



William P. Cox  
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Florida Power & Light Company  
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November 30, 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

RECEIVED FPSC  
2017 DEC -1 PM 4: 22  
COMMISSION  
CLERK

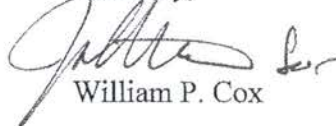
**RE: Docket No. 20170025-EI**

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 Request for Production of Documents (Nos. 1, 2 and 10). 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 contains two declarations in support of FPL's request.

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

Sincerely,

  
William P. Cox

COM \_\_\_\_\_

AFD \_\_\_\_\_

APA \_\_\_\_\_ Enclosure

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

ENG \_\_\_\_\_

GCL \_\_\_\_\_ 6303825

IDM \_\_\_\_\_ Copy of exhibit B

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 30, 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 REQUEST FOR PRODUCTION OF DOCUMENTS (Nos. 1, 2 and 10)**

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 Request for Production of Documents (Nos. 1, 2 and 10) ("Confidential Discovery Response"). In support of its Request, FPL states as follows:

1. On November 15, 2017, Staff served its First Request for Production of Documents (Nos. 1-13) on FPL. FPL's responses to Staff's First Request for Production of Documents (Nos. 1, 2 and 10) 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 Request for Production of Documents (Nos. 1-13) on November 30, 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. For the documents that are confidential in their entirety, FPL has included only identifying cover pages in Exhibit B.

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 contains the declarations of Heather C. Stubblefield and Jacquelyn K. Kingston 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 declarations included in Exhibit D indicate, the Confidential Discovery Responses provided by FPL contain 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. Additionally, certain 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.

7. 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 30th day of November, 2017 to the following:

Charles Murphy, Esq.  
Stephanie Cuello, Esq.  
Division of Legal Services  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, Florida 32399-0850  
cmurphy@psc.state.fl.us  
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Julie Kaplan, Esq.  
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Julie.kaplan@sierraclub.org  
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Patricia Christensen, Esq.  
Office of Public Counsel  
The Florida Legislature  
111 West Madison Street, Room 812  
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

**FPL's response to  
STAFF's 1st Request for  
Production of Documents No. 1, Attachment 1  
Bates Nos.  
DBCEC 002300-002311  
are confidential in their entirety**

**FPL's response to  
STAFF's 1st Request for  
Production of Documents No. 2, Attachment 1  
Bates Nos.  
DBCEC 002312-002347,  
DBCEC 002349-002350  
are confidential in their entirety**



**FPL's response to  
STAFF's 1st Request for  
Production of Documents No. 10, Attachment 1  
Bates Nos.  
DBCEC 002351-003475  
are confidential in their entirety**

# Exhibit C

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 30, 2017

Discovery Set	Item No.	Conf. Y/N	Bates Number	Line / Column	Florida Statute 366.093(3) Subsection	Declarant
Staff's First Request for Production of Documents	1 (Attachment 1)	Y	DBCEC 002300-002311	ALL	(d), (e)	Heather C. Stubblefield
	2 (Attachment 1)	Y	DBCEC 002312-002347, DBCEC 002349-002350	ALL ALL	(d), (e)	
	10 (Attachment 1)	Y	DBCEC 002351-003475	ALL	(d), (e)	Jacquelyn K. Kingston

# Exhibit D





**EXHIBIT D**

**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

STATE OF FLORIDA )

COUNTY OF PALM BEACH )

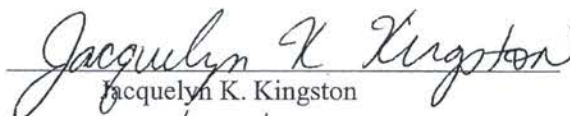
WRITTEN DECLARATION OF  
JACQUELYN K. KINGSTON

1. My name is Jacquelyn K. Kingston. I am currently employed by Florida Power & Light Company ("FPL") as Senior Project Manager of Project Development for gas-fired generation, including the proposed Dania Beach Clean Energy Center Unit 7. 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 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 document contains information regarding locations, specific breaker identification, one-line with lines marked, station fault currents, and stability analyses that should not be in the public domain. The disclosure of this proprietary confidential business information would potentially provide Critical Energy Infrastructure Information to individuals or organizations that could use it to damage or destroy facilities and harm the public. 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.

  
Jacquelyn K. Kingston

Date: 11/28/17