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May 21, 2015

VIA HAND DELIVERY

Ms. Carlotta S. Stauffer
Division of the Commission Clerk and Administrative Services
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

RECEIVED-FPSC
15 MAY 21 PM 1:36
COMMISSION
CLERK

Re: Docket No. 150075-EI

REDACTED

Dear Ms. Stauffer:

I enclose for filing in the above docket an original and seven (7) copies of Florida Power & Light Company's ("FPL's") Request for Confidential Classification of Certain Responses to the Office of Public Counsel's Second Request for Production of Documents. The original includes Exhibits A, B (two copies), Exhibit C and Exhibit D. The seven copies do not include copies of the Exhibits.

Exhibit A consists of a compact disc which contains the confidential documents, which are confidential in their entirety. Exhibit B consists of identifying cover pages which indicates that the documents are confidential in their entirety. Exhibit C is a justification table in support of FPL's Request for Confidential Classification. Exhibit D contains three affidavits in support of FPL's Request for Confidential Classification. Also included in this filing is a second compact disc containing FPL's Request for Confidential Classification and Exhibit C, in Microsoft Word format.

Please contact me if you or your Staff has any questions regarding this filing.

COM _____
AFD 2
APA _____
ECO 2
ENG 2+cc+Redacted
GCL _____ Enclosure
IDM _____
TEL _____
CLK _____

Sincerely,

Maria J. Moncada

2379757

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for approval of arrangement to mitigate impact of unfavorable Cedar Bay power purchase obligation, by Florida Power & Light Company.

Docket No: 150075-EI

Date: May 21, 2015

FLORIDA POWER & LIGHT COMPANY'S REQUEST FOR CONFIDENTIAL CLASSIFICATION OF CERTAIN RESPONSES TO THE OFFICE OF PUBLIC COUNSEL'S SECOND REQUEST FOR PRODUCTION OF DOCUMENTS (Nos. 12, 14, 15(c), 18, 21 and 34)

Pursuant to Section 366.093, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, Florida Power & Light Company ("FPL") requests confidential classification of a its response to the Office of Public Counsel's ("OPC") Second Request for Production of Documents (Nos. 12, 14, 15(c), 18, 21 and 34). In support of its request, FPL states:

1. On May 21, 2015, FPL served its response to OPC's Second Request for Production of Documents. FPL's responses to OPC's Second Request for Production of Documents (Nos. 12, 14, 15(c), 18, 21 and 34) contain information of a confidential nature, which is proprietary confidential business information within the meaning of Section 366.093(3), Florida Statutes (hereinafter referred to as the "Confidential Discovery Responses").

2. FPL files this request contemporaneously with the service of its responses to OPC's Second Request for Production, in order to request confidential classification of the Confidential Discovery Responses consistent with Rule 25-22.006, Florida Administrative Code.

3. The following exhibits are included with and made a part of this request:

a. Exhibit A consists of a compact disc containing the Confidential Discovery Responses. All of the pages of all responsive documents are confidential in their entirety. Accordingly, no purpose would be served by highlighting all of the text on the documents. Documents responsive to OPC's Second Requests for Production Nos. 12, 14, 15(c) and 34 are provided in electronic, native (MS Excel) format with formulas intact. Documents responsive to OPC's Second 18 and 21 are provided in Adobe Acrobat format.

b. Exhibit B consists of an identifying cover pages indicating that all of the documents responsive to FPL's responses to OPC's Second Request for Production of Documents (Nos. 12, 14, 15(c), 18, 21 and 34) are confidential in their entirety. Because each page is confidential in its entirety, no purpose would be served by reproducing fully redacted pages. 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.

c. Exhibit C is a table that identifies the Confidential Discovery Responses, together with a brief description of the documents designated confidential. Exhibit C also sets forth references to the specific statutory bases for the claim of confidentiality and to the affiant who supports the requested classification.

d. Exhibit D consists of the affidavits of Juan Enjamio, Thomas L. Hartman and David Herr.

4. 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.

5. As described in greater detail in the affidavits included in Exhibit D and the descriptions included in Exhibit C, some of the Confidential Discovery Responses provided by FPL contains the proprietary information of third parties, which FPL is contractually obligated to treat confidentially. Disclosure would constitute a contractual breach.

6. Some Confidential Discovery Responses contain information related to contractual data, the disclosure of which would impair FPL's ability to contract for goods or services on favorable terms.

7. Other Confidential Discovery Responses also consist of competitive interests, the disclosure of which would impair the competitive business of FPL or its suppliers. This information is protected by Section 366.093(3)(e), Fla. Stat.

8. 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.

