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November 17, 2017

**-VIA ELECTRONIC FILING -**

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

RECEIVED-FPSC  
2017 NOV 17 PM 4:28  
COMMISSION  
CLERK

**Re: Docket No. 20170001-EI**

Dear Ms. Stauffer:

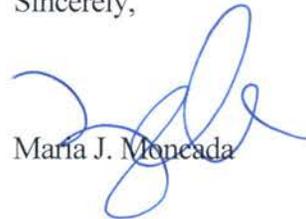
**REDACTED**

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

Enclosures

cc: Counsel for Parties of Record (w/encl.)

:6281032

Florida Power & Light Company

700 Universe Boulevard, Juno Beach, FL 33408

\* Only received one copy by CLK.

**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: November 17, 2017

**FLORIDA POWER AND LIGHT COMPANY'S REQUEST  
FOR CONFIDENTIAL CLASSIFICATION OF FPL'S PETITION  
FOR MID-COURSE CORRECTIONS OF ITS FUEL COST RECOVERY  
AND CAPACITY COST RECOVERY FACTORS AND GPIF TARGETS**

Pursuant to Section 366.093, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, Florida Power & Light Company ("FPL") requests confidential classification of capacity payments to non-cogenerators identified in Schedule E12 (the "Confidential Information"). In support of its Request, FPL states as follows:

1. On November 17, 2017, FPL submitted a Petition for Mid-Course Corrections of its Fuel Cost Recovery and Capacity Cost Recovery Factors and GPIF Targets in this docket (the "MCC"). The MCC includes Schedule E12, which contains information regarding FPL's capacity payments to specific non-cogenerator counterparties. Schedule E12 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 in which all of the confidential information is highlighted.

b. Exhibit B consists of two copies of Schedule E12 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 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 harm 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

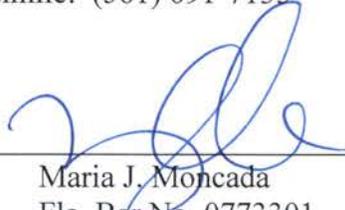
soon as the information is no longer necessary for the Commission to conduct its business.  
§ 366.093(4), Fla. Stat.

**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,

R. Wade Litchfield, Esq.  
Vice President and General Counsel  
John T. Butler, Esq.  
Assistant General Counsel – Regulatory  
Maria J. Moncada  
Senior Attorney  
Florida Power & Light Company  
700 Universe Boulevard  
Juno Beach, FL 33408  
Telephone: (561) 304-5795  
Facsimile: (561) 691-7135

By: \_\_\_\_\_

  
Maria J. Moncada  
Fla. Bar No. 0773301

**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 mail on this 17th day of November 2017 to the following:

Suzanne Brownless, Esq.  
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By: \_\_\_\_\_



Maria J. Moncada  
Fla. Bar No. 0773301

\* The exhibits to this Request are not included with the service copies. A copy of Exhibit B was filed with FPL's Mid-Course Correction. Copies of Exhibits C and D are available upon request.

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**EXHIBIT**

**B**

|    |   |  |               |               |               |               |               |                       |                            |               |                          |               |               |   |
|----|---|--|---------------|---------------|---------------|---------------|---------------|-----------------------|----------------------------|---------------|--------------------------|---------------|---------------|---|
|    | A   | B                                      | C             | D             | E             | F             | G             | H                     | I                          | J             | K                        | L             | M             | N |
| 1  | Florida Power & Light Company   |  |               |               |               |               |               |                       |                            |               |                          |               |               |   |
| 2  | Schedule E12 - Capacity Costs   |  |               |               |               |               |               |                       |                            |               |                          |               |               |   |
| 3  | Page 2 of 2   |  |               |               |               |               |               |                       |                            |               |                          |               |               |   |
| 4  |   |  |               |               |               |               |               |                       |                            |               |                          |               |               |   |
| 5  |   |  |               |               |               |               |               |                       |                            |               |                          |               |               |   |
| 6  |   |  |               |               |               |               |               |                       |                            |               |                          |               |               |   |
| 7  | 2018 Projection   |  |               |               |               |               |               |                       |                            |               |                          |               |               |   |
| 8  |   |  |               |               |               |               |               |                       |                            |               |                          |               |               |   |
| 9  |   |  |               |               |               |               |               |                       |                            |               |                          |               |               |   |
| 10 | <b>Contract</b>   | <b>Counterparty</b>                    |               |               |               |               |               | <b>Identification</b> | <b>Contract Start Date</b> |               | <b>Contract End Date</b> |               |               |   |
| 11 | 1   | Solid Waste Authority (40MW)           |               |               |               |               |               | Other Entity          | January 1, 2012            |               | April 1, 1932            |               |               |   |
| 12 | 2   | Solid Waste Authority (70MW)           |               |               |               |               |               | Other Entity          | July 16, 2016              |               | May 31, 2034             |               |               |   |
| 13 | 3   | Exelon Generation Company, LLC (ExGen) |               |               |               |               |               | Other Entity          | May 1, 2018                |               | September 30, 2018       |               |               |   |
| 14 |   |  |               |               |               |               |               |                       |                            |               |                          |               |               |   |
| 15 | 2018 Capacity in MW   |  |               |               |               |               |               |                       |                            |               |                          |               |               |   |
| 16 |   |  |               |               |               |               |               |                       |                            |               |                          |               |               |   |
| 17 | <b>Contract</b>   | <b>Jan-18</b>                          | <b>Feb-18</b> | <b>Mar-18</b> | <b>Apr-18</b> | <b>May-18</b> | <b>Jun-18</b> | <b>Jul-18</b>         | <b>Aug-18</b>              | <b>Sep-18</b> | <b>Oct-18</b>            | <b>Nov-18</b> | <b>Dec-18</b> |   |
| 18 | 1   | 40                                     | 40            | 40            | 40            | 40            | 40            | 40                    | 40                         | 40            | 40                       | 40            | 40            |   |
| 19 | 2   | 70                                     | 70            | 70            | 70            | 70            | 70            | 70                    | 70                         | 70            | 70                       | 70            | 70            |   |
| 20 | 3   | -                                      | -             | -             | -             | 200           | 200           | 200                   | 200                        | 200           | -                        | -             | -             |   |
| 21 | Total   | 110                                    | 110           | 110           | 110           | 310           | 310           | 310                   | 310                        | 310           | 110                      | 110           | 110           |   |
| 22 |   |  |               |               |               |               |               |                       |                            |               |                          |               |               |   |
| 23 | 2018 Capacity in Dollars  |  |               |               |               |               |               |                       |                            |               |                          |               |               |   |
| 24 |   |  |               |               |               |               |               |                       |                            |               |                          |               |               |   |
| 25 | <b>Contract</b>   | <b>Jan-18</b>                          | <b>Feb-18</b> | <b>Mar-18</b> | <b>Apr-18</b> | <b>May-18</b> | <b>Jun-18</b> | <b>Jul-18</b>         | <b>Aug-18</b>              | <b>Sep-18</b> | <b>Oct-18</b>            | <b>Nov-18</b> | <b>Dec-18</b> |   |
| 26 | 1   |  |               |               |               |               |               |                       |                            |               |                          |               |               |   |
| 27 | 2   |  |               |               |               |               |               |                       |                            |               |                          |               |               |   |
| 28 | 3   |  |               |               |               |               |               |                       |                            |               |                          |               |               |   |
| 29 | Total   |  |               |               |               |               |               |                       |                            |               |                          |               |               |   |
| 30 |   |  |               |               |               |               |               |                       |                            |               |                          |               |               |   |
| 31 | Total Capacity Payments to Non-Cogenerators for 2018 <sup>(1)</sup>   |  |               |               |               |               | 16,063,600    |                       |                            |               |                          |               |               |   |
| 32 |   |  |               |               |               |               |               |                       |                            |               |                          |               |               |   |
| 33 | <sup>(1)</sup> Appendix 2, page 1, line 1. Total short-term capacity payments do not include payments for the Solid Waste Authority - 70 MW unit. Capacity costs for this unit were recovered through the Energy Conservation |  |               |               |               |               |               |                       |                            |               |                          |               |               |   |
| 34 | 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.   |  |               |               |               |               |               |                       |                            |               |                          |               |               |   |

|    | A   | B                                      | C             | D             | E             | F             | G             | H             | I                     | J                          | K                        | L             | M             | N   |  |
|----|---|--|---------------|---------------|---------------|---------------|---------------|---------------|-----------------------|----------------------------|--------------------------|---------------|---------------|-----|--|
| 1  | Florida Power & Light Company   |  |               |               |               |               |               |               |                       |                            |                          |               |               |     |  |
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| 3  | Page 2 of 2   |  |               |               |               |               |               |               |                       |                            |                          |               |               |     |  |
| 4  |   |  |               |               |               |               |               |               |                       |                            |                          |               |               |     |  |
| 5  |   |  |               |               |               |               |               |               |                       |                            |                          |               |               |     |  |
| 6  |   |  |               |               |               |               |               |               |                       |                            |                          |               |               |     |  |
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| 14 |   |  |               |               |               |               |               |               |                       |                            |                          |               |               |     |  |
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| 16 |   |  |               |               |               |               |               |               |                       |                            |                          |               |               |     |  |
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| 19 | 2   | 70                                     | 70            | 70            | 70            | 70            | 70            | 70            | 70                    | 70                         | 70                       | 70            | 70            | 70  |  |
| 20 | 3   | -                                      | -             | -             | -             | 200           | 200           | 200           | 200                   | 200                        | -                        | -             | -             | -   |  |
| 21 | Total   | 110                                    | 110           | 110           | 110           | 310           | 310           | 310           | 310                   | 310                        | 110                      | 110           | 110           | 110 |  |
| 22 |   |  |               |               |               |               |               |               |                       |                            |                          |               |               |     |  |
| 23 | 2018 Capacity in Dollars  |  |               |               |               |               |               |               |                       |                            |                          |               |               |     |  |
| 24 |   |  |               |               |               |               |               |               |                       |                            |                          |               |               |     |  |
| 25 | <u>Contract</u>   | <u>Jan-18</u>                          | <u>Feb-18</u> | <u>Mar-18</u> | <u>Apr-18</u> | <u>May-18</u> | <u>Jun-18</u> | <u>Jul-18</u> | <u>Aug-18</u>         | <u>Sep-18</u>              | <u>Oct-18</u>            | <u>Nov-18</u> | <u>Dec-18</u> |     |  |
| 26 | 1   |  |               |               |               |               |               |               |                       |                            |                          |               |               |     |  |
| 27 | 2   |  |               |               |               |               |               |               |                       |                            |                          |               |               |     |  |
| 28 | 3   |  |               |               |               |               |               |               |                       |                            |                          |               |               |     |  |
| 29 | Total   |  |               |               |               |               |               |               |                       |                            |                          |               |               |     |  |
| 30 |   |  |               |               |               |               |               |               |                       |                            |                          |               |               |     |  |
| 31 | Total Capacity Payments to Non-Cogenerators for 2018 <sup>(1)</sup>   |  |               |               |               |               |               | 16,063,600    |                       |                            |                          |               |               |     |  |
| 32 |   |  |               |               |               |               |               |               |                       |                            |                          |               |               |     |  |
| 33 | <sup>(1)</sup> Appendix 2, page 1, line 1. Total short-term capacity payments do not include payments for the Solid Waste Authority - 70 MW unit. Capacity costs for this unit were recovered through the Energy Conservation |  |               |               |               |               |               |               |                       |                            |                          |               |               |     |  |
| 34 | 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**

**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:** 20170001-EI  
**DATE:** November 17, 2017

| Description  | Page No. | Line No./Column No.    | Florida Statute 366.093 (3) Subsection | Declarant |
|--|----------|------------------------|--|-----------|
| Schedule E12 - Capacity Costs (mid-course correction filing) | 2 of 2   | Lines 26-29, Cols. B-M | (d), (e)                               | G. Yupp   |
| FPL Capacity Payments to Non-Cogenerators (2018 Projected)   |          |                        |  |           |

:6288332

**EXHIBIT**

**D**

**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

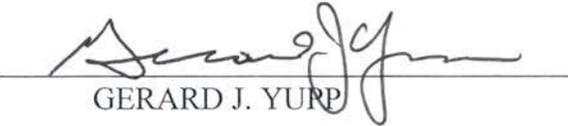
**DECLARATION OF GERARD J. YUPP**

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 Capacity Payments to Non-Cogenerators identified in Schedule E12. The documents or materials that I have reviewed and which are asserted by FPL to be proprietary confidential business information comprise information concerning contractual data about FPL's capacity payments to specific counterparties. 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. The information contained in Schedule E12 also relates to the competitive interests of FPL and suppliers from whom FPL purchases capacity, the disclosure of which would impair their competitive businesses.

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: 11/13/17