

State of Florida



# Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD  
TALLAHASSEE, FLORIDA 32399-0850

**-M-E-M-O-R-A-N-D-U-M-**

**DATE:** March 4, 2016  
**TO:** Division of Economics, Office of Primary Responsibility  
**FROM:** OFFICE OF COMMISSION CLERK  
**RE:** CONFIDENTIALITY OF CERTAIN INFORMATION  
DOCKET NO: 150265-EI DOCUMENT NO: 01142-16  
DESCRIPTION: FPL (Moncada) - (CONFIDENTIAL) Certain material provided in response to staff's first data request (Nos. 7, 79, 81, 83, and 84).  
SOURCE: Florida Power & Light Company

RECEIVED-FPSC  
2016 MAR -4 PM 3:27  
COMMISSION CLERK

The above confidential material was filed along with a request for confidential classification. Please complete the following form by checking all applicable information and forward it to the attorney assigned to the docket, along with a brief memorandum supporting your recommendation.

- The document(s) is (are), in fact, what the utility asserts it (them) to be.
- The utility has provided enough details to perform a reasoned analysis of its request.
- The material has been received incident to an inquiry.
- The material is confidential business information because it includes:
  - (a) Trade secrets;
  - (b) Internal auditing controls and reports of internal auditors;
  - (c) Security measures, systems, or procedures;
  - (d) Information concerning bids or other contractual data, the disclosure of which would impair the efforts of the public utility or its affiliates to contract for goods or services on favorable terms;
  - (e) Information relating to competitive interests, the disclosure of which would impair the competitive business of the provider of information;
  - (f) Employee personnel information unrelated to compensation, duties, qualifications, or responsibilities;
- The material appears to be confidential in nature and harm to the company or its ratepayers will result from public disclosure.
- The material appears not to be confidential in nature.
- The material is a periodic or recurring filing and each filing contains confidential information.

This response was prepared by Devlin Higgins on 3/4/16, a copy of which has been sent to the Office of Commission Clerk and the Office of General Counsel.

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**-M-E-M-O-R-A-N-D-U-M-**

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**DATE:** March 4, 2016  
**TO:** Kyeshia Mapp, Attorney, Office of the General Counsel  
**FROM:** Devlin Higgins, Public Utility Analyst III, Division of Economics  
**RE:** CONFIDENTIALITY OF CERTAIN INFORMATION  
DOCKET NO: 150265-EI DOCUMENT NO: 01142-16  
DESCRIPTION: FPL (Moncada) - (CONFIDENTIAL) Certain material provided in response to staff's first data request (Nos. 7, 79, 81, 83, and 84).  
SOURCE: Florida Power & Light Company

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Pursuant to Section 366.093, (F.S.), and Rule 25-22.006, Florida Administrative Code, Florida Power & Light Company (FPL) requests confidential classification of certain information filed in response to a staff data request in the above referenced docket dated March 2, 2016. This recommendation specifically addresses FPL's Responses to Staff's 1st Data Request, Nos. 7, 79, 81, 83, and 84.

The Company is claiming confidentiality of its responses to Staff's 1st Data Request, Nos. 7, 79, 81, 83, and 84, under Section 366.093(3), F.S. More specifically, all confidentiality requests (response Nos. 7, 79, 81, 83, and 84) are being made under 366.093(3)(d), F.S. and 366.093(3)(e), F.S. Per the Statute, propriety of confidential business information includes; "[I]nformation concerning bids or other contractual data, the disclosure of which would impair the efforts of the public utility or its affiliates to contract for goods or services on favorable terms," and Section 366.093(3)(e), F.S. "[I]nformation relating to competitive interests, the disclosure of which would impair the competitive business of the provider of the information."

Staff has reviewed FPL's Responses to Staff's 1st Data Request, Nos. 7, 79, 81, 83, and 84 and its confidentiality request. Details of the responses include: contractual pricing for spent nuclear fuel storage canisters (No. 7), agreement with EnergySolutions for nuclear waste disposal (No. 79), agreement with Waste Control Specialists for nuclear waste disposal (No. 81), local union labor rates (Nos. 83 & 84). In staff's opinion, the information that is the subject of FPL's request meets the criteria for confidentiality contained in Sections 366.093(3)(d), and 366.093(3)(e), FS.