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September 1, 2016

VIA HAND DELIVERY

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

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2016 AUG 32 AM 9:55
COMMISSION
CLERK

Re: Docket No. 160001-EI

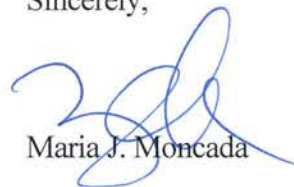
Dear Ms. Stauffer:

Enclosed for filing on behalf of Florida Power & Light Company ("FPL") are an original and seven (7) copies of FPL's Request for Confidential Classification of Capacity Payments to Non-Cogenerators Identified in Schedule E12. The request includes Exhibits A through D.

Exhibit A contains the confidential information that is the subject of FPL's Request for Confidential Classification. Exhibit A is submitted for filing separately and marked "**EXHIBIT A**" - **CONFIDENTIAL**. 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 Request for Confidential Classification. Exhibit D consists of the declaration in support of FPL's Request for Confidential Classification. In accordance with Rule 25-22.006(3)(d), FPL requests confidential treatment of the information in Exhibit A pending disposition of FPL's Request for Confidential Classification.

Please contact me should you or your Staff have any questions regarding this filing.

Sincerely,


Maria J. Moncada

REDACTED

COM _____
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APA _____
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ENG _____
GCL _____
IDM _____
TEL _____
CLK _____

Enclosures
cc: parties of record, (Request for Confidential Classification w/o exhibits)

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Fuel and purchase power cost recovery
clause with generating performance incentive
factor

Docket No: 160001-EI

Date: September 1, 2016

**FLORIDA POWER AND LIGHT COMPANY'S
REQUEST FOR CONFIDENTIAL CLASSIFICATION OF CAPACITY
PAYMENTS TO NON-COGENERATORS IDENTIFIED IN SCHEDULE E12**

Pursuant to Section 366.093, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, Florida Power & Light Company ("FPL") requests confidential classification of certain information contained in Schedule E12 of Appendix III to the prepared testimony of FPL witness Terry J. Keith (the "Confidential Information"). In support of its Request, FPL states as follows:

1. On September 1, 2016, FPL submitted the prepared testimony of FPL witness Terry J. Keith in this docket. Schedule E12 of Appendix III to the testimony contains information regarding FPL's capacity payments to specific non-cogenerator counterparties, which is of a confidential nature. This Request seeks confidential classification of the Confidential Information consistent with Rule 25-22.006.

2. The following exhibits are included with this Request:

a. Exhibit A consists of a copy of Schedule E12 to of Appendix III in which all of the confidential information is highlighted.

b. Exhibit B consists of two copies of Schedule E12 to Appendix III in which all of the Confidential Information is redacted.

c. Exhibit C is a table that identifies by page, line or column the Confidential Information, together with references to the specific statutory bases for the claim of confidentiality and to the affiant who supports the requested classification.

d. Exhibit D is the declaration of Gerard J. Yupp 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)”). 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 is exempt from the disclosure provisions of the public records law. Thus, once the Commission determined 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 hard of disclosure against the public interest in access to the information.

4. FPL seeks confidential protection for the highlighted information contained in Schedule E12, which identifies capacity payments to non-cogenerators. The highlighted information consists of contractual data about FPL’s capacity payments to specific counterparties. The disclosure of this contractual information would provide other market participants insight into FPL’s marketing and procurement practices and impair FPL’s ability to contract for capacity on favorable terms, to the detriment of FPL and its customers. Such information is protected by Section 366.093(3)(d). This information also relates to the competitive interests of FPL and suppliers from whom FPL purchases capacity. The disclosure of this information would impair their competitive businesses. Such information is protected by Section 366.093(3)(e).

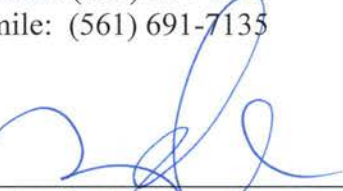
5. Upon a finding by the Commission that the Confidential Information is proprietary confidential business information within Section 366.093(3), such information should not be declassified for at least eighteen (18) months and should be returned to FPL as soon as the information is no longer necessary for the Commission to conduct its business. § 366.093(4), Fla. Stat.

WHEREFORE, for the above and foregoing reasons, as more fully set forth in the supporting materials and declaration included herewith, Florida Power & Light Company respectfully requests that its Request for Confidential Classification be granted.

Respectfully submitted,

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By: _____



Maria J. Moncada
Fla. Bar No. 0773301

CERTIFICATE OF SERVICE

Docket No. 160001-EI

I HEREBY CERTIFY that a true and correct copy of the foregoing(*) has been furnished by electronic mail on this 1st day of September 2016 to the following:

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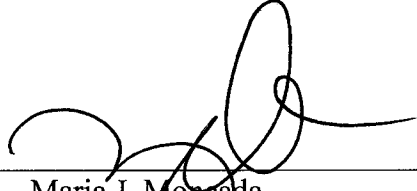
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* The exhibits to this Request are not included with the service copies, but copies of Exhibits B, C and D are available upon request.

EXHIBIT A

**CONFIDENTIAL DOCUMENTS
FILED UNDER SEPARATE COVER**

EXHIBIT B

REDACTED COPIES

	A	B	C	D	E	F	G	H	I	J	K	L	M
1	Florida Power & Light Company												
2	Schedule E12 - Capacity Costs												
3	Page 2 of 2												
4													
5													
6													
7	2017 Projection												
8													
9													
10	<u>Contract</u>	<u>Counterparty</u>						<u>Identification</u>	<u>Contract Start Date</u>	<u>Contract End Date</u>			
11	1	JEA - SJRPP						Other Entity	April 2, 1982	September 30, 2021			
12	2	Solid Waste Authority (40MW)						Other Entity	January 1, 2012	April 1, 1932			
13	3	Solid Waste Authority (70MW)						Other Entity	July 16, 2016	May 31, 2034			
14													
15	2017 Capacity in MW												
16													
17	<u>Contract</u>	<u>Jan-16</u>	<u>Feb-16</u>	<u>Mar-16</u>	<u>Apr-16</u>	<u>May-16</u>	<u>Jun-16</u>	<u>Jul-16</u>	<u>Aug-16</u>	<u>Sep-16</u>	<u>Oct-16</u>	<u>Nov-16</u>	<u>Dec-16</u>
18	1	375	375	375	375	375	375	375	375	375	375	375	375
19	2	40	40	40	40	40	40	40	40	40	40	40	40
20	3	70	70	70	70	70	70	70	70	70	70	70	70
21	Total	485	485	485	485	485	485	485	485	485	485	485	485
22													
23	2017 Capacity in Dollars												
24													
25	<u>Contract</u>	<u>Jan-16</u>	<u>Feb-16</u>	<u>Mar-16</u>	<u>Apr-16</u>	<u>May-16</u>	<u>Jun-16</u>	<u>Jul-16</u>	<u>Aug-16</u>	<u>Sep-16</u>	<u>Oct-16</u>	<u>Nov-16</u>	<u>Dec-16</u>
26	1												
27	2												
28	3												
29	Total	6,415,166	6,415,166	6,415,166	6,415,166	6,415,166	6,455,566	6,455,566	6,455,566	6,455,566	5,509,951	5,509,951	5,509,951
30													
31	Total Capacity Payments to Non-Cogenerators for 2017 ⁽¹⁾												\$71,433,553
32													
33	⁽¹⁾ Appendix III, page 2, line 1. Total capacity costs do not include payments for the Solid Waste Authority - 70 MW unit. Capacity costs for this unit were recovered through the Energy Conservation Cost Recovery Clause in 2014, consistent with Commission Order No. PSC-11-0293-FOF-EU issued in Docket No. 110018-EU on July 6, 2011.												

EXHIBIT C

JUSTIFICATION TABLE

EXHIBIT C

COMPANY: Florida Power & Light Company
TITLE: List of Confidential Exhibits
DOCKET TITLE: Fuel and Purchased Power Cost Recovery Clause with Generating Performance Incentive Factor
DOCKET NO: 160001-EI
DATE: September 1, 2016

Description	Page No.	Line No./Column No.	Florida Statute 366.093 (3) Subsection	Declarant
Exhibit TJK-6, Appendix III, Schedule E12: FPL Capacity Payments to Non-Cogenerators (2017 Projected)	2 of 2	Lines 26-28, Cols. B-M	(d), (e)	G. Yupp

EXHIBIT D

AFFIDAVITS

