

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Fuel and Purchase Power Cost  
Recovery Clause with Generating  
Performance Incentive Factor

Docket No. 150001-EI

Dated: March 10, 2015

**FLORIDA POWER & LIGHT COMPANY'S FOURTH REQUEST  
FOR EXTENSION OF CONFIDENTIAL CLASSIFICATION  
OF INFORMATION PROVIDED PURSUANT TO AUDIT NO. 06-045-4-1**

Pursuant to Section 366.093, Florida Statutes ("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 May 8, 2006 FPL filed a Request for Confidential Classification of the Confidential Information, which included Exhibits A, B, C and D ("May 8, 2006 Request"). By Order No. PSC-07-0947-CFO-EI ("Order 0947"), dated November 28, 2007, the Commission granted FPL's request. FPL adopts and incorporates by reference the May 8, 2006 Request and Order 0947.

2. By Order No. PSC-10-0090-CFO-EI, dated February 22, 2010, the Commission granted FPL's First Request for Extension of Confidential Classification.

3. By Order No. PSC-12-0149-CFO-EI, dated March 29, 2012, the Commission granted FPL's Second Request for Extension of Confidential Classification.

4. On September 6, 2013, FPL filed its Third Request for Extension of Confidential Classification of the Confidential Information, which included Second Revised Exhibit A, Second Revised Exhibit B, Third Revised Exhibit C and Third Revised Exhibit D ("September 6, 2013 Request"). By Order No. PSC-13-0590-CFO-EI ("Order 0590"), dated November 1, 2013, the Commission granted FPL's request. By Order No. PSC-13-0590A-CFO-EI ("Order

0590A”), dated November 7, 2013, the Commission entered an Amendatory Order correcting a scrivener’s error. FPL adopts and incorporates by reference the September 6, 2013 Request and Order No. 0590A.

5. The period of confidential treatment granted by Orders 0590 and 0590A will soon expire. The Confidential Information that was the subject of FPL’s September 6, 2013 Request and Orders 0590 and 0590A warrants continued treatment as proprietary and confidential business information within the meaning of Section 366.093(3). Accordingly, FPL hereby submits its Fourth Request for Extension of Confidential Classification.

6. All of the information designated in Second Revised Exhibit A, Second Revised Exhibit B and Third Revised Exhibit C to the September 6, 2013 Request remains confidential. Accordingly, those exhibits will not be reproduced or reattached here.

7. Included herewith and made a part hereof is Fourth Revised Exhibit D which is comprised of the affidavits of Damaris Rodriguez and Antonio Maceo in support of this request.

8. 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.

9. As the affidavits included in Fourth Revised Exhibit D indicate, the Confidential Information includes data concerning internal auditing controls and reports of internal auditors or information relating to internal auditing reports issued in 2005. Such information is protected by Section 366.093(3)(b).

10. Additionally, some documents contain information that relates to customer-specific account information. It is FPL's policy not to disclose customer-specific information, except as required by law, to entities or persons other than the customer absent the customer's consent. The 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's policy is premised upon customers' right to privacy and the potential that disclosure of customer specific information may harm some customers' competitive interests. This information is protected pursuant to Section 366.093(3)(e).

11. Nothing has changed since the Commission entered Order 0590A to render the Confidential Information stale or public, such that continued confidential treatment would not be appropriate.

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.

**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 Fourth 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. 150001-EI**

**I HEREBY CERTIFY** that a true and correct copy of FPL's Fourth Request for Extension of Confidential Classification has been furnished by electronic delivery this 10th day of March, 2015 to the following:

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*s/ Maria J. Moncada*  
\_\_\_\_\_  
Maria J. Moncada

# **EXHIBIT D**

**FOURTH REVISED EXHIBIT D**

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

IN RE: Fuel and Purchase Power Cost  
Recovery Clause with Generating Performance  
Incentive Factor

Docket No: 150001-EI

STATE OF FLORIDA            )  
  )  
MIAMI-DADE COUNTY        )

**AFFIDAVIT OF ANTONIO MACEO**

**BEFORE ME**, the undersigned authority, personally appeared Antonio Maceo who, being first duly sworn, deposes and says:

1. My name is Antonio Maceo. I am currently employed by Florida Power & Light Company ("FPL") as Manager, Internal Auditing. I have personal knowledge of the matters stated in this affidavit.

2. I have reviewed the documents referenced and incorporated in FPL's Fourth Request for Extension of Confidential Classification of Information Obtained in Connection with Audit No. 06-045-4-1 for which I am identified as the affiant. 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. Specifically, some of the information contain or constitute internal auditing controls, reports or notes of internal auditors, or information relating to internal auditing reports issued in 2006. 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-13-0590-CFO-EI and PSC-13-0590A-CFO-EI 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.

Antonio Maceo

**SWORN TO AND SUBSCRIBED** before me this 10<sup>th</sup> day of March 2015, by Antonio Maceo, who is personally known to me and who did take an oath.

Notary Public, State of Florida

My Commission Expires:





FOURTH REVISED EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Fuel and Purchase Power Cost  
Recovery Clause with Generating Performance  
Incentive Factor

Docket No: 150001-EI

STATE OF FLORIDA )  
 )  
MIAMI-DADE COUNTY )

**AFFIDAVIT OF DAMARIS RODRIGUEZ**

**BEFORE ME**, the undersigned authority, personally appeared Damaris Rodriguez who, being first duly sworn, deposes and says:

1. My name is Damaris Rodriguez. I am currently employed by Florida Power & Light Company ("FPL") as Manager of Cost Recovery Clauses in the Regulatory Affairs Department. I have personal knowledge of the matters stated in this affidavit.

2. I have reviewed the documents referenced and incorporated in FPL's Fourth Request for Extension of Confidential Classification of Information Obtained in Connection with Audit No. 06-045-4-1 for which I am identified as the affiant. The documents or materials that I have reviewed and which are asserted by FPL to be proprietary confidential business information contain or constitute customer-specific account information. 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 Nos. PSC-13-0590-CFO-EI and PSC-13-0590A-CFO-EI 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.

*Damaris Rodriguez*  
\_\_\_\_\_  
Damaris Rodriguez

**SWORN TO AND SUBSCRIBED** before me this 10<sup>th</sup> day of March 2015, by Damaris Rodriguez, who is personally known to me and who did take an oath.

*Carolyn J. Smith*  
\_\_\_\_\_  
Notary Public, State of Florida

My Commission Expires



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