

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Energy Conservation Cost Recovery
Clause

Docket No: 150002-EG
Date: February 24, 2015

**FLORIDA POWER AND LIGHT COMPANY'S SIXTH REQUEST
FOR EXTENSION OF CONFIDENTIAL CLASSIFICATION
OF INFORMATION PROVIDED PURSUANT TO AUDIT NO. 02-064-4-1**

Pursuant to Section 366.093, Florida Statutes (2014) ("Section 366.093"), and Rule 25-22.006, Florida Administrative Code, Florida Power & Light Company ("FPL") hereby submits its Sixth Request for Extension of Confidential Classification of Information Provided Pursuant to Audit No. 02-064-4-1 ("Confidential Information"). In support of this request, FPL states as follows:

1. On July 30, 2002 FPL filed a Request for Confidential Classification of the Confidential Information, which included Exhibits A, B, C, and D ("July 30, 2002 Request"). On October 10, 2002, FPL revised its July 30, 2002 Request and filed Revised Exhibits A, B and C ("October 10, 2002 Amended Request"). By Order No. PSC-02-1493-CFO-EG, dated October 31, 2002 ("Order 1493"), the Commission granted FPL's July 30, 2002 Request. FPL adopts and incorporates by reference the July 30, 2002 Request, the October 10, 2002 Amended Request, and Order 1493.

2. By Order No. PSC-04-0841-CFO-EG, dated August 27, 2004, the Commission granted FPL's First Request for Extension of Confidential Classification.

3. By Order No. PSC-06-0558-CFO-EG, dated June 29, 2006, the Commission granted FPL's Second Request for Extension of Confidential Classification.

4. By Order No. PSC-09-0192-CFO-EG, dated March 27, 2009, the Commission granted FPL's Third Request for Extension of Confidential Classification.

5. By Order No. PSC-11-0322-CFO-EG, dated July 28, 2011, the Commission granted FPL's Fourth Request for Extension of Confidential Classification.

6. On January 28, 2103 FPL filed a Fifth Request for Extension of Confidential Classification of the Confidential Information, which included Third Revised Exhibits A, B, C and D ("January 28, 2013 Request"). By Order No. PSC-13-0476-CFO-EG, dated October 15, 2013 ("Order 0476"), the Commission granted FPL's January 28, 2013 Request. FPL adopts and incorporates by reference the January 28, 2013 Request and Order 0476.

7. The period of confidential treatment granted by Order 0476 will soon expire. The Confidential Information that was the subject of FPL's January 28, 2013 Request and Order 0476 warrants continued treatment as proprietary and confidential business information within the meaning of Section 366.093(3). Accordingly, FPL hereby submits its Sixth Request for Extension of Confidential Classification.

8. All of the information designated in Third Revised Exhibits A, B and C to the January 28, 2013 Request remains confidential. Accordingly, those exhibits will not be reproduced or reattached here.

9. Included herewith and made a part hereof is Fourth Revised Exhibit D. Fourth Revised Exhibit D is the affidavit of Anita Sharma in support of this request.

10. The Confidential Information is intended to be and has been treated by FPL as private, its confidentiality has been maintained, and its disclosure would cause harm to FPL and

its customers. 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.

11. As the affidavit included in Fourth Revised Exhibit D indicates, the Confidential Information includes proprietary information of FPL concerning the competitive interest of FPL or third parties, the disclosure of which would impair the competitive business of the provider of the information. Such information is protected by Section 366.093(3)(e).

12. Additionally, certain documents contain information that relates to customer-specific account information, which if disclosed would impair FPL's competitive interests. It is FPL's corporate policy not to disclose customer-specific information. This policy includes, but is not limited to: customer names, addresses, telephone numbers, and 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 absent the customer's consent. This information is protected pursuant to Section 366.093(3)(e).

13. Upon a finding by the Commission that the Confidential Information remains proprietary and confidential business information, the information should not be declassified for at least an additional eighteen (18) month period and should be returned to FPL as soon as it is

no longer necessary for the Commission to conduct its business. *See* § 366.093(4), Fla. Stat. (2014).

WHEREFORE, for the above and foregoing reasons, as more fully set forth in the supporting materials and affidavits included herewith, Florida Power & Light Company respectfully requests that its Sixth Request for Extension of Confidential Classification be granted.

