

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Nuclear Cost )  
Recovery Clause )

Docket No. 20170009-EI  
Filed: December 6, 2017

**FLORIDA POWER & LIGHT COMPANY'S  
SECOND REQUEST FOR EXTENSION OF CONFIDENTIAL CLASSIFICATION  
OF AUDIT PA-13-01-001 WORK PAPERS**

Pursuant to Section 366.093, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, Florida Power & Light Company ("FPL") requests continued confidential classification of certain material provided to the Staff of the Florida Public Service Commission ("Staff") pursuant to Audit Control No. PA-13-01-001 ("the Audit") and reflected in Staff's work papers. In support of its request, FPL states as follows:

1. On November 6, 2015, in Docket No. 150009-EI, FPL filed its First Request for Extension of Confidential Classification of the Audit work papers (Confidential Document No. 05293-13). FPL's request was granted by Order No. PSC-16-0237-CFO-EI, issued June 15, 2016. The period of confidential treatment granted by Order No. PSC-16-0237-CFO-EI will soon expire. FPL has reviewed the confidential documents and determined that all the information that was the subject of Order No. PSC-16-0237-CFO-EI warrants continued treatment as proprietary and confidential business information within the meaning of Section 366.093(3), Florida Statutes. Accordingly, FPL hereby submits its Second Request for Extension of Confidential Classification. Exhibits A and B from FPL's September 6, 2013 filing are incorporated herein by reference. Included herewith are Second Revised Exhibits C and D.

2. Revised Exhibit C is a table containing the specific line, column and page references to the confidential information, and references to the specific statutory basis or bases for the claim of confidentiality and to the declaration in support of the continued confidential classification. Second Revised Exhibit C is revised only to identify a new affiant. Second

Revised Exhibit D includes the declarations of Brenda Thompson, Stephanie Castaneda, Antonio Maceo, and James Voorhees in support of FPL's request.

3. The information that was granted confidential treatment by Order No. PSC-16-0237-CFO-EI continues to be 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 in that the disclosure of the information would cause harm to customers or FPL's business operations, and its confidentiality has been maintained. Pursuant to Section 366.093, such information is entitled to confidential treatment and it is exempt from the disclosure provisions of the public records law. Thus, once the Commission determines 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 the declarations included in Second Revised Exhibit D indicate, the information included in Exhibit A continues to be proprietary, confidential business information. Certain information contained in the Audit work papers is information related to reports of internal auditors. This information is protected by Section 366.093(3)(b), Florida Statutes. The work papers also contain information related to bids or contractual data, such as pricing or other terms, the public disclosure of which would violate nondisclosure provisions of FPL's contracts with certain vendors and impair FPL's ability to contract for goods or services on favorable terms in the future. Such information is protected from public disclosure by Section 366.093(3)(d), Florida Statutes. The work papers also include competitively sensitive information which, if disclosed, could impair the competitive interests of the provider of the information. Such information is protected from public disclosure by Section 366.093(3)(e),

Florida Statutes. Finally, certain information relates to FPL's Employee Concerns Program ("ECP"), the disclosure of which would affect FPL's competitive interests by impairing the effectiveness of the program itself. It also relates to employee personnel information unrelated to compensation, duties, qualifications, and responsibilities. Accordingly, the ECP information is protected from public disclosure by Sections 366.093(3)(e) and (f), Florida Statutes.

5. Nothing has changed since the issuance of Order No. PSC-16-0237-CFO-EI to render the confidential information stale or public, such that continued confidential treatment would not be appropriate.

6. Upon a finding by the Commission that the information referenced in Revised Exhibit C continues to be proprietary confidential business information, the information should not be declassified for a period of at least an additional 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. *See* § 366.093(4), Fla. Stat.

**WHEREFORE**, for the above and foregoing reasons, as supported by the materials and declarations included herewith, Florida Power & Light Company respectfully requests that its Second Request for Extension of Confidential Classification be granted.

