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May 4, 2016

**VIA ELECTRONIC FILING**

Ms. Carlotta Stauffer  
Commission Clerk  
Florida Public Service Commission  
Betty Easley Conference Center  
2540 Shumard Oak Boulevard, Room 110  
Tallahassee, FL 32399-0850

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 Second Request for Extension of Confidential Classification of Testimony Provided in 2010 Hearing, including Revised Exhibit C and Revised Exhibit D.

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

Sincerely,

Jessica A. Cano

Jessica A. Cano  
Fla. Bar No. 0037372

Enclosures  
cc: Counsel for Parties of Record

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Nuclear Cost                    )  
Recovery Clause                    )

Docket No. 160009-EI  
Filed: May 4, 2016

**FLORIDA POWER & LIGHT COMPANY'S  
SECOND REQUEST FOR EXTENSION OF CONFIDENTIAL CLASSIFICATION  
OF TESTIMONY PROVIDED IN 2010 HEARING**

Pursuant to Section 366.093, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, Florida Power & Light Company ("FPL") requests continued confidential classification of testimony provided in the 2010 Nuclear Cost Recovery hearing. In support of its request, FPL states as follows:

1. On November 19, 2013, in Docket No. 130009-EI, FPL filed a First Request for Extension of Confidential Classification of testimony provided during the 2010 Nuclear Cost Recovery hearing (Document Nos. 07486-10, 07507-10, and 07525-10).<sup>1</sup> FPL's First Request for Extension was granted by Order No. PSC-14-0647-CFO-EI, issued November 4, 2014. The period of confidential treatment granted by Order No. PSC-14-0647-CFO-EI will soon expire. FPL has determined that the information that was the subject of Order No. PSC-14-0647-CFO-EI warrants continued treatment as proprietary and confidential business information within the meaning of Section 366.093(3), Florida Statutes. Accordingly, FPL hereby submits its Second Request for Extension of Confidential Classification. Exhibit B from FPL's November 19, 2013 filing is incorporated herein by reference. Included herewith are Revised Exhibit C and Revised Exhibit D.

2. Revised Exhibit C is a table containing the specific line, column and page references to the confidential information, and references to the specific statutory basis or bases

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<sup>1</sup> The Commission had orally ruled that certain testimony was confidential. Accordingly, the Commission ordered from the bench that the confidential portions of the testimony be stricken from the public version of the transcripts of this hearing. The confidential transcript is in the possession of the Commission.

for the claim of confidentiality and to the affidavit in support of the continued confidential classification.<sup>2</sup> Revised Exhibit D includes the affidavit of Stephanie Castaneda in support of FPL's request.

3. The information that was granted continued confidential treatment by Order No. PSC-14-0647-CFO-EI continues to be 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 in that the disclosure of the information would cause harm to customers or FPL's business operations, and its confidentiality has been maintained. Pursuant to Section 366.093, 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 in the transcripts of the 2010 Nuclear Cost Recovery hearing contain confidential employee personnel information unrelated to compensation, duties, qualifications and responsibilities that is competitively sensitive to FPL. Disclosure of this private information could have an adverse impact on FPL's ability to attract and retain employees, particularly in the Nuclear division, affecting the performance of the Company to the detriment of FPL's customers. This information is protected by Sections 366.093(3)(e) and (f), Fla. Stat.

5. Nothing has changed since the issuance of Order No. PSC-14-0647-CFO-EI to render the confidential information stale or public, such that continued confidential treatment

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<sup>2</sup> In addition to reflecting a new affiant, Revised Exhibit C also includes line numbers that were omitted from the November 4<sup>th</sup> version.

would not be appropriate. Accordingly, FPL requests that confidential treatment be extended for a period of not less than an additional 18 months.

6. Upon a finding by the Commission that the information referenced in Revised Exhibit C continues to be proprietary confidential business information, the information should not be declassified for a period of at least an additional 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.

**WHEREFORE**, for the above and foregoing reasons, as supported by the 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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By: s/ Jessica A. 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 Second Request for Extension of Confidential Classification of Testimony Stricken Provided in 2010 Hearing\* was served electronically this 4th day of May, 2016, to the following:

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By: s/ Jessica A. 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.

**Revised EXHIBIT C**

**Florida Power and Light Company  
2010 Nuclear Cost Recovery Clause Hearing Transcripts  
Docket No. 100009-EI**

<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>
Document No. 07486-10, Hearing Transcript	1	Y	Page 1,597, Lines 16-17	(e), (f)	Stephanie Castaneda
Document No. 07507-10, Hearing Transcript	2	Y	Pages 1,441, lines 15-16; and 1,442, line 25	(e), (f)	Stephanie Castaneda
Document No. 07525-10, Hearing Transcript	2	Y	Page 1800, lines 22-23	(e), (f)	Stephanie Castaneda
		N	Page 1802		

The cite to the confidential information is taken from the Document Detail for Docket No. 100009-EI on the Florida Public Service Commission Website and can also be found in the Inventory of Confidential Documents by Responsible Division/Office as of October 3, 2013 Public Service Commission Memorandum.

# **REVISED EXHIBIT D**



BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Nuclear Cost )  
Recovery Clause )

DOCKET NO. 160009-EI

STATE OF FLORIDA )  
 )  
PALM BEACH COUNTY )

AFFIDAVIT OF STEPHANIE CASTANEDA

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

1. My name is Stephanie Castaneda. I am currently employed by Florida Power & Light Company ("FPL") as Nuclear Business Operations, Fleet Accounting and Regulatory Compliance. I have personal knowledge of the matters stated in this affidavit.

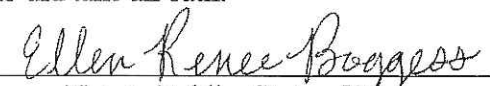
2. I have reviewed Exhibit C and the documents that were included with FPL's First Request for Extension of Confidential Classification of testimony stricken in the 2010 hearing for Docket No. 100009-EI, for which I am listed as the affiant. The documents and materials that I have reviewed reflect that the confidential version of the subject transcript contain confidential employee personnel information unrelated to compensation, duties, qualifications and responsibilities that is competitively sensitive to FPL. Disclosure of this private information could have an adverse impact on FPL's ability to attract and retain employees, particularly within the Nuclear division, affecting the performance of the Company to the detriment of FPL's customers.

3. No significant changes have occurred since the issuance of Order No. PSC-14-0647-CFO-EI to render the information identified in Revised Exhibit C stale or public such that continued confidential treatment would not be appropriate. Accordingly, this information should continue to be maintained as confidential for an additional period of not less than 18 months. These materials 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.

  
Stephanie Castaneda

SWORN TO AND SUBSCRIBED before me this 3 day of May 2016, by Stephanie Castaneda, 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 Texas

My Commission Expires:

