

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Fuel and purchase power cost recovery  
clause with generating performance incentive  
factor

Docket No: 150001-EI  
Date: August 10, 2015

**FLORIDA POWER & LIGHT COMPANY'S  
CORRECTED<sup>1</sup> REQUEST FOR SECOND  
EXTENSION OF CONFIDENTIAL CLASSIFICATION OF  
MATERIALS PROVIDED PURSUANT TO AUDIT NO. 10-130-4-1**

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 this Corrected Second Request for Extension of Confidential Classification of Information Provided Pursuant to Audit No. 10-130-4-1 (“Confidential Information”). In support of this request, FPL states as follows:

1. On October 13, 2010 FPL filed a Request for Confidential Classification of the Confidential Information, which included Exhibits A, B, C and D (“October 13, 2010 Request”). By Order No. PSC-12-0153-CFO-EI, dated March 29, 2012 (“Order 0153”), the Commission granted FPL’s October 13, 2010 Request. FPL adopts and incorporates by reference the October 13, 2010 Request and Order 0153.

2. On September 25, 2013 FPL filed a First Request for Extension of Confidential Classification of the Confidential Information, which included First Revised Exhibits C and D (“September 25, 2013 Request”). By Order No. PSC-14-0088-CFO-EI, dated February 5, 2014 (“Order 0088”), the Commission granted FPL’s September 25, 2013 Request. FPL adopts and incorporates by reference the September 25, 2013 Request and Order 0088.

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<sup>1</sup> FPL files this corrected second request to correct minor scrivener’s errors in its Second Request for Extension of Confidential Classification filed on August 5, 2015. No substantive changes are made. No changes have been made to the exhibits.

3. The period of confidential treatment granted by Order 0088 will soon expire. Some of the Confidential Information that was the subject of FPL's September 25, 2013 Request and Order 0088 warrants continued treatment as proprietary and confidential business information within the meaning of Section 366.093(3). Accordingly, FPL hereby submits its Second Request for Extension of Confidential Classification.

4. Included herewith and made a part hereof are First Revised Exhibit A, First Revised Exhibit B, together with Second Revised Exhibit C to reduce the number of pages for which confidential treatment is sought.

5. First Revised Exhibits A and B consist of highlighted and redacted copies of the specific work papers where FPL has determined that a portion of the information previously designated as confidential requires continued confidential treatment. Where entire pages of a work paper are confidential, FPL has included only identifying cover pages in First Revised Exhibit B.

6. Second Revised Exhibit C is a table that identifies the specific pages, lines or columns that remain confidential. The table also references the specific statutory basis for confidentiality and the affiants who support the requested classification.

7. Also included is Second Revised Exhibit D which contains the affidavits of Antonio Maceo, Elizabeth Fuentes, Gerard J. Yupp and Eric Horton in support of this request.

8. FPL submits that the information identified in Second Revised Exhibit C continues to be proprietary confidential business information within the meaning of section 366.093(3), Florida Statutes. 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 more fully described in the affidavits included in Second Revised Exhibit D and the descriptions listed in Exhibit C, certain information provided by FPL contains information related to trade secrets. This information is protected by Section 366.093(3)(a), Fla. Stat.

10. Also, certain documents contain information related to internal auditing controls and reports of internal auditors. This information is protected by Section 366.093(3)(b), Fla. Stat.

11. Additionally, certain documents contain information concerning bids or other contractual data, the disclosure of which would impair the efforts of FPL to contract on favorable terms for the benefit of its customers and would impair the competitive interests of FPL and its vendors. This information is protected by Section 366.093(d), Fla.Stat.

12. Lastly, some documents contain information relating to competitive interests, the disclosure of which would impair the competitive business of the provider of the information. Certain information in these documents and materials would also place FPL at a disadvantage when coupled with other information that is publicly available. This information is protected by Section 366.093(3)(e), Fla. Stat.

13. Nothing has changed since the Commission entered Order 0088 to render the Confidential Information stale or public, such that continued confidential treatment would not be appropriate.

14. 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 Second Request for Extension of Confidential Classification be granted.

Respectfully submitted,

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**CERTIFICATE OF SERVICE**  
**Docket No. 150001-EI**

**I HEREBY CERTIFY** that a true and correct copy of the foregoing Corrected Second Request for Extension of Confidential Classification\* has been furnished by electronic service on this 10th day of August, 2015 to the following:

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s/ Maria J. Moncada  
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\* The exhibits to this Request are not included with the service copies, but a copy of First Revised Exhibit B, Second Revised Exhibit C and Second Revised Exhibit D are available upon request.

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