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Senior Attorney  
Florida Power & Light Company  
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(561) 691-7135 (Facsimile)

March 1, 2016

**VIA HAND DELIVERY**

Ms. Carlotta Stauffer  
Commission Clerk  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

**REDACTED**

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COMMISSION  
CLERK

Re: Docket No. 160009-EI; Nuclear Cost Recovery Clause

Dear Ms. Stauffer:

Enclosed for filing on behalf of Florida Power & Light Company ("FPL") is a Request for Confidential Classification of Exhibit SDS-1. FPL's original request includes Exhibits A through D. One additional copy of Exhibit B also is included.

Exhibit A consists of the confidential documents, and all 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 consists of FPL's justification table supporting its Request for Confidential Classification. Exhibit D contains an affidavit in support of FPL's Request for Confidential Classification.

Please contact me if there are any questions regarding this filing.

Sincerely,

Jessica A. Cano  
Fla. Bar No. 0037372

- COM \_\_\_\_\_
- AFD \_\_\_\_\_
- APA \_\_\_\_\_
- ECO \_\_\_\_\_
- ENG \_\_\_\_\_
- GCL \_\_\_\_\_
- IDM \_\_\_\_\_
- TEL \_\_\_\_\_
- CLK \_\_\_\_\_

*Redacted*

Florida Power & Light Company

700 Universe Boulevard, Juno Beach, FL 33408

Enclosures

cc: Counsel for Parties of Record (w/out enc.)

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**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Nuclear Cost                    )  
Recovery Clause                    )

Docket No. 160009-EI  
Filed: March 1, 2016

**FLORIDA POWER & LIGHT COMPANY'S REQUEST  
FOR CONFIDENTIAL CLASSIFICATION OF EXHIBIT SDS-1**

Pursuant to Section 366.093, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, Florida Power & Light Company ("FPL") requests confidential classification of portions of Exhibit SDS-1 to the pre-filed testimony of FPL witness Steven D. Scroggs. In support of its request, FPL states:

1. FPL is filing contemporaneously with this request the petition, testimony and exhibits in support of its Nuclear Power Plant Cost Recovery True-Up for the Year Ending December 2015. Two pages of Exhibit SDS-1 contain confidential contract payment amounts. Pursuant to Rule 25-22.006(3)(a), Florida Administrative Code, FPL is filing this Request for Confidential Classification.

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

a. Exhibit A consists of a copy of the confidential pages on which all information that FPL asserts is entitled to confidential treatment has been highlighted.

b. Exhibit B consists of a copy of the confidential pages on which all information that FPL asserts is entitled to confidential treatment has been redacted.

c. Exhibit C is a table containing an identification of the information highlighted in Exhibit A, together with references to the specific statutory basis or bases for the claim of confidentiality and to the affidavit in support of the requested classification.

d. Exhibit D includes the affidavit of Steven Scroggs in support of this request.

3. FPL submits that the highlighted information in Exhibit A is proprietary confidential business information within the meaning of Section 366.093(3), Florida Statutes. Section 366.093(3), Florida Statutes, defines confidential information as information that is intended to be and is treated by the company as private in that disclosure of the information would cause harm to the company's business operations or its customers, and has not been disclosed publicly. 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(3)(2), such information is entitled to confidential treatment and it is 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

4. As the affidavit included in Exhibit D indicates, the information provided by FPL contains contractual pricing terms, the public disclosure of which would violate nondisclosure provisions of FPL's contracts with certain vendors and impair FPL's ability to contract for goods or services on favorable terms in the future. Such information is protected by Section 366.093(3)(d), Florida Statutes. This information is also competitively sensitive, and its disclosure could impair the competitive business of FPL or its vendors. Such information is protected by Section 366.093(3)(e), Florida Statutes.

5. Upon a finding by the Commission that the information highlighted in Exhibit A, and referenced in Exhibit C, is proprietary confidential business information, the information

should not be declassified for a period of at least eighteen (18) months and should be returned to FPL as soon as the information is no longer necessary for the Commission to conduct its business. *See* § 366.093(4), Fla. Stat (2015).

**WHEREFORE**, FPL respectfully requests confidential classification of the material described herein.

Respectfully submitted,

Jessica A. Cano  
Senior Attorney  
Florida Power & Light Company  
700 Universe Boulevard  
Juno Beach, FL 33408  
Telephone: (561) 304-5226  
Facsimile: (561) 691-7135

By: Jessica Cano  
Jessica A. Cano  
Fla. Bar No. 0037372

**CERTIFICATE OF SERVICE  
DOCKET NO. 160009-EI**

I HEREBY CERTIFY that a true and correct copy of FPL's Request for Confidential Classification of Exhibit SDS-1\* was served electronically this 1st day of March, 2016, to the following:

Martha F. Barrera, Esq.  
Kyesha Mapp, Esq.  
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kmapp@psc.state.fl.us

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law@smxblaw.com  
*Attorneys for White Springs Agricultural  
Chemicals, Inc. d/b/a PCS Phosphate – White  
Springs*

By: Jessica Cano  
Jessica A. Cano  
Fla. Bar No. 0037372

\*Exhibits to this Request are not included with the service copies, but copies of Exhibits B, C and D are available upon request.

**EXHIBIT A**

**CONFIDENTIAL**

**FILED UNDER SEPARATE COVER**



**EXHIBIT B**

**REDACTED COPIES**

**Turkey Point 6&7**  
**Pre-Construction Costs and Carrying Costs on Construction Cost Balance**  
**True-up Filing: Contracts Executed**

Schedule T-7A

[Section (9)(c)]

FLORIDA PUBLIC SERVICE COMMISSION

EXPLANATION:

For all executed contracts exceeding \$250,000, (including change orders), provide the contract number or identifier, status, original and current contract terms, original amount, amount expended as of the end of the prior year, amount expended in the current year, estimated final contract amount, name of contractor and affiliations if any, method of selection including identification of justification documents, and description of work.

COMPANY: Florida Power & Light Company

For the Year Ended 12/31/2015

DOCKET NO.: 160009-EI

Witness: Steven D. Scroggs

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(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)	(I)	(J)	(K)	
Line No.	Contract No.	Status of Contract	Original Term of Contract	Current Term of Contract	Original Amount	Actual Expended as of Prior Year End (2014)	Actual amount expended in Current Year (2015)	Estimate of Final Contract Amount	Name of Contractor (and Affiliation if any)	Method of Selection and Document ID	Work Description
1	2000062412	Closed - CO#6	02/2012 - 12/2012	02/2012 - 12/2014					AMEC E&I	SSJ	PTN 6&7 RFI Response Review
2	2000115705	Open - CO#3	10/2013 - 08/2015	10/2013 - 12/2016					AMEC E&I	SSJ	PTN 6&7 RFI Response Review/FSAR 2.5.4
3	4500395492	Open - CO#59	11/2007 - 12/2011	11/2007 - 05/2017					Bechtel Power Co.	Comp Bid/SSJ/ PDS	PTN 6&7 COLA and SCA Preparation and Support
4	2000060695	Closed - CO#2	02/2012 - 12/2012	02/2012 - 05/2015					Burns & McDonnell	Comp Bid/SSJ	PTN 6&7 Preliminary Design of the Radial Collector Well System
5	4500443122	Closed - CO #5	08/2008 - 08/2010	06/2008 - 06/2015					Eco-Metrics, Inc.	SSJ	PTN 6&7 Environmental Consulting Services
6	4500518167	Open - CO#11	07/2009 - 12/2009	07/2009 - 06/2015					Environmental Consulting and Technology Inc.	SSJ/PDS	PTN 6&7 Post SCA Submittal Support
7	4500430034	Open - CO#3	06/2008 - 07/2011	06/2008 - 12/2015					EPRI	SSJ	Advanced Nuclear Technology; Near term deployment of Advanced Light Water Reactors
8	4500518160	Open - CO#11	07/2009 - 12/2009	07/2009 - 04/2015					Golder & Associates, Inc.	SSJ/PDS	PTN 6&7 Post SCA Submittal Support
9	4500425707	Closed - CO#8	05/2008 - 08/2008	05/2008 - 06/2015					HDR Engineering, Inc.	Comp Bid/SSJ	Conceptual Engineering of Cooling Water Supply and Discharge
10	4500645896	Open - CO#3	02/2011 - 03/2012	02/2011 - 12/2014					McCallum Turner	SSJ	PTN 6&7 COLA Site Selection RAI Support
11	4500517152	Open - CO#8	10/2009 - 12/2010	10/2009 - 12/2015					McNabb Hydrogeologic Consulting, Inc.	SSJ/PDS	PTN 6&7 Post SCA Submittal and UIC Licensing Support
12	2000102364	Open - CO#12	05/2013 - 12/2014	05/2013 - 12/2016					Paul C. Rizzo Associates, Inc.	SSJ	PTN 6&7 Field Investigation and FSAR 2.5 Revision
13	2000053246	Open	11/2011 - 06/2014	11/2011 - 12/2016					Power Engineers, Inc.	SSJ	PTN 6&7 Prelim Analysis for Miami River Crossing and Davis/Miami Line
14	4500527549	Closed - CO#5	08/2009 - 12/2009	07/2009 - 04/2015					TetraTechGeo (formerly GeoTrans, Inc.)	SSJ	PTN 6&7 APT Review and Collector Well Modeling Support
15	4500404639	Open - CO#9	01/2008 - 12/2011	01/2008 - 12/2016					Westinghouse Electric Co	SSJ/ PDS	PTN 6&7 Engineering Services to Support Preparation of COLA and Response to Post-Submittal RAIs
16	2000170273	Closed	4/2015 - 12/2015	4/2015 - 12/2015					Bechtel Power Co.	Comp Bid	PTN 6 & 7 - Category A - Site Development Initial Assessment
17	2000183930	Open - CO #1	10/2015 - 12/2016	10/2015 - 12/2016					Bechtel Power Co.	Comp Bid	PTN 6 & 7 - Category B/Category C - Excavation, Fill and Sub-Foundation Initial Assessment

