

**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 FIFTH REQUEST  
FOR EXTENSION OF CONFIDENTIAL CLASSIFICATION  
OF INFORMATION PROVIDED PURSUANT TO AUDIT NO. 05-042-4-1**

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 Fifth Request for Extension of Confidential Classification of Information Provided Pursuant to Audit No. 05-042-4-1 ("Confidential Information"). In support of this request, FPL states as follows:

1. On July 13, 2005 FPL filed a Request for Confidential Classification of the Confidential Information, which included Exhibits A, B, C, and D ("July 13, 2005 Request"). By Order No. PSC-06-0189-CFO-EG, dated March 9, 2006 ("Order 0189"), the Commission granted FPL's July 13, 2005 Request. FPL adopts and incorporates by reference the July 13, 2005 Request and Order 0189.
2. By Order No. PSC-07-0828-CFO-EG, dated October 15, 2007, the Commission granted FPL's First Request for Extension of Confidential Classification.
3. By Order No. PSC-09-0676-CFO-EG, dated October 9, 2009, the Commission granted FPL's Second Request for Extension of Confidential Classification.
4. By Order No. PSC-11-0320-CFO-EG, dated July 28, 2011, the Commission granted FPL's Third Request for Extension of Confidential Classification.

5. On January 28, 2013 FPL filed a Fourth Request for Extension of Confidential Classification of the Confidential Information, which included First Revised Exhibit A, First Revised Exhibit B, Second Revised Exhibit C and Fourth Revised Exhibit D (“January 28, 2013 Request”). By Order No. PSC-13-0481-CFO-EG, dated October 15, 2013 (“Order 0481”), the Commission granted FPL’s January 28, 2013 Request. FPL adopts and incorporates by reference the January 28, 2013 Request and Order 0481.

6. The period of confidential treatment granted by Order 0481 will soon expire. The Confidential Information that was the subject of FPL’s January 28, 2013 Request and Order 0481 warrants continued treatment as proprietary and confidential business information within the meaning of Section 366.093(3). Accordingly, FPL hereby submits its Fifth Request for Extension of Confidential Classification.

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

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

9. 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.

10. As the affidavit included as Fifth 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).

11. 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).

12. 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 Fifth Request for Extension of Confidential Classification be granted.

Respectfully submitted,

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By: s/ Maria J. Moncada  
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**CERTIFICATE OF SERVICE**  
**Docket No. 150002-EG**

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

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*s/ Maria J. Moncada*

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Maria J. Moncada

FIFTH REVISED EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Energy Conservation Cost Recovery  
Clause

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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. 05-042-4-1. 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-13-0481-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*  
Anita Sharma

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

*Carolyn J Smith*  
Notary Public, State of Florida

My Commission Expires