Respectfully submitted,

Kevin I.C. Donaldson  
Senior Attorney  
Florida Power & Light Company  
700 Universe Boulevard  
Juno Beach, FL 33408  
Telephone: (561) 304-5170  
Facsimile: (561) 691-7135

By: s/ Kevin I.C. Donaldson  
Kevin I.C. Donaldson  
Fla. Bar No. 0833401

**CERTIFICATE OF SERVICE  
DOCKET NO. 20170009-EI**

I HEREBY CERTIFY that a true and correct copy of the foregoing Second Request for Extension of Confidential Classification of Audit PA-13-01-001 Work Papers\* was served by electronic mail this 6th day of December, 2017 to the following:

Kyesha Mapp, Esq.  
Division of Legal Services  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, Florida 32399-0850  
kmapp@psc.state.fl.us

J.R. Kelly, Esq.  
Charles R. Rehwinkel, Esq.  
Patricia A. Christensen, Esq.  
Associate Public Counsel  
Office of Public Counsel  
The Florida Legislature  
111 West Madison Street, Room 812  
Tallahassee, Florida 32399  
kelly.jr@leg.state.fl.us  
rehwinkel.charles@leg.state.fl.us  
christensen.patty@leg.state.fl.us  
*Attorney for the Citizens of the State of Fla.*

Dianne M. Triplett, Esq.  
299 First Avenue North  
St. Petersburg, Florida 33701  
dianne.triplett@duke-energy.com  
*Attorney for Duke Energy Florida, Inc.*

Matthew Bernier, Esq., Sr. Counsel  
106 East College Ave., Suite 800  
Tallahassee, Florida 32301-7740  
Matthew.bernier@duke-energy.com  
*Attorney for Duke Energy Florida, Inc.*

James W. Brew, Esq.  
Laura A. Wynn, Esq.  
Brickfield, Burchette, Ritts & Stone, P.C.  
1025 Thomas Jefferson Street, N.W.  
8<sup>th</sup> Floor, West Tower  
Washington, D.C. 20007  
jbrew@bbrslaw.com  
laura.wynn@bbrslaw.com  
*Attorneys for White Springs Agricultural  
Chemicals, Inc., d/b/a PCS Phosphate-White  
Springs*

Robert Scheffel Wright, Esq.  
John T. LaVia, III, Esq.  
Gardner Bist Bowden Bush Dee  
LaVia & Wright, P.A.  
1300 Thomaswood Drive  
Tallahassee, FL 32308  
Schef@gbwlegal.com  
Jlavia@gbwlegal.com  
*Attorneys for the Florida Retail Federation*

George Cavros, Esq.  
120 E. Oakland Park Blvd., Suite 105  
Fort Lauderdale, FL 33334  
george@cavros-law.com  
*Attorney for Southern Alliance for Clean Energy*

Victoria Méndez, City Attorney  
Matthew Haber, Assistant City Attorney  
City of Miami  
444 Southwest 2nd Avenue  
Miami, FL 33130  
vmendez@miamigov.com  
mshaber@miamigov.com  
aidagarcia@miamigov.com (secondary email)  
*Attorneys for City of Miami*

Jon C. Moyle, Jr., Esq.  
Moyle Law Firm, P.A.  
118 North Gadsden Street  
Tallahassee, Florida 32301  
jmoyle@moylelaw.com  
*Attorney for Fla. Industrial Power Users  
Group*

By: s/ Kevin I.C. Donaldson  
Kevin I.C. Donaldson  
Fla. Bar No. 00833401

\*Exhibits are not included with the service copies, but Second Revised Exhibits C and D are available upon request.

# **SECOND REVISED EXHIBIT C**

**Second Revised Exhibit C**  
**Florida Power and Light Company**  
**Staff Audit Work Papers for Audit Report PA-13-01-001**  
**Docket No. 130009-EI**

Document	Description	Page Number(s)	Conf. Y/N	Line No./Col. No.	Florida Statute 366.093 (3) Subsection	Affiant
Staff Audit Work Papers	Review of Florida Power and Light Company's Project Management Internal Controls for Nuclear Plant Uprate and Construction Projects	1-27,28-29, 33-34, 36-37,39-65, 67, 78-84, 87, 89-125, 127-128, 132-148, 152-159, 162-164, 170,173-174, 178-179, 181-183, 185, 187, 189-190, 192-195, 197-227, 232-236, 241-244, 246, 248-261, 264-288, 291-297, 299, 303, 309-311, 316-321,323-326, 332, 334	N			
	DR 2 EPU	Pg. 27, 66	Y	Lines 1-6	(e)(f)	James Voorhees
	DR 3 EPU	Pg. 30, 68, 71, 75	Y	Lines 1-8	(d)(e)	Stephanie Castaneda
		Pg. 31, 69, 72, 76	Y	Lines 1-8	(d)(e)	Stephanie Castaneda
				Lines 9-15	(b)	Antonio Maceo
		Pg. 32, 70, 73, 74, 77	Y	Lines 1-21	(b)	Antonio Maceo

Document	Description	Page Number(s)	Conf. Y/N	Line No./Col. No.	Florida Statute 366.093 (3) Subsection	Affiant
	DR 5 EPU	Pg. 35	Y	Lines 1-2	(d)(e)	Stephanie Castaneda
				Line 3	(b)	Antonio Maceo
	DR 6 EPU	Pg. 38, 85, 86, 88	Y	Line 1	(e)	Stephanie Castaneda
	DOCUMENT SUMMARIES AND CONTROL LOGS DRs 1.1 - 1.23 EPU	Pg. 126, 129	Y	Line 1	(e)	Stephanie Castaneda
		Pg. 130	Y	Lines 1-3	(e)	Stephanie Castaneda
		Pg. 131	Y	Lines 1-8	(d)(e)	Stephanie Castaneda
		Pg. 149	Y	Lines 1-3	(b)	Antonio Maceo
		Pg. 150	Y	Lines 1-25	(b)	Antonio Maceo
		Pg. 151	Y	Lines 1-33	(b)	Anotnio Maceo
		Pg. 160	Y	Lines 1-3	(d)(e)	Stephanie Castaneda
		Pg. 161	Y	Lines 1-14	(d)(e)	Stephanie Castaneda
	DOCUMENT SUMMARIES AND CONTROL LOGS DRs 2.1 – 2.12 EPU	Pg. 165	Y	Lines 1-11	(e)(f)	James Voorhees
		Pg. 166	Y	Lines 1-15	(e)(f)	James Voorhees
		Pg. 167	Y	Lines 1-4	(e)(f)	James Voorhees
		Pg. 168, 169	Y	Line 1	(e)(f)	James Voorhees
	DOCUMENT SUMMARIES AND CONTROL LOGS DRs 3.1 – 3.13 EPU	Pg. 171	Y	Lines 1-13	(d)(e)	Stephanie Castaneda
		Pg. 172	Y	Lines 1-16	(d)(e)	Stephanie Castaneda

Document	Description	Page Number(s)	Conf. Y/N	Line No./Col. No.	Florida Statute 366.093 (3) Subsection	Affiant
		Pg. 175	Y	Lines 1-18	(b)	Antonio Maceo
		Pg. 176	Y	Lines 1-21	(b)	Antonio Maceo
		Pg. 177	Y	Lines 1-8	(b)	Antonio Maceo
	DOCUMENT SUMMARIES AND CONTROL LOGS DRs 5.1 – 5.13 EPU	Pg. 180	Y	Lines 1-9	(d)(e)	Stephanie Castaneda
		Pg. 184	Y	Lines 1-10	(b)	Antonio Maceo
	DOCUMENT SUMMARIES AND CONTROL LOGS DRs 6.1 – 6.7 EPU	Pg. 186	Y	Lines 1-2	(d)(e)	Stephanie Castaneda
		Pg. 188	Y	Line 1	(e)	Stephanie Castaneda
		Pg. 191	Y	Line 1	(d)(e)	Stephanie Castaneda
		Pg. 196	Y	Lines 1-2	(d)(e)	Stephanie Castaneda
	DOCUMENT SUMMARIES AND CONTROL LOGS DRS 1.1 – 1.68 PTN 6&7	Pg. 228	Y	Lines 1-2	(d)(e)	<b>Brenda Thompson</b>
		Pg. 229	Y	Lines 1-7	(d)(e)	<b>Brenda Thompson</b>
		Pg. 230	Y	Lines 1-6	(d)(e)	<b>Brenda Thompson</b>
		Pg. 231	Y	Lines 1-3	(d)(e)	<b>Brenda Thompson</b>
	DOCUMENT SUMMARIES AND CONTROL LOGS DRS 2.1 – 2.8 PTN 6&7	Pg. 237	Y	Lines 1-6	(d)(e)	<b>Brenda Thompson</b>
		Pg. 238	Y	Lines 1-8	(d)(e)	<b>Brenda Thompson</b>
		Pg. 239	Y	Lines 1-11	(d)(e)	<b>Brenda Thompson</b>
		Pg. 240	Y	Lines 1-3	(d)(e)	<b>Brenda Thompson</b>
	DOCUMENT	Pg. 245	Y	Lines 1-2	(d)(e)	<b>Brenda</b>

Document	Description	Page Number(s)	Conf. Y/N	Line No./Col. No.	Florida Statute 366.093 (3) Subsection	Affiant
	SUMMARIES AND CONTROL LOGS DRS 3.1 – 3.12 PTN 6&7	Pg. 247	Y	Line 1	(d)(e)	<b>Thompson</b>  <b>Brenda Thompson</b>
	WORK PLAN EPU	Pg. 262	Y	Lines 1-10	(d)(e)	Stephanie Castaneda
		Pg. 263	Y	Lines 1-5	(d)(e)	Stephanie Castaneda
	INTERVIEW SCHEDULE	Pg. 289	Y	Lines 1-4	(d)(e)	Stephanie Castaneda
		Pg. 290	Y	Lines 1-13	(b)	Antonio Maceo
	INTERVIEW SUMMARIES	Pg. 298	Y	Lines 1-4	(b)	Antonio Maceo
		Pg. 300	Y	Lines 1-3	(d)(e)	Stephanie Castaneda
		Pg. 301, 302	Y	Line 1	(d)(e)	Stephanie Castaneda
		Pg. 304	Y	Lines 1-33	(b)	Antonio Maceo
		Pg. 305	Y	Lines 1-5	(b)	Antonio Maceo
		Pg. 306	Y	Lines 1-3	(e)(f)	James Voorhees
		Pg. 307	Y	Lines 1-3	(d)(e)	Stephanie Castaneda
		Pg. 308	Y	Lines 1-4	(d)(e)	Stephanie Castaneda
	ANALYSIS AND SAMPLING	Pg. 312, 327	Y	Lines 1-21	(d)(e)	Stephanie Castaneda
		Pg. 313, 328	Y	Lines 1-10	(d)(e)	Stephanie Castaneda
		Pg. 314, 329	Y	Lines 1-11	(d)(e)	Stephanie Castaneda
		Pg. 315, 330	Y	Lines 1-8	(d)(e)	Stephanie Castaneda

# **SECOND REVISED EXHIBIT D**

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Nuclear Cost )  
Recovery Clause )

DOCKET NO. 20170009-EI

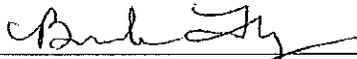
DECLARATION OF BRENDA THOMPSON

1. My name is Brenda Thompson. I am currently employed by NextEra Energy Resources as Project Controls and Scheduling Leader. I have personal knowledge of the matters stated in this declaration.

2. I have reviewed the documents that are the subject of FPL's Second Request for Extension of Confidential Classification of Audit PA-13-01-001 Work Papers, for which I am identified on Second Revised Exhibit C as the declarant. The documents and materials that I have reviewed contain proprietary confidential business information, including contractual data and competitively sensitive data. Disclosure of this information would violate FPL's contracts with its vendors, work to the detriment of FPL's competitive interests, impair the competitive interests of its vendors and/or impair FPL's efforts to enter into contracts on commercially favorable terms. To the best of my knowledge, FPL has maintained the confidentiality of these documents and materials.

3. No significant changes have occurred since the issuance of Order No. PSC-16-0237-CFO-EI to render the information identified in Second Revised Exhibit C stale or public such that continued confidential treatment would not be appropriate. Accordingly, this information should continue to be maintained as confidential for an additional period of not less than eighteen months. These 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.

  
\_\_\_\_\_  
Brenda Thompson

Date: 12/6/17

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Nuclear Cost )  
Recovery Clause )

DOCKET NO. 20170009-EI

STATE OF FLORIDA )  
MIAMI-DADE COUNTY )

AFFIDAVIT OF ANTONIO MACEO

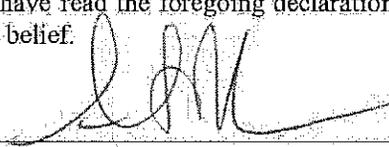
BEFORE ME, the undersigned authority, personally appeared Antonio Maceo who, being first duly sworn, deposes and says:

1. My name is Antonio Maceo. I am currently employed by Florida Power & Light Company ("FPL") as Manager of Auditing. I have personal knowledge of the matters stated in this declaration.

2. I have reviewed the documents that are the subject of FPL's Second Request for Extension of Confidential Classification of Audit PA-13-01-001 Work Papers, for which I am identified on Second Revised Exhibit C as the declarant. The documents that I have reviewed contain information related to reports of internal auditors. Full and frank disclosure of information to the Internal Auditing department is essential for the department to fulfill its role, and the confidential status of internal auditing scope, process, findings, and reports supports such disclosure. The release of information related to reports of internal auditors would be harmful to FPL and its customers because it may affect the effectiveness of the Internal Auditing department itself. To the best of my knowledge, FPL has maintained the confidentiality of these documents and materials.

3. No significant changes have occurred since the issuance of Order No. PSC-16-0237-CFO-EI to render the information identified in Revised Exhibit C stale or public such that continued confidential treatment would not be appropriate. Accordingly, this information should continue to be maintained as confidential for an additional period of not less than eighteen months. These 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.

  
Antonio Maceo

Date: 12/6/17

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Nuclear Cost )  
Recovery Clause )

DOCKET NO. 20170009-EI

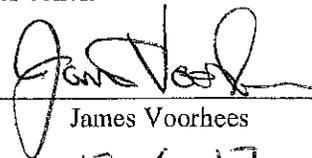
DECLARATION OF JAMES VOORHEES

1. My name is James Voorhees. I am currently employed by Florida Power & Light Company ("FPL") as Employee Concerns Program Fleet Manager. I have personal knowledge of the matters stated in this declaration.

2. I have reviewed the documents that are the subject of FPL's Second Request for Extension of Confidential Classification of Audit PA-13-01-001 Work Papers, for which I am identified on Second Revised Exhibit C as the declarant. The documents and materials that I have reviewed contain proprietary confidential business information, including information related to competitive interests. Specifically, this information relates to FPL's Employee Concerns Program. FPL maintains the confidentiality of this type of information to encourage the full and frank disclosure of employee concerns, which assists with the timely resolution of such issues within FPL and helps reduce costs. The release of this type of information would be harmful to FPL and its customers because it may affect the effectiveness of the Employee Concerns Program itself. Additionally, the documents I reviewed contain employee information unrelated to compensation, duties, qualifications, or responsibilities. To the best of my knowledge, FPL has maintained the confidentiality of these documents and materials.

3. No significant changes have occurred since the issuance of Order No. PSC-16-0237-CFO-EI to render the information identified in Second Revised Exhibit C stale or public such that continued confidential treatment would not be appropriate. Accordingly, this information should continue to be maintained as confidential for an additional period of not less than eighteen months. These 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.



James Voorhees

Date: \_\_\_\_\_

12-6-17

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Nuclear Cost  
Recovery Clause )

DOCKET NO. 20170009-EI

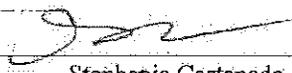
DECLARATION OF STEPHANIE CASTANEDA

1. My name is Stephanie Castaneda. I am currently employed by Florida Power & Light Company ("FPL") as Nuclear Business Operations, Fleet Accounting and Regulatory Compliance. I have personal knowledge of the matters stated in this declaration.

2. I have reviewed the documents that are the subject of FPL's Second Request for Extension of Confidential Classification of Audit PA-13-01-001 Work Papers, for which I am identified on Second Revised Exhibit C as the declarant. The documents and materials that I have reviewed contain proprietary confidential business information, including information concerning bids or contractual data and competitively sensitive data. Disclosure of this information would violate FPL's contracts with its vendors, work to the detriment of FPL's competitive interests, impair the competitive interests of its vendors and/or impair FPL's efforts to enter into contracts on commercially favorable terms. To the best of my knowledge, FPL has maintained the confidentiality of these documents and materials.

3. No significant changes have occurred since the issuance of Order No. PSC-16-0237-CFO-EI to render the information identified in Second Revised Exhibit C stale or public such that continued confidential treatment would not be appropriate. Accordingly, this information should continue to be maintained as confidential for an additional period of not less than eighteen months. These 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.

  
Stephanie Castaneda

Date:

12/6/2017