**Turkey Point 6&7**  
**Pre-Construction Costs and Carrying Costs on Construction Cost Balance**  
**True-up Filing: Contracts Executed**

Schedule T-7B

[Section (9)(c)]

FLORIDA PUBLIC SERVICE COMMISSION

EXPLANATION: Provide additional details of contracts executed in excess of \$1 million including, the nature and scope of the work, the nature of any affiliation with selected vendor, the method of vendor selection, brief description of vendor selection process, and current status of the contract.

COMPANY: Florida Power & Light Company

For the Year Ended 12/31/2015

DOCKET NO.: 160009-EI

Witness: Steven D. Scroggs

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Line No.	Contract No.	Major Task or Tasks Associated With:	Vendor Identity:	Vendor Affiliation (specify 'direct' or 'indirect'):	Number of Vendors Solicited:	Number of Bids Received:	Brief Description of Selection Process:	Dollar Value:	Contract Status:	Term Begin:	Term End:	Nature and Scope of Work:
1	4600395492	COLA and SCA Preparation and Support	Bechtel Power Corporation	Direct	Two	Two	Initial contract competitively bid. Change Orders 1-11 issued as Single Source. Designated as Predetermined Source January 2009 through July 2013. Subsequent change orders justified as Single Source, if applicable.		Open - CO#59	11/06/07	05/31/17	Engineering Services to support preparation of COLA and SCA, including post-submittal support for RAI responses.
2	4500518167	PTN 6&7 Post SCA Submittal Support	Environmental Consulting and Technology Inc.	Direct	SSJ/PDS	NA	ECT can build off their Phase I analysis and project specific experience to complete the transmission corridor environmental licensing with a minimum of mobilization time or bringing project staff up to speed with prior work.		Open - CO#11	07/15/09	06/31/2015	PTN 6&7 Post SCA Submittal Support
3	4500430034	EPRI "Advanced Nuclear Technology: Near Term Deployment of Advanced Light Water Reactors"	EPRI	Direct	SSJ	NA	EPRI is non-profit organization with the unique capability to fulfill the needs of this Contract.		Open - CO#3	06/10/08	Open	Advanced Nuclear Technology; Near term deployment of Advanced Light Water Reactors
4	4500518160	PTN 6&7 Post SCA Submittal Support	Golder & Associates, Inc.	Direct	SSJ/PDS	NA	Golder & Associates, Inc. has performed a significant amount of related Phase I tasks and can build off their Phase I work and project specific experience to complete the environmental licensing with a minimum of mobilization time or bringing project staff up to speed with prior work.		Open - CO#11	09/29/09	04/30/15	Conceptual Engineering of Cooling Water Supply and Discharge
5	4500425707	PTN 6&7 Conceptual Engineering of Cooling Water Supply and Disposal	HDR Engineering, Inc.	Direct	Comp Bid/SSJ	Three	Initial contract competitively bid. Subsequent changes orders were issued as Single Source and notes relative experience as the basis for award.		Closed - CO#8	05/19/08	Closed	Conceptual Engineering of Cooling Water Supply and Discharge
6	2000102364	PTM 6&7 Revision of FSAR section 2.5.4	Paul C. Rizzo Associates, Inc.	Direct	SSJ	NA	Rizzo Associates recent interaction with the NRC and their familiarity with Florida geology, would reduce familiarization and development time to prepare the analysis and FSAR revision. Subsequent changes orders were issued as Single Source and notes relative experience as the basis for award.		Open - CO#12	04/30/13	12/31/16	PTN 6&7 Field Investigation and FSAR 2.5 Revision
7	4500404639	PTN 6&7 Provide continuing support COL Application	Westinghouse Electric Co	Direct	SSJ/PDS	NA	Initial contract award was based on the designation as Predetermined Source. Subsequent changes orders were issued as Single Source and notes relative experience as the basis for award.		Open - CO#9	01/31/08	12/31/16	PTN 6&7 Engineering Services to Support Preparation of COLA and Response to Post-Submittal RAIs
8	2000183930	PTN 6&7 - Category B/Category C - Excavation, Fill and Sub-Foundation Initial Assessment	Bechtel Power Corporation	Direct	Comp Bid	Four	Initial contract competitively bid. Subsequent change orders were administrative only.		Open - CO#1	10/05/15	12/31/16	Turkey Point 6&7 Category B/Category C - Excavation, Fill and Sub-Foundation Initial Assessment to be used for the preparation of the pre-construction planning of the project

A

# **EXHIBIT C**

## **JUSTIFICATION TABLE**

**Exhibit C**

**Company:** Florida Power and Light Company  
**Title:** List of Confidential Documents Included in FPL's March 1, 2016 True-Up Filing  
**Docket No.:** 160009-EI

<b>Document</b>	<b>Description</b>	<b>No. of Pages</b>	<b>Conf. Y/N</b>	<b>Line No./Col. No.</b>	<b>Florida Statute 366.093 (3) Subsection</b>	<b>Affiant</b>
1	2015 Schedule T-7A Pre-Construction Costs and Carrying Costs, New Nuclear (Exhibit SDS-1)	1	Y	Page 24 Lines 1-17 Columns E-H	(d), (e)	Steven D. Scroggs
2	2015 Schedule T-7B Pre-Construction Costs and Carrying Costs, New Nuclear (Exhibit SDS-1)	1	Y	Page 25 Lines 1-8 Column A	(d), (e)	Steven D. Scroggs

**EXHIBIT D**

**AFFIDAVIT**

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Nuclear Cost )  
Recovery Clause )

DOCKET NO. 160009-EI

STATE OF FLORIDA )  
 )  
PALM BEACH COUNTY )

AFFIDAVIT OF STEVEN D. SCROGGS

BEFORE ME, the undersigned authority, personally appeared Steven D. Scroggs who, being first duly sworn, deposes and says:

1. My name is Steven D. Scroggs. I am currently employed by Florida Power & Light Company ("FPL") as Senior Director, Project Development. I have personal knowledge of the matters stated in this affidavit.

2. I have reviewed Exhibit C and the documents that are included in FPL's Request for Confidential Classification concerning information provided with its Petition for Approval of Nuclear Power Plant Cost Recovery True Up for the Year Ending December 2015, for which I am identified on Exhibit C as the affiant. The documents and materials that I have reviewed contain proprietary confidential business information, including contractual pricing terms with vendors. Disclosure of this information would violate FPL's contracts with its vendors, impair the efforts of FPL to contract for these services on favorable terms for the benefit of its customers in the future, and impair the competitive interests of the vendor. To the best of my knowledge, FPL has maintained the confidentiality of this information.

3. Consistent with the provisions of the Florida Administrative Code, such materials should remain confidential for a period of not less than 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.

*Steven D. Scroggs*  
\_\_\_\_\_  
Steven D. Scroggs

SWORN TO AND SUBSCRIBED before me this 24<sup>th</sup> day of February 2016, by Steven D. Scroggs, who is personally known to me or who has produced \_\_\_\_\_ (type of identification) as identification and who did take an oath.

*Annette L. Givens*  
\_\_\_\_\_  
Notary Public, State of Florida

My Commission Expires:

