods or services on favorable terms and would also 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.

[Handwritten signature of Don Grissette]

Don Grissette

SWORN TO AND SUBSCRIBED before me this 4th day of February 2015, by Don Grissette, who is personally known to me or who has produced N/A (type of identification) as identification and who did take an oath.

[Handwritten signature of Notary Public]

Notary Public, State of Florida

My Commission Expires:

