

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Energy Conservation Cost Recovery  
Clause

Docket No: 170002-EG  
Date: March 21, 2017

**FLORIDA POWER & LIGHT COMPANY'S FIRST REQUEST  
FOR EXTENSION OF CONFIDENTIAL CLASSIFICATION OF  
MATERIALS PROVIDED PURSUANT TO AUDIT NO. 15-013-4-1**

Pursuant to Section 366.093, Florida Statutes ("Section 366.093"), and Rule 25-22.006, Florida Administrative Code, Florida Power & Light Company ("FPL") hereby submits its First Request for Extension of Confidential Classification of Information Provided Pursuant to Audit No. 15-013-4-1 ("Confidential Information"). In support of this request, FPL states as follows:

1. On July 6, 2015, FPL filed a Request for Confidential Classification of the Confidential Information, which included Exhibits A, B, C and D ("July 6, 2015 Request"). By Order No. PSC-15-0478-CFO-EG, dated October 15, 2015 ("Order 0478"), the Commission granted FPL's July 6, 2015 Request. FPL adopts and incorporates by reference the July 6, 2015 Request and Order 0478.

2. The period of confidential treatment granted by Order 0478 will soon expire. The Confidential Information that was the subject of FPL's July 6, 2015 Request and Order 0478 warrants continued treatment as proprietary and confidential business information within the meaning of Section 366.093(3). Accordingly, FPL hereby submits its First Request for Extension of Confidential Classification.

3. All of the information designated in Exhibits A, B and C to the July 6, 2015 Request remains confidential. Accordingly, those exhibits are not reproduced or reattached here.

4. Included as First Revised Exhibit D is the declaration of Anita Sharma in support of this request.

5. 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, such materials are entitled to confidential treatment and are 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.

6. As more fully described in the declaration included in First Revised Exhibit D, certain documents contain information concerning bids or other contractual data, the disclosure of which would impair the efforts of FPL or its vendors to contract for goods and services on favorable terms. This information is protected by Section 366.093(3)(d), Fla. Stat.

7. Also, certain information in these documents and materials concern FPL's competitive interests and would place FPL at a disadvantage when coupled with the other information that is publicly available. This information is protected by Section 366.093(3)(e), Fla. Stat.

8. Some documents contain customer-specific account information, which if disclosed would impair FPL's competitive interests or those of its vendors. It is FPL's corporate policy not to disclose customer-specific information. This policy includes, but is not limited to: customer names, addresses, telephone numbers, account numbers, rates, billing determinants (kW and kWh usage), conservation savings in kW, kWh and bills. FPL treats such information as confidential and does not disclose it, except as required by law to entities or persons other than the customer absent the customer's consent. This information is protected by Section 366.093(3)(e), Fla. Stat.

9. Upon a finding by the Commission that the Confidential Information remains proprietary and confidential business information, the information should not be declassified for at least an additional eighteen (18) month period and should be returned to FPL as soon as it 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 more fully set forth in the supporting materials and affidavits included herewith, Florida Power & Light Company respectfully requests that its First Request for Extension of Confidential Classification be granted.

Respectfully submitted,

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By: s/ Maria J. Moncada  
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**CERTIFICATE OF SERVICE**  
**Docket No. 170002-EG**

I **HEREBY CERTIFY** that a true and correct copy of the foregoing Second Request for Extension of Confidential Classification has been furnished by electronic service on this 21st day of March 2017 to the following:

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By: s/ Maria J. Moncada  
Maria J. Moncada  
Florida Bar No. 0773301

# **EXHIBIT D**

## **DECLARATION**

**FIRST REVISED EXHIBIT D**

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Energy Conservation Cost Recovery  
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**DECLARATION OF ANITA SHARMA**

1. My name is Anita Sharma. I am currently employed by Florida Power & Light Company ("FPL") as Manager, Demand Side Management Cost and Performance. I have personal knowledge of the matters stated in this declaration.

2. I have reviewed the documents referenced and incorporated in FPL's First Request for Extension of Confidential Classification of Information Obtained in Connection with Audit No. 15-013-4-1. The documents or materials that I have reviewed, and which are asserted by FPL to be proprietary confidential business information contain or constitute information pertaining to negotiated terms with third party vendors for services related to FPL's demand side management programs. Specifically, paid advertisement expenses, incentive pay out to qualified customers as well as customer specific account information. It is FPL's corporate policy not to disclose customer-specific information. This policy includes, but is not limited to: customer names, addresses, telephone numbers, account numbers, rates, billing determinants (kW and kWh usage), conservation savings in kW, kWh and bills. FPL treats such information as confidential and does not disclose it, except as required by law, to entities or persons other than the customer absent the customer's consent. The disclosed of this information would impair the competitive business of FPL and its vendor and would also impair the effort of FPL to contract for good and services on favorable terms. To the best of my knowledge, FPL has maintained the confidentiality of these documents and materials.

3. Nothing has occurred since the issuance of Order No. PSC-15-0478-CFO-EG to render the information stale or public, such that continued confidential treatment would not be appropriate. Therefore, the information should remain confidential for a period of at least an additional eighteen (18) months. In addition, they 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.



ANITA SHARMA

Date: \_\_\_\_\_

2/28/2017