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August 3, 2016

VIA HAND DELIVERY

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

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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 Audit Control No. PA-16-01-002 Work Papers. FPL's 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 one 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
for Jessica A. Cano
Fla. Bar No. 0037372

REDACTED

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

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Nuclear Cost)
Recovery Clause)

Docket No. 160009-EI
Filed: August 3, 2016

**FLORIDA POWER & LIGHT COMPANY'S REQUEST
FOR CONFIDENTIAL CLASSIFICATION OF AUDIT PA-16-01-002 WORK PAPERS**

Pursuant to Section 366.093, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, Florida Power & Light Company ("FPL") requests confidential classification of a portion of Florida Public Service Commission Staff's work papers for Audit Control No. PA-16-01-002 ("Audit Work Papers"). In support of its request, FPL states:

1. During its review of FPL's internal controls, Staff was provided with various confidential documents and confidential information. By letter dated July 13, 2016, Staff indicated its intent to retain certain Audit Work Papers. Pursuant to Rule 25-22.006(3)(a), Florida Administrative Code, FPL was given 21 days from the date of the letter to file a formal request for confidential classification with respect to the work papers. Accordingly, FPL is filing this Request for Confidential Classification to maintain continued confidential handling of certain information within the Confidential Work Papers.

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

a. Exhibit A consists of a copy of the confidential page 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 page 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 Brenda Thompson 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. A majority of the Audit Work Papers do not contain confidential information. However, as the affidavit included in Exhibit D indicates, some information in the Audit Work Papers is proprietary, confidential business information. That information reflects contractual pricing terms, the public disclosure of which would violate nondisclosure provisions of FPL's contract with its vendor 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 vendor. 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
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Florida Power & Light Company
700 Universe Boulevard
Juno Beach, FL 33408
Telephone: (561) 304-5226
Facsimile: (561) 691-7135

By: 
for 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 Audit No. PA-16-01-002 Work Papers* was served electronically this 3rd day of August, 2016, to the following:

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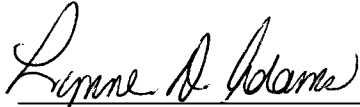
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By: 
Jessica A. Cano
Fla. Bar No. 0037372

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

EXHIBIT B

	<p>d. The latest forgings must begin would be dependent on arrangements that Westinghouse may have as part of their global supply needs to meet the current project in-service dates for the FPL project. This will be determined as part of negotiations with Westinghouse.</p> <p>Conclusions:</p> <p>Data Requests Generated (use format "No. ____, Description:"): </p> <p>Follow-up Required:</p>
<p>Document #: PTN DR-1.28 Date Requested: 12/4/15 Date Received: 1/15/16 Comments: (i.e., Confidential)</p> <p style="text-align: center;">REQUESTED CONFIDENTIAL BY NOI</p>	<p>Question or Request: Please provide a list of all <u>existing</u> (open) contracts valued at \$250,000 or more, with contractor name, description of service, estimated value upon completion, and type (competitive bid, single/sole source, or predetermined source). Provide copies of justifications.</p> <p>Summary of Contents: Please refer to the provided file "DR 28 for ICDR 1 Existing Contracts Valued at \$250K or more" and support documents. There is one new contract for Bechtel Power Co. for [REDACTED]</p> <p>Conclusions:</p> <p>Data Requests Generated (use format "No. ____, Description:"): </p> <p>Follow-up Required:</p>
<p>Document #: PTN DR-1.29 Date Requested: 12/4/15 Date Received: 1/15/16 Comments: (i.e., Confidential)</p> <p style="text-align: center;">REQUESTED CONFIDENTIAL BY NOI</p>	<p>Question or Request: For <u>new</u> contracts valued at \$100,000 or more provide contractor name, contract number and date, service description, contract length, value, methodology (e.g. T&M, fixed price, fixed w/incentives), dollars spent to date, and type (competitive bid, single/sole source, or predetermined source), and single or sole source justifications: a. May 2015 to date b. Anticipated January through May 2016</p> <p>Summary of Contents: a. Refer to the attached file titled "New Contracts Valued at \$100,000 or more, May 2015 to date". Please also see attached single/sole source justification. b. New Contracts Valued at \$100,000 or more, Anticipated January through May 2016: - Initial Assessments and Schedule Review of the following: <ul style="list-style-type: none"> • Circulating Water System (CWS) and Cooling Towers • Roads and Bridges • Reclaimed Water Treatment Facility (RWTF) • Reclaimed Water Pipeline • Underground Injection Control (UIC) Wells • Radial Collector Wells • Site Surveying and Environmental Protection Measures </p> <p>Conclusions:</p> <p>Data Requests Generated (use format "No. ____, Description:"): </p> <p>Follow-up Required:</p>
<p>Document #: PTN DR-1.30 Date Requested: 12/4/15 Date Received: 1/15/16 Comments: (i.e., Confidential)</p>	<p>Question or Request: For contract <u>change orders</u> valued at \$50,000 or more provide contractor name, contract number, date, description of change(s) to terms or value, and copies of single or sole source justifications: a. May 2015 to date</p>

1

Exhibit C
Florida Power and Light Company
Staff Audit Work Papers for Audit Report PA-16-01-002
Docket No. 160009-EI

Document	Description	Page Number(s)	Conf. Y/N	Line No./Col. No.	Florida Statute 366.093 (3) Subsection	Affiant
Staff Audit Work Papers	Review of Florida Power and Light Company's Project Management Internal Controls for Turkey Point 6 & 7 Construction	1-104, 106-150	N			
	3.3.1 DR 1 Document Summary & Control Log	Pg. 105	Y	Line 1	(d)(e)	Brenda Thompson

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Nuclear Cost)
Recovery Clause)

DOCKET NO. 160009-EI

STATE OF FLORIDA)
)
PALM BEACH COUNTY)

AFFIDAVIT OF BRENDA THOMPSON

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

1. My name is Brenda Thompson. I am currently employed by Florida Power & Light Company as Nuclear Project Controls Manager. I have personal knowledge of the matters stated in this affidavit.

2. I have reviewed Exhibit C and the document that is included in FPL's Request for Confidential Classification of Audit PA-16-01-002 Work Papers, for which I am listed on Exhibit C as the affiant. The document that I have reviewed contains proprietary confidential business information consisting of contractual data and competitively sensitive data. Disclosure of this information would violate FPL's contract with this vendor, work to the detriment of FPL's competitive interests, impair the competitive interests of its vendor and/or impair FPL's efforts to enter into contracts on commercially favorable terms. To the best of my knowledge, FPL has maintained the confidentiality of this information.

3. Consistent with the provisions of the Florida Administrative Code, this document should remain confidential for a period of not less than 18 months. In addition, it 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 its confidentiality.

4. Affiant says nothing further.

Brenda Thompson

Brenda Thompson

SWORN TO AND SUBSCRIBED before me this 29th day of July 2016, by Brenda Thompson, who is personally known to me or who has produced _____ (type of identification) as ~~identification~~ and who did take an oath.

[Signature]

Notary Public, State of Florida

My Commission Expires:

