



Maria J. Moncada
Principal Attorney
Florida Power & Light Company
700 Universe Boulevard
Juno Beach, FL 33408-0420
561-304-5795
(561) 691-7135 (Facsimile)
E-mail: Maria.Moncada@fpl.com

September 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 SEP 21 PM 4:02
COMMISSION
CLERK

Re: **Docket No. 150001-EI**

REDACTED

Dear Ms. Stauffer:

I enclose for filing in the above docket Florida Power & Light Company's ("FPL's") Request for Confidential Classification of Information Provided in Response to the Office of Public Counsel's Thirteenth Set of Interrogatories (Nos. 135 and 148). The original includes Exhibits A, B (two copies), C and D.

Exhibit A consists of the confidential documents, and all the information that FPL asserts is entitled to confidential treatment has been highlighted. Exhibit B is an edited version of Exhibit A, in which the information FPL asserts is confidential has been redacted. Exhibit C is a justification table in support of FPL's Request for Confidential Classification. Exhibit D contains the affidavit in support of FPL's Request for Confidential Classification.

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

Sincerely,

Maria J. Moncada
for Maria J. Moncada

- COM Enclosure
- AFD cct: Counsel for Parties of Record (w/ copy of FPL's Request for Confidential Classification)
- APA
- ECO
- ENG
- GCL
- IDM
- TEL 2979196
- CLK

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: September 21, 2015

**FLORIDA POWER & LIGHT COMPANY'S
REQUEST FOR CONFIDENTIAL CLASSIFICATION OF
INFORMATION PROVIDED IN RESPONSE TO THE OFFICE OF PUBLIC
COUNSEL'S THIRTEENTH SET OF INTERROGATORIES (Nos. 135 and 148)**

Pursuant to Section 366.093, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, Florida Power & Light Company ("FPL") requests confidential classification of certain information provided in response to the Office of Public Counsel's ("OPC") Thirteenth Set of Interrogatories (Nos. 135 and 148) ("Confidential Discovery Responses"). In support of its Request, FPL states as follows:

1. On August 31, 2015, OPC served its Thirteenth Set of Interrogatories (Nos. 135-149) on FPL. FPL's answers to OPC's Thirteenth Set of Interrogatories (Nos. 135 and 148) contain information of a confidential nature, which is proprietary confidential business information within the meaning of Section 366.093(3), Florida Statutes.
2. FPL files this request contemporaneously with the service of its answers to OPC's Thirteenth Set of Interrogatories (Nos. 135-149), 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 copy of the Confidential Discovery Responses on which the information that FPL asserts is entitled to confidential treatment.

b. 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 is the affidavit of Gerard J. Yupp.

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 the affidavit included in Exhibit D indicates, the Confidential Discovery Responses provided by FPL contain information related to contractual data, the disclosure of which would impair FPL's ability to contract for goods or services on favorable terms. This information is protected by Section 366.093(3)(d), Fla. Stat.



6. In addition, the Confidential Discovery Responses also consists of information related to 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.

7. 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 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 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: John.Butler@fpl.com

By:  _____
 Maria J. Moncada
Florida Bar No. 0773301

CERTIFICATE OF SERVICE
Docket No. 150001-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 September, 2015 to the following:

Suzanne Brownless, Esq.
Division of Legal Services
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850
sbrownle@psc.state.fl.us

Michael Barrett
Division of Economic Regulation
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850
mbarrett@psc.state.fl.us

Beth Keating, Esq.
Gunster Law Firm
Attorneys for FPUC
215 South Monroe St., Suite 601
Tallahassee, Florida 32301-1804
bkeating@gunster.com

Dianne M. Triplett, Esq.
Attorneys for DEF
299 First Avenue North
St. Petersburg, Florida 33701
dianne.triplett@duke-energy.com

James D. Beasley, Esq.
J. Jeffrey Wahlen, Esq.
Ashley M. Daniels, Esq.
Ausley & McMullen
Attorneys for Tampa Electric
P.O. Box 391
Tallahassee, Florida 32302
jbeasley@ausley.com
jwahlen@ausley.com
adaniels@ausley.com

Jeffrey A. Stone, Esq.
Russell A. Badders, Esq.
Steven R. Griffin, Esq.
Beggs & Lane
Attorneys for Gulf Power
P.O. Box 12950
Pensacola, Florida 32591-2950
jas@beggslane.com
rab@beggslane.com
srg@beggslane.com

Robert Scheffel Wright, Esq.
John T. LaVia, III, Esq.
Gardner, Bist, Wiener, et al
Attorneys for Florida Retail Federation
1300 Thomaswood Drive
Tallahassee, Florida 32308
schef@gbwlegal.com
jlavia@gbwlegal.com

James W. Brew, Esq.
Owen J. Kopon, Esq.
Laura A. Wynn, Esq.
Attorneys for White Springs
Brickfield, Burchette, Ritts & Stone, P.C
1025 Thomas Jefferson Street, NW
Eighth Floor, West Tower
Washington, DC 20007-5201
jbrew@bbrslaw.com
owen.kopon@bbrslaw.com
laura.wynn@bbrslaw.com

Robert L. McGee, Jr.
Gulf Power Company
One Energy Place
Pensacola, Florida 32520-080
rlmcgee@southernco.com


Matthew R. Bernier, Esq.
Duke Energy
106 East College Avenue, Suite 800
Tallahassee, Florida 32301
matthew.bernier@duke-energy.com

Erik L. Sayler, Esq.
John J. Truitt, Esq.
J. R. Kelly, Esq.
Patricia Christensen, Esq.
Charles Rehwinkel, Esq.
Office of Public Counsel
c/o The Florida Legislature
111 West Madison Street, Room 812
Tallahassee, Florida 32399
kelly.jr@leg.state.fl.us
christensen.patty@leg.state.fl.us
rehwinkel.charles@leg.state.fl.us
sayler.erik@leg.state.fl.us
truitt.john@leg.state.fl.us

Cheryl Martin, Director – Regulatory Affairs
FPUC
911 South 8th Street
Fernandina Beach, FL 32034
cheryl_martin@fpuc.com

Paula K. Brown, Manager
Tampa Electric Company
Regulatory Coordinator
Post Office Box 111
Tampa, Florida 33601-0111
regdept@tecoenergy.com

Jon C. Moyle, Esq.
Moyle Law Firm, P.A.
Attorneys for FIPUG
118 N. Gadsden St.
Tallahassee, Florida 32301
jmoyle@moylelaw.com

By: 
for 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.

REDACTED

Q.

Company's hedging counter-parties

For hedging transactions entered into since January 1, 2013, please identify all the counter-parties with whom the Company has entered into swap contracts for fuel procurement and indicate whether it was for natural gas, fuel oil, coal, or some other commodity which is the subject of the Company's Risk Management Plan hedging program.

A.

The table below (confidential in part) summarizes the counterparties with whom FPL has entered into swap transactions since January 1, 2013 as part of its hedging program.

FPL HEDGING COUNTERPARTIES (2013-Present)	
A	B
NATURAL GAS SWAP COUNTERPARTIES	FUEL OIL SWAP COUNTERPARTIES
1	
2	
3	
4	
5	
6	
7	
8	
9	
10	
11	
12	
13	
14	
15	
16	
17	
18	
19	

Q. Percentage volumes of the natural gas burn hedged annually

For each year during the period 2002 to 2014, for the actual volume of natural gas burned, what percentage of that volume was hedged? (i.e., in 2002, the hedged volume of natural gas burned was XX% of the total volume of natural gas burned; in 2003, it was XX% of the total volume of natural gas burned; etc.)

A. The annual percentage of natural gas which FPL plans to hedge is determined approximately one and one-half years prior to the year during which hedging transactions are settled. This value is included in FPL's annual Risk Management Plan filed in August. During the following year hedges are executed in accordance with the information detailed in the Risk Management Plan, for settlement the following period. If natural gas burn projections change enough such that the hedged volume percentage (actual hedge volume divided by projected fuel burn volume) is outside of prescribed bands summarized in the Risk Management Plan, additional transactions are executed to bring the hedged volume within limits. For example, the target volumetric percentage of natural gas to be hedged for 2017 is included in FPL's Risk Management Plan filed in August 2015. If approved by the Commission, FPL executes hedging transactions during 2016 for settlement in 2017. If, during 2016, natural gas burn projections change such that the volume hedged for 2017 is too high or too low when compared to the target included in the Risk Management Plan filed in August 2015, additional hedging transactions are executed to bring the percentage within tolerance limits. Adjustment transactions are executed as appropriate throughout the period prior to settlement, which is also the month during which the physical commodity will be burned. However, once a monthly settlement period has begun, hedging transactions intended 2014 to correlate hedged volumes to projected burn volumes are no longer executed. The table below (confidential in part) compares the hedged volume of natural gas prior to settlement to the actual volume of natural gas that was burned during the settlement period. While the percentages are not representative of the hedging targets, they can be used to determine how closely the projected natural gas fuel burn matches the actual fuel burned.

Year	A		B
	Actual Natural Gas Burn MMBTU (A-3)	Hedged Volume of Natural Gas (Projected Burn)	Hedged Percentage (Actual Burn)
2002	296,722,566		
2003	305,436,230		
2004	322,377,181		
2005	363,861,486		
2006	452,949,944		
2007	461,001,723		
2008	463,330,300		
2009	492,309,464		
2010	513,742,638		
2011	564,067,472		
2012	603,981,012		
2013	558,740,028		
2014	583,207,259		

EXHIBIT C

COMPANY: Florida Power & Light Company
TITLE: List of Confidential Documents
DOCKET NO.: 150001-EI
DOCKET TITLE: Fuel and Purchased Power Cost Recovery Clause
SUBJECT: FPL's Responses to OPC's Thirteenth Set of Interrogatories (Nos. 135-149)
DATE: September 21, 2015

FPL's response to OPC's 13 th Set of Interrogatories	Description	Line No./ Col. No.	Florida Statute 366.093(3) Subsection	Affiant
No. 135	FPL Hedging Counterparties (2013-Present)	Col. A, Lns. 1-19 Col. B, Lns. 1-3	(d), (e)	G. Yupp
No. 148	FPL's Annual Hedged Volume of Natural gas (2002-2014)	Cols. A and B, Lns. 1-13	(e)	G. Yupp

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

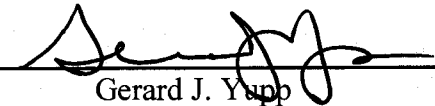
BEFORE ME, the undersigned authority, personally appeared Gerard J. Yupp who, being first duly sworn, deposes and says:

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 Division. I have personal knowledge of the matters stated in this affidavit.

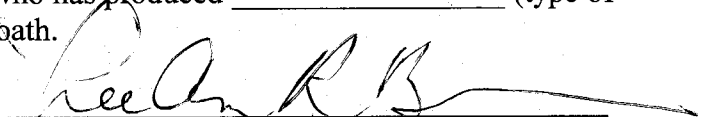
2. I have reviewed the documents and information included in Exhibit A to FPL's Request for Confidential Classification. The documents and materials in Exhibit A which are asserted by FPL to be proprietary confidential business information concern bids and other contractual data about FPL's hedging counterparties with whom the Company has entered into swap contracts and hedging program, the disclosure of which would impair FPL's ability to contract for goods or services on favorable terms. Additionally, the documents concern the competitive interests of FPL and third parties.

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.


Gerard J. Yupp

SWORN TO AND SUBSCRIBED before me this 18 day of September 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.


Notary Public, State of Florida

My Commission Expires:

