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November 28, 2017

-VIA HAND DELIVERY-

Ms. Carlotta Stauffer, Commission Clerk
Office of the General Counsel
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

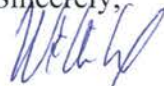
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2017 NOV 28 PM 3:01
COMMISSION
CLERK

REDACTED

I enclose for filing in the above docket Florida Power & Light Company's ("FPL's") Request for Confidential Classification of Information Provided in Response to Staff's First Set of Interrogatories (Nos. 16 and 17). The request includes Exhibits A, B (two copies), and C.

Exhibit A consists of the confidential documents, 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 of Steven R. Sim in support of FPL's request.

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

Sincerely,

William P. Cox

Enclosure

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

COM ___
AFD ___
APA ___
ECO ___
ENG
GCL ___
IDM ___
CLK ___

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for determination of need for
Dania Beach Clean Energy Center Unit 7, by
Florida Power & Light Company.

Docket No: 20170225-EI

Date: November 28, 2017

**FLORIDA POWER & LIGHT COMPANY'S REQUEST
FOR CONFIDENTIAL CLASSIFICATION OF INFORMATION
PROVIDED IN RESPONSE TO STAFF OF THE FLORIDA PUBLIC
SERVICE COMMISSION'S FIRST SET OF INTERROGATORIES (Nos. 16 and 17)**

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") First Set of Interrogatories (Nos. 16 and 17) ("Confidential Discovery Response"). In support of its Request, FPL states as follows:

1. On November 13, 2017, Staff served its First Set of Interrogatories (Nos. 1-37) on FPL. FPL's responses to Staff's First Set of Interrogatories (Nos. 16 and 17) contain information of a confidential nature within the meaning of Section 366.093(3), Florida Statutes.

2. FPL served its responses to Staff's First Set of Interrogatories (Nos. 1-37) on November 28, 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 Steven R. Sim 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 concerning bids or other contractual data, the disclosure of which would impair the efforts of FPL to contract for goods and services on favorable terms. This information is protected by Section 366.093(3)(d), Fla. Stat.

6. Also, this information relates to security measures, systems, or procedures. This information is protected by Section 366.093(3)(c), Fla. Stat.

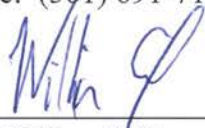
7. Additionally, this information relates to the competitive interests of FPL and its vendors, the disclosure of which would impair their competitive interests. This information is protected by Section 366.093(3)(e), Fla. Stat.

8. 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,

William P. Cox, Esq.
Senior Attorney
Florida Power & Light Company
700 Universe Boulevard
Juno Beach, FL 33408
Telephone: (561) 304-5662
Facsimile: (561) 691-7135

By: 

William P. Cox
Fla. Bar No. 0093531


CERTIFICATE OF SERVICE
Docket No. 20170225-EI

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by electronic mail on this 28th day of November, 2017 to the following:

Charles Murphy, Esq.
Stephanie Cuello, Esq.
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The Florida Legislature
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Tallahassee, Florida 32399
christensen.patty@leg.state.fl.us

By: 

William P. Cox
Florida Bar No. 0093531

* 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 B

REDACTED

**FPL's response to
STAFF's 1st Request for
Interrogatories No. 16, Attachment 1
Bates Nos.**

DBCEC 002250-002251,

DBCEC 002264-002265,

DBCEC 002276-002277,

DBCEC 002287-002288

are confidential in their entirety

**FPL's response to
STAFF's 1st Request for
Interrogatories No. 17, Attachment 1
Bates Nos.
DBCEC 002298
is confidential in its entirety**

EXHIBIT B

REDACTED

**FPL's response to
STAFF's 1st Request for
Interrogatories No. 16, Attachment 1
Bates Nos.**

DBCEC 002250-002251,

DBCEC 002264-002265,

DBCEC 002276-002277,

DBCEC 002287-002288

are confidential in their entirety

**FPL's response to
STAFF's 1st Request for
Interrogatories No. 17, Attachment 1
Bates Nos.
DBCEC 002298
is confidential in its entirety**

EXHIBIT C

JUSTIFICATION TABLE

EXHIBIT C

COMPANY: Florida Power & Light Company
TITLE: List of Confidential Documents
DOCKET NO: 20170225-EI
DOCKET TITLE: Petition for Determination of Need for Dania Beach Clean Energy Center Unit No. 7
DATE: November 28, 2017

Discovery Set	Item No.	Conf. Y/N	Bates Number	Line / Column	Florida Statute 366.093(3) Subsection	Declarant
Staff's First Request for Interrogatories	16 (Attachment 1)	N	DBCEC 002239-002249			Dr. Steven R. Sim
		Y	DBCEC 002250	ALL	(e)	
		Y	DBCEC 002251	ALL	(c), (e)	
		N	DBCEC 002252-002259			
		N	DBCEC 002262-002263			
		Y	DBCEC 002264-002265	ALL	(e)	
		N	DBCEC 002266-002275			
		Y	DBCEC 002276-002277	ALL	(e)	
		N	DBCEC 002278-002286			
		Y	DBCEC 002287-002288	ALL	(e)	
		N	DBCEC 002289-002297			
		17 (Attachment 1)	Y	DBCEC 002298	ALL	

EXHIBIT D

DECLARATIONS

EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Florida Power & Light Company's
Petition for Determination of Need for Dania
Beach Clean Energy Center Unit No. 7

Docket No: 20170225-EI

STATE OF FLORIDA)
)
COUNTY OF PALM BEACH)

WRITTEN DECLARATION OF
DR. STEVEN R. SIM

1. My name is Steven R. Sim. I am currently employed by Florida Power & Light Company ("FPL") as Director of Integrated Resource Planning. 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 filed this date, 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 or constitute security measures, systems, or procedures and contractual data. Disclosure of this information would impair the efforts of FPL or its affiliates to contract for goods or services on favorable terms. In addition, this information relates to competitive interests, the disclosure of which would impair the competitive business of FPL, its affiliates or its vendors. Specifically, the documents contain information regarding costs and locations for potential new transmission facilities in FPL's service territory and proprietary operational cost information based on specific vendor service contracts. The disclosure of this proprietary confidential business information would harm FPL and its customers by prematurely revealing the associated cost and locational aspects of these potential additional facilities and options before any decision has been made regarding them. 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 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.



Steven R. Sim

Date: 11/27/2017