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July 10, 2017

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

REDACTED

**Re: Docket No. 20170057-EI
FPL's First Request for Confidential Classification**

Dear Ms. Stauffer:

I enclose for filing in the above dockets Florida Power & Light Company's ("FPL's") First Request for Confidential Classification of information provided in response to discovery. The request includes Exhibits A, B (two copies), C and D.

Exhibit A consists of the confidential documents, and is provided on a CD pursuant to a request by the Florida Public Service Commission Staff. Exhibit B consists of cover pages identifying the confidential pages of Exhibit A. 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.

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

Sincerely,

A handwritten signature in blue ink, appearing to be 'M. Moncada', written over the name 'Maria J. Moncada'.

Maria J. Moncada

RECEIVED-PPSC
2017 JUL 10 AM 10:40
COMMISSION
CLERK

Enclosure

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

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Analysis of IOUs' hedging practices

Docket No: 20170057-EI

Date: July 10, 2017

**FLORIDA POWER & LIGHT COMPANY'S
FIRST REQUEST FOR CONFIDENTIAL CLASSIFICATION
OF INFORMATION PROVIDED IN RESPONSE TO DISCOVERY**

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 provided in response to discovery requests ("Confidential Discovery Responses") propounded by the Office of Public Counsel ("OPC") and Sierra Club. In support of its Request, FPL states as follows:

1. On July 3, 2017, the Florida Public Commission Staff requested that FPL provide an electronic copy of the files FPL produced in response to OPC's First Request for Production of Documents (No. 1), which were also referenced in response to Sierra Club's First Request for Production (No. 3) ("Confidential Discovery Responses").

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

a. Exhibit A consists of a copy of the Confidential Discovery Responses in Microsoft Excel format provided on a disc. The files are confidential in their entirety.

b. Exhibit B consists of a cover page identifying the confidential pages of Exhibit A.

c. Exhibit C is a table containing an identification of the files provided in Exhibit A. Exhibit C also references the specific statutory bases for the claim of confidentiality and identifies the declarant who supports of the requested classification.

d. Exhibit D contains the declaration of Gerard 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. 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 harm of disclosure against the public interest in access to the information.

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

5. Additionally, certain information in these documents concern FPL's competitive interests, the disclosure of which would impair the competitive business of FPL and its vendors. This information is protected by Section 366.093(3)(e), Fla. Stat.



6. 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 declarations included herewith, Florida Power & Light Company respectfully requests that its Request for Confidential Classification be granted.

Respectfully submitted this 10th day of July 2017.

Respectfully submitted,

John T. Butler
Assistant General Counsel – Regulatory
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By: 
for  Maria J. Moncada
Florida Bar No. 0773301

CERTIFICATE OF SERVICE

Docket No. 20170057-EI

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished

by electronic service on this 10th day of July 2017 to the following:

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Office of General Counsel
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Attorneys for Sierra Club

By: _____


Maria J. Moncada

EXHIBIT A

CONFIDENTIAL

**FILED UNDER SEPARATE
COVER**

EXHIBIT B

REDACTED COPIES

Documents responsive to OPC's First Request for Production No. 1, Attachment 1, and cross-referenced in Sierra Club's First Request for Production No. 3

File labeled "2007 FPL Hedging Analysis" (Bates Nos. HDG-17-00001 through HDG-17-00004) is confidential in its entirety.

Documents responsive to OPC's First Request for Production No. 1, Attachment 1, and cross-referenced in Sierra Club's First Request for Production No. 3

File labeled "2008 FPL Hedging Analysis - S" (HDG-17-00005 through HDG-17-00008) is confidential in its entirety.

Documents responsive to OPC's First Request for Production No. 1, Attachment 1, and cross-referenced in Sierra Club's First Request for Production No. 3

File labeled "2008 FPL Hedging Analysis" (Bates Nos. HDG-17-00009 through HDG-17-00012) is confidential in its entirety.

Documents responsive to OPC's First Request for Production No. 1, Attachment 1, and cross-referenced in Sierra Club's First Request for Production No. 3

File labeled "2009 FPL Hedging Analysis" (Bates Nos. HDG-17-00013 through HDG-17-00016) is confidential in its entirety.

Documents responsive to OPC's First Request for Production No. 1, Attachment 1, and cross-referenced in Sierra Club's First Request for Production No. 3

File labeled "2010 FPL Hedging Analysis" (Bates Nos. HDG-17-00017 through HDG-17-00019) is confidential in its entirety.

Documents responsive to OPC's First Request for Production No. 1, Attachment 1, and cross-referenced in Sierra Club's First Request for Production No. 3

File labeled "2011 FPL Hedging Analysis" (Bates Nos. HDG-17-00020 through HDG-17-00024) is confidential in its entirety.

Documents responsive to OPC's First Request for Production No. 1, Attachment 1, and cross-referenced in Sierra Club's First Request for Production No. 3

File labeled "2012 FPL Hedging Analysis" (Bates Nos. HDG-17-00025 through HDG-17-00029) is confidential in its entirety.

Documents responsive to OPC's First Request for Production No. 1, Attachment 1, and cross-referenced in Sierra Club's First Request for Production No. 3

File labeled "2013 FPL Hedging Analysis" (Bates Nos. HDG-17-00030 through HDG-17-00034) is confidential in its entirety.

Documents responsive to OPC's First Request for Production No. 1, Attachment 1, and cross-referenced in Sierra Club's First Request for Production No. 3

File labeled "2014 FPL Hedging Analysis" (Bates Nos. HDG-17-00035 through HDG-17-00039) is confidential in its entirety.

Documents responsive to OPC's First Request for Production No. 1, Attachment 1, and cross-referenced in Sierra Club's First Request for Production No. 3

File labeled "2015 FPL Hedging Analysis" (Bates Nos. HDG-17-00040 through HDG-17-00044) is confidential in its entirety.

Documents responsive to OPC's First Request for Production No. 1, Attachment 1, and cross-referenced in Sierra Club's First Request for Production No. 3

File labeled "2016 FPL Hedging Analysis" (Bates Nos. HDG-17-00045 through HDG-17-00049) is confidential in its entirety.

Documents responsive to OPC's First Request for Production No. 1, Attachment 1, and cross-referenced in Sierra Club's First Request for Production No. 3

File labeled "FPL Version of Gettings RR-model" (Bates Nos. HDG-17-01853 through HDG-17-01881) is confidential in its entirety.

Documents responsive to OPC's First Request for Production No. 1, Attachment 1, and cross-referenced in Sierra Club's First Request for Production No. 3

File labeled "2007 FPL Hedging Analysis" (Bates Nos. HDG-17-00001 through HDG-17-00004) is confidential in its entirety.

Documents responsive to OPC's First Request for Production No. 1, Attachment 1, and cross-referenced in Sierra Club's First Request for Production No. 3

File labeled "2008 FPL Hedging Analysis - S" (HDG-17-00005 through HDG-17-00008) is confidential in its entirety.

Documents responsive to OPC's First Request for Production No. 1, Attachment 1, and cross-referenced in Sierra Club's First Request for Production No. 3

File labeled "2008 FPL Hedging Analysis" (Bates Nos. HDG-17-00009 through HDG-17-00012) is confidential in its entirety.

Documents responsive to OPC's First Request for Production No. 1, Attachment 1, and cross-referenced in Sierra Club's First Request for Production No. 3

File labeled "2009 FPL Hedging Analysis" (Bates Nos. HDG-17-00013 through HDG-17-00016) is confidential in its entirety.

Documents responsive to OPC's First Request for Production No. 1, Attachment 1, and cross-referenced in Sierra Club's First Request for Production No. 3

File labeled "2010 FPL Hedging Analysis" (Bates Nos. HDG-17-00017 through HDG-17-00019) is confidential in its entirety.

Documents responsive to OPC's First Request for Production No. 1, Attachment 1, and cross-referenced in Sierra Club's First Request for Production No. 3

File labeled "2011 FPL Hedging Analysis" (Bates Nos. HDG-17-00020 through HDG-17-00024) is confidential in its entirety.

Documents responsive to OPC's First Request for Production No. 1, Attachment 1, and cross-referenced in Sierra Club's First Request for Production No. 3

File labeled "2012 FPL Hedging Analysis" (Bates Nos. HDG-17-00025 through HDG-17-00029) is confidential in its entirety.

Documents responsive to OPC's First Request for Production No. 1, Attachment 1, and cross-referenced in Sierra Club's First Request for Production No. 3

File labeled "2013 FPL Hedging Analysis" (Bates Nos. HDG-17-00030 through HDG-17-00034) is confidential in its entirety.

Documents responsive to OPC's First Request for Production No. 1, Attachment 1, and cross-referenced in Sierra Club's First Request for Production No. 3

File labeled "2014 FPL Hedging Analysis" (Bates Nos. HDG-17-00035 through HDG-17-00039) is confidential in its entirety.

Documents responsive to OPC's First Request for Production No. 1, Attachment 1, and cross-referenced in Sierra Club's First Request for Production No. 3

File labeled "2015 FPL Hedging Analysis" (Bates Nos. HDG-17-00040 through HDG-17-00044) is confidential in its entirety.

Documents responsive to OPC's First Request for Production No. 1, Attachment 1, and cross-referenced in Sierra Club's First Request for Production No. 3

File labeled "2016 FPL Hedging Analysis" (Bates Nos. HDG-17-00045 through HDG-17-00049) is confidential in its entirety.

Documents responsive to OPC's First Request for Production No. 1, Attachment 1, and cross-referenced in Sierra Club's First Request for Production No. 3

File labeled "FPL Version of Gettings RR-model" (Bates Nos. HDG-17-01853 through HDG-17-01881) is confidential in its entirety.

EXHIBIT C

JUSTIFICATION TABLE

EXHIBIT C

COMPANY: Florida Power & Light Company
TITLE: List of Confidential Documents
DOCKET NO.: 20170057-EI
DOCKET TITLE: Analysis of IOUs' Hedging Practices
DATE: July 10, 2017

Discovery Requests	File Name Bates No. (All files provided on CD)	Description	Line No./ Col. No.	Florida Statute 366.093(3) Subsection	Declarant
OPC's First Request for Production No. 1, Attachment 1 cross-referenced in Sierra Club's First Request for Production No. 3	2007 FPL Hedging Analysis Bates Nos. HDG-17-00001 through HDG-17-00004	"Out of the Money Options" Analysis	ALL	(d), (e)	G. Yupp
	2008 FPL Hedging Analysis - S Bates Nos. HDG-17-00005 through HDG-17-00008	"Out of the Money Options" Analysis	ALL	(d), (e)	G. Yupp
	2008 FPL Hedging Analysis Bates Nos. HDG-17-00009 through HDG-17-00012	"Out of the Money Options" Analysis	ALL	(d), (e)	G. Yupp
	2009 FPL Hedging Analysis Bates Nos. HDG-17-00013 through HDG-17-00016	"Out of the Money Options" Analysis	ALL	(d), (e)	G. Yupp
	2010 FPL Hedging Analysis Bates Nos. HDG-17-00017 through HDG-17-00019	"Out of the Money Options" Analysis	ALL	(d), (e)	G. Yupp
	2011 FPL Hedging Analysis Bates Nos. HDG-17-00020 through HDG-17-00024	"Out of the Money Options" Analysis	ALL	(d), (e)	G. Yupp
	2012 FPL Hedging Analysis Bates Nos. HDG-17-00025 through HDG-17-00029	"Out of the Money Options" Analysis	ALL	(d), (e)	G. Yupp
	2013 FPL Hedging Analysis Bates Nos. HDG-17-00030 through HDG-17-00034	"Out of the Money Options" Analysis	ALL	(d), (e)	G. Yupp

Discovery Requests	File Name Bates No. (All files provided on CD)	Description	Line No./ Col. No.	Florida Statute 366.093(3) Subsection	Declarant
OPC's First Request for Production No. 1, Attachment 1 cross-referenced in Sierra Club's First Request for Production No. 3	2014 FPL Hedging Analysis Bates Nos. HDG-17-00035 through HDG-17-00039	"Out of the Money Options" Analysis	ALL	(d), (e)	G. Yupp
	2015 FPL Hedging Analysis Bates Nos. HDG-17-00040 through HDG-17-00044	"Out of the Money Options" Analysis	ALL	(d), (e)	G. Yupp
	2016 FPL Hedging Analysis Bates Nos. HDG-17-00045 through HDG-17-00049	"Out of the Money Options" Analysis	ALL	(d), (e)	G. Yupp
	FPL Version of Gettings RR-model Bates Nos. HDG-17-01853 through HDG-17-01881	FPL replication of Mr. Gettings's Risk-Responsive hedging model	ALL	(d), (e)	G. Yupp

EXHIBIT D

DECLARATION

EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Analysis of IOUs' hedging practices

Docket No: 20170057-EI

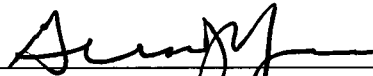
DECLARATION OF GERARD J. YUPP

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 declaration.

2. I have reviewed the documents and information included in Exhibit A to FPL's Request for Confidential Classification. The documents and materials that I have reviewed and which are asserted by FPL to be proprietary confidential business information concern contractual data related to FPL's hedging transactions for natural gas, the disclosure of which could impair FPL's ability to contract for goods or services on favorable terms. Additionally, the confidential information relates to competitive interests, the disclosure of which would impair the competitive business of FPL, its suppliers or third parties. The information consists of or relates to market data, specifically option premiums, that is proprietary to Chicago Mercantile Exchange Inc., which FPL is obligated to maintain as confidential, as well as the risk-responsive hedging model that is proprietary to Michael A. Gettings. To the best of my knowledge, FPL has maintained the confidentiality of these documents and materials.

3. Consistent with the provisions of the Florida Administrative Code, such materials should remain confidential for a period of not less than 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.


GERARD J. YUPP

Date: 7/7/17