Respectfully submitted,

John T. Butler
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
Email: maria.moncada@fpl.com

By: *s/Maria J. Moncada*
Maria J. Moncada
Florida Bar No. 0773301

CERTIFICATE OF SERVICE
Docket No. 150002-EG

I HEREBY CERTIFY that a true and correct copy of the foregoing Sixth Request for Confidential Classification was served by electronic mail this 24th day of February, 2015 to the following:

Lee EngTan, Esq.
Office of General Counsel
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850
ltan@psc.state.fl.us

Jeffrey Stone, Esq.
Russell Badders, Esq.
Steven Griffin, Esq.
Beggs & Lane Law Firm
Attorneys for Gulf Power Company
P.O. Box 12950
Pensacola, FL 32591
jas@beggslane.com
rab@beggslane.com
srg@beggslane.com

James W. Brew, Esq.
Owen J. Kopon, Esq.
Laura A. Wynn, Esq.
Attorneys for PCS Phosphate - White Springs
Agricultural Chemicals, Inc.
Brickfield, Burchette, Ritts & Stone, P.C.
1025 Thomas Jefferson St., NW
Eighth Floor, West Tower
Washington, DC 20007
jbrew@bbrslaw.com
owen.kopon@bbrslaw.com
laura.wynn@bbrslaw.com

J. R. Kelly, Esq.
Patricia Ann Christensen, Esq.
Charles Rehwinkel, Esq.
Office of Public Counsel
c/o The Florida Legislature
111 West Madison St., Room 812
Tallahassee, FL 32399-1400
kelly.jr@leg.state.fl.us
christensen.patty@leg.state.fl.us
rehwinkel.charles@leg.state.fl.us

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

Jon C. Moyle, Jr., Esq.
Moyle Law Firm, P.A.
Attorneys for Florida Industrial Power
Users Groups (FIPUG)
118 North Gadsden Street
Tallahassee, FL 32301
jmoyle@moylelaw.com

Beth Keating, Esq.
Gunster Firm
Attorneys for Florida Public Utilities Company
215 So. Monroe St., Suite 618
Tallahassee, FL 32301- 1804
bkeating@gunster.com

Dianne Triplett, Esq.
Duke Energy Florida, Inc.
299 First Avenue North
St. Petersburg, FL 33701
dianne.triplett@duke-energy.com

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

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

Robert L. McGee, Jr.
Regulatory and Pricing Manager
Gulf Power Company
One Energy Place
Pensacola, FL 32520
rlmcgee@southernco.com

Paula K. Brown
Manager, Regulatory Coordination
Tampa Electric Company
P.O. Box 111
Tampa, FL 33601
regdept@tecoenergy.com

Cheryl Martin, Director – Regulatory Affairs
Aleida Socarras
Florida Public Utilities Company
911 South 8th Street
Fernandina Beach, FL 32034
cheryl_martin@chpk.com
asocarras@fpuc.com

s/ Maria J. Moncada

Maria J. Moncada

FOURTH REVISED EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Energy Conservation Cost Recovery Clause

Docket No: 150002-EG

STATE OF FLORIDA)
MIAMI-DADE COUNTY)

AFFIDAVIT OF ANITA SHARMA

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

1. My name is Anita Sharma. I am currently employed by Florida Power & Light Company ("FPL") as Manager, Demand Side Management Cost and Performance. I have personal knowledge of the matters stated in this affidavit.

2. I have reviewed the documents referenced and incorporated in FPL's Sixth Request for Extension of Confidential Classification of Information Obtained in Connection with Audit No. 02-064-4-1. The documents or materials contain or constitute competitively sensitive information, the disclosure of which could impair the competitive business of the provider of the information. Some information pertains to negotiated terms with third party vendors for equipment and services related to FPL's implementation of demand side management and conservation programs. Additionally, some of the information contains customer-specific account information, which if disclosed would impair FPL's competitive interests. It is FPL's 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 absent the customer's consent. To the best of my knowledge, FPL has maintained the confidentiality of these documents and materials.

3. Nothing has occurred since the issuance of Order No. PSC-13-0476-CFO-EG to render the information stale or public, such that continued confidential treatment would not be appropriate. Therefore, the information should remain confidential for a period of at least an additional eighteen (18) months. These materials 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.

Anita Sharma (handwritten signature)

Anita Sharma

SWORN TO AND SUBSCRIBED before me this 24th day of February 2015, by Anita Sharma, who is personally known to me and who did take an oath.

Carolyn J. Smith (handwritten signature)

Notary Public, State of Florida

My Commission Expires:

