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August 18, 2016

**VIA HAND DELIVERY**

Ms. Carlotta S. Stauffer  
Division of the Commission Clerk and Administrative Services  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850

**Re: Docket No. 160001-EI**

Dear Ms. Stauffer:

I enclose for filing in the above docket Florida Power & Light Company's ("FPL's") Request for Confidential Classification of Certain Information Contained in Fuel Hedging Activity Report, submitted as Exhibit GJY-6 to the prepared direct testimony of FPL witness Gerard J. Yupp. The request includes Exhibits A, B (two copies), C and D.

Exhibit A consists of the confidential documents, and all the 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 is a justification table in support of FPL's Request for Confidential Classification. Exhibit D contains the declaration in support of FPL's Request for Confidential Classification.

Please contact me if you or your Staff has any questions regarding this filing.

Sincerely,

Joel Baker

**REDACTED**

Enclosure

cc: Counsel for Parties of Record (w/ copy of FPL's Request for Confidential Classification)

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**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Fuel and Purchase Power Cost Recovery  
Clause with Generating Performance Incentive  
Factor

Docket No: 160001-EI  
Filed: August 18, 2016

**FLORIDA POWER AND LIGHT COMPANY'S REQUEST FOR  
CONFIDENTIAL CLASSIFICATION OF CERTAIN INFORMATION  
CONTAINED IN THE FUEL HEDGING ACTIVITY REPORT (EXHIBIT GJY-6)**

Florida Power & Light Company ("FPL"), pursuant to Rule 25-22.006, F.A.C., and Section 366.093, Florida Statutes, requests confidential classification of certain information contained in FPL's Fuel Hedging Activity Report. In support of its Request, FPL states as follows:

1. Pursuant to Order No. PSC-08-0316-PAA-EI, issued on May 14, 2008, FPL filed its Fuel Hedging Activity Report on August 18, 2016, which will be adopted as exhibit GJY-6 in the testimony of FPL witness Gerard J. Yupp in FPL's 2016 Fuel and Capacity Projection Filing in this docket. FPL's Fuel Hedging Activity Report contains FPL proprietary confidential business information regarding market comparisons and hedging activities. This request is intended to request confidential classification of information contained in the Fuel Hedging Activity Report.

2. The following exhibits are included with this Request:

a. Exhibit A is a copy of the Fuel Hedging Activity Report, in which the confidential information has been highlighted.

b. Exhibit B consists of two copies of the Fuel Hedging Activity Report in which the confidential information 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 bases for the claim of confidentiality and to the affidavit in support of the requested confidential classification.

d. Exhibit D consists of the declaration of Gerard J. Yupp, Senior Director of Wholesale Operations for FPL's Energy Marketing and Trading Division in support of this Request for Confidential Classification.

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. This information is intended to be and is treated by FPL as private, 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. The information contained in the Hedging Activity Report, if disclosed would impair the efforts of FPL to contract for goods and services on favorable terms for the benefit of its customers. This information is protected by Section 366.093(3)(d), Fla. Stat.

5. Additionally, disclosure of the information would impair the competitive interests of FPL and its affiliates, and would place FPL and its affiliates at a competitive disadvantage when coupled with other information that is publicly available. This information is protected by Section 366.093(3)(e), Fla. Stat.

6. Upon a finding by the Commission that the Confidential Information in Exhibit A is proprietary confidential business information within the meaning of Section 366.093(3),


Fla.Stat., such materials should not be declassified for 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. Section 366.093(4), Fla.Stat.

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

Respectfully submitted this 18th day of August, 2016.

R. Wade Litchfield, Esq.,  
Vice President and General Counsel  
John T. Butler, Esq.  
Assistant General Counsel-Regulatory  
Joel Baker, Attorney  
Florida Power & Light Company  
700 Universe Boulevard  
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Telephone: (561) 691-7255  
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By: \_\_\_\_\_

  
Joel Baker  
Fla. Bar No. 0108202

**CERTIFICATE OF SERVICE**  
**Docket No. 160001-EI**

**I HEREBY CERTIFY** that a true and correct copy of FPL's Request for Confidential Classification has been furnished by electronic mail this 18th day of August, 2016 to the following:

Danijela Janjic, Esq.  
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Joel Baker  
Fla. Bar No. 0108202

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

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**EXHIBIT A**

**CONFIDENTIAL**

**FILED UNDER SEPARATE COVER**

**EXHIBIT B**


**REDACTED COPIES**




1	A	B	FPL NATURAL GAS PROCUREMENT			F
			C	D	E	
2			VOLUME (MMBTU)			
3	<u>PERIOD</u>	<u>INSTRUMENT</u>	<u>PURCHASES</u>	<u>SALES</u>	<u>OPTION PREMIUMS</u>	<u>SAVINGS/(COSTS)</u>
4	YEAR-TO-DATE	FIXED PRICE TRANSACTIONS	[REDACTED]			
5	(JAN - JULY) 2016	SWAPS				
6		OVER-THE-COUNTER OPTIONS				
7		BROKER FEES				
8						\$ (190,776,580)
9						
10						
11		AVERAGE PERIOD OF HEDGE (Days) - FINANCIAL	[REDACTED]			

NOTE: The January through July 2016 hedging results do not reflect the impact of the Woodford Gas Reserves Project. The Woodford results for the period, as detailed in Exhibit GJY-3, Table 2, included in FPL's Actual/Estimated filing made on August 4, 2016, were (\$10,000,208).


CONFIDENTIAL

1	A	B	FPL NATURAL GAS PROCUREMENT				F
			C	D	E		
2			VOLUME (MMBTU)				
3	<u>PERIOD</u>	<u>INSTRUMENT</u>	<u>PURCHASES</u>	<u>SALES</u>	<u>OPTION PREMIUMS</u>	<u>SAVINGS/(COSTS)</u>	
4	January-2016	FIXED PRICE TRANSACTIONS					
5		SWAPS					
6		OVER-THE-COUNTER OPTIONS					
7		BROKER FEES					
8							
9							
10							
11							


CONFIDENTIAL

1	A	B	C	D			E	F
				FPL NATURAL GAS PROCUREMENT				
2			VOLUME (MMBTU)					
3	<u>PERIOD</u>	<u>INSTRUMENT</u>	<u>PURCHASES</u>	<u>SALES</u>	<u>OPTION PREMIUMS</u>	<u>SAVINGS/(COSTS)</u>		
4	February-2016	FIXED PRICE TRANSACTIONS						
5		SWAPS						
6		OVER-THE-COUNTER OPTIONS						
7		BROKER FEES						
8								
9								
10								
11								

CONFIDENTIAL

1	A	B	C	D		E	F
				FPL NATURAL GAS PROCUREMENT			
2	<u>PERIOD</u>	<u>INSTRUMENT</u>	VOLUME (MMBTU)		OPTION PREMIUMS	SAVINGS/(COSTS)	
3			PURCHASES	SALES			
4	March-2016	FIXED PRICE TRANSACTIONS					
5		SWAPS					
6		OVER-THE-COUNTER OPTIONS					
7		BROKER FEES					
8							
9							
10							
11							

CONFIDENTIAL


1	A	B	FPL NATURAL GAS PROCUREMENT				F
			C	D	E	F	
2			VOLUME (MMBTU)				
3	<u>PERIOD</u>	<u>INSTRUMENT</u>	<u>PURCHASES</u>	<u>SALES</u>	<u>OPTION PREMIUMS</u>	<u>SAVINGS/(COSTS)</u>	
4	April-2016	FIXED PRICE TRANSACTIONS					
5		SWAPS					
6		OVER-THE-COUNTER OPTIONS					
7		BROKER FEES					
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A	B	C	D	E	F
<u>PERIOD</u>	<u>INSTRUMENT</u>	FPL NATURAL GAS PROCUREMENT			
May-2016	FIXED PRICE TRANSACTIONS SWAPS OVER-THE-COUNTER OPTIONS BROKER FEES	PURCHASES	SALES	OPTION PREMIUMS	SAVINGS/(COSTS)
		[REDACTED]			

CONFIDENTIAL

1	A	B	FPL NATURAL GAS PROCUREMENT				F
			C	D	E	F	
2			VOLUME (MMBTU)				
3	<u>PERIOD</u>	<u>INSTRUMENT</u>	PURCHASES	SALES	OPTION PREMIUMS	SAVINGS/(COSTS)	
4	June-2016	FIXED PRICE TRANSACTIONS					
5		SWAPS					
6		OVER-THE-COUNTER OPTIONS					
7		BROKER FEES					
8							
9							
10							
11							

CONFIDENTIAL

	A	B	C	D	E	F
			FPL NATURAL GAS PROCUREMENT			
			VOLUME (MMBTU)			
	<u>PERIOD</u>	<u>INSTRUMENT</u>	<u>PURCHASES</u>	<u>SALES</u>	<u>OPTION PREMIUMS</u>	<u>SAVINGS/(COSTS)</u>
1						
2						
3	<u>PERIOD</u>	<u>INSTRUMENT</u>				
4	July-2016	FIXED PRICE TRANSACTIONS				
5		SWAPS				
6		OVER-THE-COUNTER OPTIONS				
7		BROKER FEES				
8						
9						
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11						



# **EXHIBIT C**

## **JUSTIFICATION TABLE**

### EXHIBIT C

**COMPANY:** Florida Power & Light Company  
**TITLE:** List of Confidential Documents  
**DOCKET TITLE:** Fuel and Purchased Power Cost Recovery Clause with Generating Performance Incentive Factor  
**DOCKET NO:** 160001-EI  
**DATE:** August 18, 2016

Description	Page No.	Line No./ Col No.	Florida Statute (65.093(3) Subsection	Declarant
Year to Date Jan-July 2016 FPL Natural Gas Procurement	1	Cols C-D, Lns 4-8, 11 Col E, Lns 4-8 Col F, Lns 4-7	(d), (e)	G. J. Yupp
January 2016 FPL Natural Gas Procurement	2	Cols C-F, Lns 4-8	(d), (e)	G. J. Yupp
February 2016 FPL Natural Gas Procurement	3	Cols C-F, Lns 4-8	(d), (e)	G. J. Yupp
March 2016 FPL Natural Gas Procurement	4	Cols C-F, Lns 4-8	(d), (e)	G. J. Yupp
April 2016 FPL Natural Gas Procurement	5	Cols C-F, Lns 4-8	(d), (e)	G. J. Yupp
May 2016 FPL Natural Gas Procurement	6	Cols C-F, Lns 4-8	(d), (e)	G. J. Yupp
June 2016 FPL Natural Gas Procurement	7	Cols C-F, Lns 4-8	(d), (e)	G. J. Yupp
July 2016 FPL Natural Gas Procurement	8	Cols C-F, Lns 4-8	(d), (e)	G. J. Yupp

# **EXHIBIT D**

# **DECLARATION**

**EXHIBIT D**

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Fuel and Purchase Power Cost Recovery  
Clause with Generating Performance Incentive  
Factor

Docket No: 160001-EI

STATE OF FLORIDA                    )  
  )  
COUNTY OF PALM BEACH         )         **DECLARATION OF GERARD J. YUPP**

1. My name is Gerard J. Yupp. I am currently employed by Florida Power & Light Company ("FPL") as Senior Director of Wholesale Operations in the Energy Marketing and Trading Division. I have personal knowledge of the matters stated in this written declaration.

2. I have reviewed the documents and information included in Exhibit A to FPL's Request for Confidential Classification of the Fuel Hedging Activity Report. The documents and materials that I have reviewed and which are asserted by FPL to be proprietary confidential business information contain or constitute data pertinent to FPL's hedging program. Specifically, the documents contain information regarding the physical and financial details related to FPL's year-to-date hedging results for natural gas. This information, if disclosed, would impair the efforts of FPL to contract for goods and services on favorable terms for the benefit of its customers. Further, disclosure would impair the competitive interests of FPL, NextEra Energy, Inc. ("NEE") or their affiliates or vendors, and would place FPL, NEE or their affiliates at a competitive disadvantage when coupled with other information that is publicly available.

3. Consistent with the provisions of the Florida Administrative Code, such materials should remain confidential for a period of eighteen (18) months. In addition, the 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. Under penalties of perjury, I declare that I have read the foregoing declaration and that the facts stated in it are true to the best of my knowledge and belief.

  
\_\_\_\_\_  
GERARD J. YUPP

Date: 8/15/16