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August 16, 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

RECEIVED-FPSC
2017 AUG 16 AM 11:59
COMMISSION
CLERK

Re: Docket No. 20170001-EI

Dear Ms. Stauffer:

REDACTED

I enclose for filing in the above docket Florida Power & Light Company's ("FPL") Request for Confidential Classification of Information Provided in Response to Staff's Sixth Set of Interrogatories (No. 60). The request includes Exhibits A, B (two copies) and C.

Exhibit A consists of the confidential document, 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 is 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 read "Maria J. Moncada", with a large, stylized flourish.

Maria J. Moncada

Enclosure

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

6108972

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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

Docket No: 20170001-EI

Date: August 16, 2017

**FLORIDA POWER & LIGHT COMPANY'S REQUEST
FOR CONFIDENTIAL CLASSIFICATION OF INFORMATION
PROVIDED IN RESPONSE TO THE STAFF OF THE FLORIDA PUBLIC
SERVICE COMMISSION'S SIXTH SET OF INTERROGATORIES (No. 60)**

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 the Staff of the Florida Public Service Commission's ("Staff") Sixth Set of Interrogatories (No. 60) ("Confidential Discovery Response"). In support of its Request, FPL states as follows:

1. On July 17, 2017, Staff served its Sixth Set of Interrogatories (Nos. 58-69) on FPL. FPL's Response to Staff's Sixth Set of Interrogatories (No. 60) contains information of a confidential nature within the meaning of Section 366.093(3), Florida Statutes.

2. FPL served its responses to Staff's Sixth Set of Interrogatories (Nos. 58-69) on August 16, 2017. This request is being filed contemporaneously with the service of the responses to Staff's discovery in order to request confidential classification of the Confidential Discovery Responses consistent with Rule 25-22.006, Florida Administrative Code.

3. The following exhibits are made a part of this request:

a. Exhibit A consists of a copy of the Confidential Discovery Response on which all information that FPL asserts is entitled to confidential treatment is highlighted.

b. Exhibit B consists of an edited version of the Confidential Discovery Response on which all information that FPL asserts is entitled to confidential treatment is redacted.

c. Exhibit C is a table containing a page-and-line identification of the information highlighted in Exhibit A and a brief description of the Confidential Information. Exhibit C also references the specific statutory bases for the claim of confidentiality and identifies the declarant who supports the requested classification.

d. Exhibit D is the declaration of Daniel Mayers in support of this Request.

4. 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.


5. As the descriptions included in Exhibit C and the declaration included in Exhibit D indicate, the Confidential Discovery Responses provided by FPL contains information relating to the competitive interests of FPL and its vendors, the disclosure of which would impair their competitive interests. 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 materials and declaration included herewith, Florida Power & Light Company respectfully requests that its Request for Confidential Classification be granted.

Respectfully submitted,

John T. Butler
Assistant General Counsel - Regulatory
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By: 

Maria J. Moncada
Florida Bar No. 773301

CERTIFICATE OF SERVICE
Docket No. 20170001-EI

I HEREBY CERTIFY that a true and correct copy of FPL's Request for Confidential Classification* has been furnished by electronic service this 16th day of August 2017 to the following:

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By:



Maria J. Moncada
Florida Bar No. 773301

* The exhibits to this Request are not included with the service copies. A redacted copy was served with FPL's Response to Staff's Sixth Set of Interrogatories, No. 60. Copies of Exhibits B, C and D are available upon request.

6109325

EXHIBIT A

CONFIDENTIAL

FILED UNDER SEPARATE COVER

EXHIBIT B

REDACTED COPIES

QUESTION:

Land. Please refer to Attachment 1 in FPL's response to interrogatory no. 11(b). Please identify the land costs in this response.

a. Please provide a new response with land costs separately accounted for.

RESPONSE

Land Costs	A	
Horizon		1
Coral Farms		2
Wildflower *	\$ -	3
Indian River		4
Hammock		5
Loggerhead		6
Blue Cypress		7
Barefoot Bay		8
Total	\$ 29,786,650	

* Wildflower land costs are not included in this analysis and pending request for cost recovery since that site cost is already included in FPL's current rate base

QUESTION:

Land. Please refer to Attachment 1 in FPL's response to interrogatory no. 11(b). Please identify the land costs in this response.

a. Please provide a new response with land costs separately accounted for.

RESPONSE

Land Costs	A	
Horizon	[REDACTED]	1
Coral Farms	[REDACTED]	2
Wildflower *	\$ -	3
Indian River	[REDACTED]	4
Hammock	[REDACTED]	5
Loggerhead	[REDACTED]	6
Blue Cypress	[REDACTED]	7
Barefoot Bay	[REDACTED]	8
Total	\$ 29,786,650	

* Wildflower land costs are not included in this analysis and pending request for cost recovery since that site cost is already included in FPL's current rate base

EXHIBIT C

JUSTIFICATION TABLE

EXHIBIT C

COMPANY: Florida Power & Light Company
TITLE: List of Confidential Documents
DOCKET NO.: 20170001-EI
DOCKET TITLE: Fuel and Purchased Power Cost Recovery Clause with Generating Performance Incentive Factor
SUBJECT: FPL's Responses to Staff's 6th Set of Interrogatories, No. 60
DATE: August 16, 2017

Discovery Request	Description	Line No./ Col. No.	Florida Statute 366.093(3) Subsection	Declarant
Staff's 6th Set of Interrogatories (No. 60)	Land Costs	Col. A, Lns. 1-2, 4-8	(e)	D. Mayers

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: 20170001-EI

DECLARATION OF DANIEL MAYERS

1. My name is Daniel Mayers. I am currently employed by NextEra Energy Resources, LLC as Director of Transmission Engineering in the Engineering & Construction organization. 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 of Information Provided in Response to Staff Interrogatory No. 60, for which I am listed as the declarant on Exhibit C. The documents that I have reviewed and which are asserted by FPL to be proprietary confidential business information contain information relating to competitive interests. Specifically, the documents contain data related to land costs for the solar sites which allow FPL to continue to negotiate and obtain favorable contracts for the purchase of such sites. The public disclosure of such information would impair FPL's ability to obtain competitive pricing for such goods and services in the future, to the detriment of customers. To the best of my knowledge, FPL has maintained the confidentiality of this information.

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.



DANIEL MAYERS

Date: 8-15-17