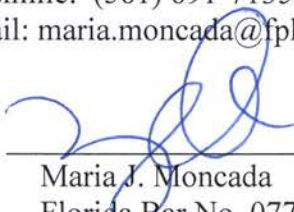
WHEREFORE, for the above and foregoing reasons, as more fully set forth in the

attached supporting materials and affidavits, Florida Power & Light Company respectfully requests that its Request for 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: _____


Maria J. Moncada
Florida Bar No. 0773301

CERTIFICATE OF SERVICE
Docket No. 150075-EI

I **HEREBY CERTIFY** that a true and correct copy of the foregoing Request for Confidential Classification* has been furnished by electronic mail on this 21st day of May, 2015 to the following:

Martha F. Barrera, Esq.
Division of Legal Services
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850
mbarrera@psc.state.fl.us
Office of the General Counsel

J.R. Kelly, Public Counsel
John J. Truitt, Associate Public Counsel
Office of Public Counsel
The Florida Legislature
111 West Madison Street, Room 812 Tallahassee,
Florida 32399
kelly.jr@leg.state.fl.us
truitt.john@leg.state.fl.us
Attorney for the Citizens of the State of Fla.

Jon C. Moyle, Jr., Esq.
Karen A. Putnal, Esq.
Moyle Law Firm, P.A.
118 North Gadsden Street
Tallahassee, Florida 32301
jmoyle@moylelaw.com
kputnal@moylelaw.com
*Attorney for Florida Industrial
Power Users Group*

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 B

REDACTED COPIES

Documents responsive to OPC's Second Request for Production No. 12 (Bates Nos. CB-15-009429 through CB-15-009430) are confidential in their entirety.

Documents responsive to OPC's Second Request for Production No. 14 (Bates Nos. CB-15-009433 through CB-15-009486) are confidential in their entirety.

Documents responsive to OPC's Second Request for Production No. 15 (Bates Nos. CB-15-009491 through CB-15-009516) are confidential in their entirety.

Documents responsive to OPC's Second Request for Production No. 18 (Bates Nos. CB-15-009535 through CB-15-009954) are confidential in their entirety.

Documents responsive to OPC's Second Request for Production No. 21 (Bates Nos. CB-15-009955 through CB-15-009958) are confidential in their entirety.

Documents responsive to OPC's Second Request for Production No. 34 (Bates Nos. CB-15-010468 through CB-15-010488) are confidential in their entirety.

EXHIBIT C

JUSTIFICATION TABLE

EXHIBIT C

COMPANY: Florida Power & Light Company

DOCKET TITLE: In re: Petition for approval of arrangement to mitigate impact of unfavorable Cedar Bay power purchase obligation, by Florida Power & Light Company.

DOCKET NO: 150075-EI

SUBJECT: FPL's Confidential Responses to the OPC's Second Request for Production of Documents (No. 12 - 42)

DATE: May 21, 2015

FPL's Responses to OPC's 2 nd Request for Production No.	Bates No. / Page No.	Description	Column No. / Line No.	Florida Statute 366.093(3) Subsection	Affiant
No. 12	Bates Nos. CB-15-009429 through CB-15-009430	Calculations of average avoided cost and all in Cedar Bay PPA average cost (electronic format)	ALL	(d), (e)	T. Hartman
No. 14	Bates Nos. CB-15-009433 through CB-15-009486	Fixed cost model (electronic format)	ALL	(d), (e)	J. Enjamio
No. 15(c)	Bates Nos. CB-15-009491 through CB-15-009516	UPLAN production costing model analyses of system impacts of the Cedar Bay Transaction (electronic format)	ALL	(d), (e)	J. Enjamio
No. 18	Bates Nos. CB-15-009535 through CB-15-009954	CLG Corp.'s UPLAN manual	ALL	(d), (e)	J. Enjamio
No. 21	Bates Nos. CB-15-009955 through CB-15-009958	Railroad Car Management Agreement and Coal Transportation contract	ALL	(d), (e)	T. Hartman
No. 34	Bates Nos. CB-15-010468 through CB-15-010488	Duff & Phelps valuation model and back up calculations for Cedar Bay Transaction	ALL	(d), (e)	D. Herr

EXHIBIT D

AFFIDAVITS

EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In RE: Petition for approval of arrangement to mitigate impact of unfavorable Cedar Bay power purchase obligation, by Florida Power & Light Company.

Docket No: 150075-EI

STATE OF FLORIDA)
)
COUNTY OF MIAMI DADE)

AFFIDAVIT OF JUAN E. ENJAMIO

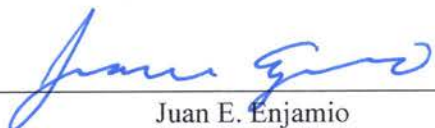
BEFORE ME, the undersigned authority, personally appeared Juan E. Enjamio who, being first duly sworn, deposes and says:

1. My name is Juan E. Enjamio. I am currently employed by Florida Power & Light Company ("FPL") as Manager of Analytics, Resource Assessment and Planning. 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. The documents and materials that I have reviewed that are outputs of the UPLAN production costing model are considered by LCG Consulting Corporation ("LCG") to be proprietary trade secret information. FPL is contractually obligated to treat the information confidentially; public disclosure of this information would violate FPL's contract with LCG. Specifically, the documents, if disclosed, would reveal LCG's proprietary software used to model electric utility systems, thereby impairing LCG's competitive interest. Additionally, some of the documents are FPL's Fixed Cost Spreadsheet Model, which model has been developed by FPL over time is considered by FPL to be proprietary. Release of this model would provide competitively sensitive information. To the best of my knowledge, FPL has maintained the confidentiality of these documents and materials

