

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:** August 8, 2016

**TO:** Office of Commission Clerk

**FROM:** Richard Passett, Division of Accounting and Finance

**RE:** CONFIDENTIALITY OF CERTAIN INFORMATION  
 DOCKET NO: 160021-EI DOCUMENT NO: 05884-16  
 DESCRIPTION: FPL (Moncada) - (CONFIDENTIAL) Information provided in response to AARP's 3rd request for interrogatories (No. 74, on CD), OPC's 1st set of interrogatories (No. 3, attachment 1), OPC's 18th request for interrogatories (No. 380, on CD) and staff's 1st supplemental (amended) request for interrogatories (No. 37).  
 SOURCE: Florida Power & Light Company

RECEIVED-FPSC  
 2016 AUG -8 PM 3:11  
 COMMISSION CLERK

The above confidential material was filed along with a sixth request for confidential classification of information provided in response to discovery. 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 *Richard Passett* on 8/8/16 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:** August 8, 2016

**TO:** Suzanne Brownless, Office of the General Counsel

**FROM:** Richard Passett, Division of Accounting and Finance

**RE:** CONFIDENTIALITY OF CERTAIN INFORMATION

DOCKET NO: 160021-EI DOCUMENT NO: 05884-16

DESCRIPTION: FPL (Moncada) - (CONFIDENTIAL) Information provided in response to AARP's 3rd request for interrogatories (No. 74, on CD), OPC's 1st set of interrogatories (No. 3, attachment 1), OPC's 18th request for interrogatories (No. 380, on CD) and staff's 1st supplemental (amended) request for interrogatories (No. 37).

SOURCE: Florida Power & Light Company

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Pursuant to Section 366.093 of the Florida Statutes (F.S.), and Rule 25-22.006, Florida Administrative Code, Florida Power & Light Company (FPL or Company) requests confidential classification of certain information provided in response to discovery propounded by AARP's 3rd request for interrogatories (No. 74, on CD), OPC's 1st set of interrogatories (No. 3, attachment 1), OPC's 18th request for interrogatories (No. 380, on CD) and staff's 1st supplemental (amended) request for interrogatories (No. 37). These documents contain information concerning bids or other contractual data, along with information relating to competitive interests.

Staff has reviewed FPL's request for confidentiality of certain portions of its response to AARP's 3<sup>rd</sup> Set of Interrogatories, No. 74 and certain portions of its response to OPC's First Set of Interrogatories, No. 3, Attachment 1. The Company's justification for each portion of the responses for which it requests confidentiality is Subsection 366.093(3)(e), F.S., wherein the responses are said to relate to the competitive interests, the disclosure of which would impair the competitive business of the provider of the information. The portions of the responses to both discovery requests pertains to forecasted financial information. Upon review, staff recommends the identified portion of the response be recognized as confidential under the stated statutory subsection.

Memorandum to Suzanne Brownless

Page 2

August 8, 2016

In addition, staff has reviewed the documents included in response to OPC's 18<sup>th</sup> Request for Interrogatories, No. 380 and in staff's opinion, the request meets the criteria for confidentiality contained in Section 366.093(3)(d) and (e), F.S. Further, staff has reviewed the documents included in response to Staff's 1st Supplemental (Amended) Request for Interrogatories, No. 37 and in staff's opinion, the request meets the criteria for confidentiality contained in Section 366.093 (3)(d) and (e), F.S. Therefore, staff recommends that the request for confidentiality of certain information included in Document No. 05884-16 be approved.