

**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: April 29, 2015

**FLORIDA POWER & LIGHT COMPANY'S FIRST REQUEST  
FOR EXTENSION OF CONFIDENTIAL CLASSIFICATION  
OF FPL'S 2014 RISK MANAGEMENT PLAN (EXHIBIT GJY-2)**

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 First Request for Extension of Confidential Classification of FPL's 2014 Risk Management Plan (Exhibit GJY-2). In support of this request, FPL states as follows:

1. On August 2, 2013 FPL filed a Request for Confidential Classification of FPL's 2014 Risk Management Plan, which included Exhibits A, B, C and D ("August 2, 2013 Request"). By Order No. PSC-13-0585-CFO-EI ("Order 0585"), dated November 1, 2013, the Commission granted FPL's request. FPL adopts and incorporates by reference the August 2, 2013 Request and Order 0585.

2. The period of confidential treatment granted by Order 0585 will soon expire. FPL's 2014 Risk Management Plan warrants continued treatment as proprietary and confidential business information within the meaning of Section 366.093(3). Accordingly, FPL hereby submits its First Request for Extension of Confidential Classification.

3. All of the information designated in Exhibits A, B and C to the August 2, 2013 Request remains confidential. Accordingly, those exhibits will not be reproduced or reattached here.

4. Included herewith and made a part hereof is First Revised Exhibit D which contains the affidavit of Gerard J. Yupp in support of this request.

5. FPL's 2014 Risk Management Plan 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.

6. As the affidavit included in First Revised Exhibit D indicates, FPL's 2014 Risk Management Plan contains information relating to trade secrets. This information is protected by Section 366.093(3)(a), Fla. Stat.

7. FPL's 2014 Risk Management Plan also contains information relating to bids or other contractual data, the disclosure of which would impair the efforts of FPL to contract for goods or services on favorable terms. This information is protected by Section 366.093(3)(d), Fla. Stat.

8. Lastly, FPL's 2014 Risk Management Plan contains information relating to competitive interests, the disclosure of which would impair the competitive business of FPL and/or its vendors. This information is protected by Section 366.093(3)(e), Fla. Stat.

9. Nothing has changed since the Commission entered Order 0585 to render FPL's 2014 Risk Management Plan stale or public, such that continued confidential treatment would not be appropriate.

10. Upon a finding by the Commission that FPL's 2014 Risk Management Plan 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 affidavits included herewith, Florida Power & Light Company respectfully requests that its First 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 First Request for Extension of Confidential Classification has been furnished by electronic delivery this 29th day of April, 2015 to the following:

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*s/ Maria J. Moncada*  
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Maria J. Moncada

# **EXHIBIT D**

FIRST 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 )
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 Department. I have personal knowledge of the matters stated in this affidavit.
2. I have reviewed the documents referenced and incorporated in FPL's First Request for Extension of Confidential Classification of Information Obtained in Connection its 2014 Risk Management Plan. The documents and material in Exhibit A which are asserted by FPL to be proprietary confidential business information are comprised of the details of FPL's strategy and plans for hedging fuel purchases in 2014 and beyond. This information constitutes trade secrets of FPL, which allow FPL to hedge its fuel purchases on favorable terms for FPL and its customers. The disclosure of this trade-secret information would provide other market participants insight into FPL's marketing and trading practices as well as internal policy and procedures, which would allow them to anticipate FPL's marketing and trading decisions and/or impair FPL's ability to negotiate, to the detriment of FPL and its customers. Additionally, the confidential information contained in the 2014 Risk Management Plan relates to competitive interests and hedging-related bids or other contractual data, the disclosure of which would impair the competitive business as well as the efforts of FPL to contract for goods and services on favorable terms. 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-13-0585-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.

Handwritten signature of Gerard J. Yupp over a horizontal line.

SWORN TO AND SUBSCRIBED before me this 29 day of April 2015, 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.

Handwritten signature of Maritza Miranda-Wise over a horizontal line, followed by the text 'Notary Public, State of Florida'.

My Commission Expires:

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