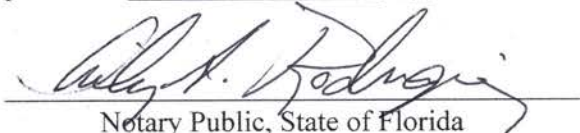
3. Consistent with the provisions of the Florida Administrative Code, such materials should remain confidential for a period of eighteen (18) months. In addition, they should be returned to FPL as soon as the information is no longer necessary for the Commission to conduct its business so that FPL can continue to maintain the confidentiality of these documents.

4. Affiant says nothing further.



Juan E. Enjamio

SWORN TO AND SUBSCRIBED before me this 20 day of May 2015, by Juan E. Enjamio, who is personally known to me or who has produced _____ (type of identification) as identification and who did take an oath.



Notary Public, State of Florida

My Commission Expires:

2384462

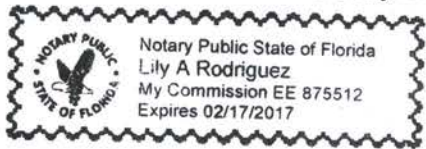


EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In RE: Petition for approval of arrangement to mitigate impact of unfavorable Cedar Bay power purchase obligation, by Florida Power & Light Company.

Docket No: 150075-EI

STATE OF PHILADELPHIA)
)
COUNTY OF PHILADELPHIA)

AFFIDAVIT OF DAVID HERR

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

1. My name is David Herr. I am currently employed by Duff & Phelps LLC as Managing Director, the Philadelphia City Leader, and the Energy and Mining Industry leader. 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. The documents or materials that I have reviewed and which are asserted by FPL to be confidential constitute the proprietary business information of a third party related to the third party's competitive interests. Specifically, the materials consist of exhibits to confidential Exhibit DH-3 which is the valuation of the tangible and intangible assets of CBAS Power, Inc. which was performed by Duff & Phelps, Inc. This highly detailed valuation report identifies with specificity the proprietary methodology that Duff & Phelps employs in performing such valuations. Accordingly, public disclosure would impair the competitive businesses of Duff & Phelps and therefore should be treated confidentially. To the best of my knowledge, FPL and Duff & Phelps have maintained the confidentiality of these documents and materials.

3. To the best of my knowledge, FPL has maintained the confidentiality of these documents and materials.

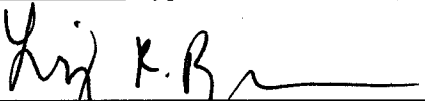
4. Consistent with the provisions of the Florida Administrative Code, such materials should remain confidential for a period of eighteen (18) months. In addition, they should be returned to FPL as soon as the information is no longer necessary for the Commission to conduct its business so that FPL can continue to maintain the confidentiality of these documents.

5. Affiant says nothing further.



David Herr

SWORN TO AND SUBSCRIBED before me this 19th day of May 2015, by David Herr, who is personally known to me or who has produced Driver's license (type of identification) as identification and who did take an oath.



Notary Public, State of Pennsylvania
COMMONWEALTH OF PENNSYLVANIA

My Commission Expires:

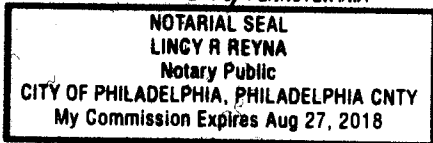


EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for approval of arrangement to mitigate impact of unfavorable Cedar Bay power purchase obligation, by Florida Power & Light Company.

Docket No: 150075-EI

STATE OF FLORIDA)
COUNTY OF PALM BEACH)

AFFIDAVIT OF THOMAS L. HARTMAN

BEFORE ME, the undersigned authority, personally appeared Thomas L. Hartman who, being first duly sworn, deposes and says:

1. My name is Thomas L. Hartman. I am currently employed by Florida Power & Light Company ("FPL") as Director, Business Development in Energy Marketing and Trading. 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. The documents or materials that I have reviewed and which are asserted by FPL to be confidential constitute the proprietary business information of a third party related to the third party's competitive interests. Specifically, the materials consist of documents provided by CBAS Power Holdings, LLC or its subsidiaries or affiliates for the purpose of due diligence investigation of Cedar Bay and which FPL is contractually obligated to treat confidentially as a condition for access to the documents. In addition, disclosure of these materials would impair the competitive business of CBAS Power Holdings, LLC.

3. To the best of my knowledge, FPL has maintained the confidentiality of these documents and materials.

4. 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.

5. Affiant says nothing further.

[Handwritten signature of Thomas L. Hartman]
Thomas L. Hartman

SWORN TO AND SUBSCRIBED before me this 20 day of May 2015, by Thomas L. Hartman, 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]
Notary Public, State of Florida

My Commission Expires:

