

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Energy Conservation Cost Recovery
Clause

Docket No: 20180002-EG
Date: January 26, 2018

**FLORIDA POWER AND LIGHT COMPANY'S THIRD REQUEST
FOR EXTENSION OF CONFIDENTIAL CLASSIFICATION
OF INFORMATION PROVIDED PURSUANT TO AUDIT NO. 12-010-4-3**

Pursuant to Section 366.093, Florida Statutes ("Section 366.093"), and Rule 25-22.006, Florida Administrative Code, Florida Power & Light Company ("FPL") hereby submits its Third Request for Extension of Confidential Classification of Information Provided Pursuant to Audit No. 12-010-4-3 ("Confidential Information"). In support of this request, FPL states as follows:

1. On July 30, 2012, FPL filed a Request for Confidential Classification of the Confidential Information, which included Exhibits A, B, C and D ("July 30, 2012 Request"). By Order No. PSC-12-0570-CFO-EI, dated October 24, 2012 ("Order 0570"), the Commission granted FPL's July 30, 2012 Request. FPL adopts and incorporates by reference the July 30, 2012 Request and Order 0570.

2. By Order No. PSC-14-0492-CFO-EG, dated September 16, 2014, the Commission granted FPL's First Request for Extension of Confidential Classification.

3. On March 22, 2016 FPL filed its Second Request for Extension of Confidential Classification of the Confidential Information, which included Second Revised Exhibit D ("March 22, 2016 Request"). By Order No. PSC-16-0306-CFO-EG, dated July 28, 2014 ("Order 0306"), the Commission granted FPL's March 22, 2016 Request. FPL adopts and incorporates by reference the March 22, 2016 Request and Order 0306.

4. The period of confidential treatment granted by Order 0306 will soon expire. The Confidential Information that was the subject of FPL's March 22, 2016 Request and Order 0306 warrants continued treatment as proprietary and confidential business information within the

meaning of Section 366.093(3). Accordingly, FPL hereby submits its Third Request for Extension of Confidential Classification.

5. All of the information designated in Exhibits A, B and C to the July 30, 2012 Request remains confidential. Accordingly, those exhibits will not be reproduced or reattached here.

6. The declaration of Anita Sharma in support of this Request is included as Third Revised Exhibit D.

7. The Confidential Information is intended to be and has been treated by FPL as private, its confidentiality has been maintained, and its disclosure would cause harm to FPL and its customers. Pursuant to Section 366.093, such materials are entitled to confidential treatment and are 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.

8. As the declaration included in Third Revised Exhibit D indicates, certain documents include competitively sensitive information, the disclosure of which would impair the competitive business of the provider of the information. Additionally, certain documents contain information that relates to customer-specific account information, which if disclosed would impair FPL's competitive interests. It is FPL's corporate policy not to disclose customer-specific information. This policy includes, but is not limited to: customer names, addresses, telephone numbers, and account numbers, rates, billing determinants (kW and kWh usage), conservation savings in kW, kWh and bills. FPL treats such information as confidential and does not disclose

it, except as required by law, to entities or persons other than the customer absent the customer's consent. This information is protected pursuant to Section 366.093(3)(e), Fla. Stat.

9. Nothing has changed since the Commission entered Order 0306 to render the Confidential Information stale or public, such that continued confidential treatment would not be appropriate.

10. 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 thirty-six (36) 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. (2017).

WHEREFORE, for the above and foregoing reasons, as more fully set forth in the supporting materials included with or incorporated in this Request, Florida Power & Light Company respectfully requests that its Third Request for Extension of Confidential Classification be granted.

Respectfully submitted,

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By: s/ Maria J. Moncada
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CERTIFICATE OF SERVICE
Docket No. 20180002-EG

I HEREBY CERTIFY that a true and correct copy of the foregoing Third Request for Extension of Confidential Classification was served by electronic mail this 26th day of January 2018 to the following:

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**THIRD REVISED
EXHIBIT D**

THIRD REVISED EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Energy Conservation Cost Recovery Clause

Docket No: 20180002-EG

DECLARATION OF ANITA SHARMA

1. My name is Anita Sharma. I am currently employed by Florida Power & Light Company ("FPL") as Manager, Demand Side Management Cost and Performance. I have personal knowledge of the matters stated in this written declaration.

2. I have reviewed the documents that are referenced in FPL's Third Request for Extension of Confidential Classification of Information Provided Pursuant to Audit No. 12-010-4-3. Such documents or materials that I have reviewed and which, in whole or in part, are asserted by FPL to be proprietary confidential business information, contain or constitute competitively sensitive information, the disclosure of which would impair the competitive business of the provider of the information. Specifically, some of the information contains or constitutes information pertaining to payroll, pension and welfare rates. Other information pertains to negotiated terms with third party vendors for equipment and services related to FPL's implementation of demand side management and conservation programs. Additionally, some documents contain customer-specific account information, which if disclosed would impair FPL's competitive interests or those of its vendors. It is FPL's corporate policy not to disclose customer-specific account information. This policy includes, but is not limited to: customer names, addresses, telephone numbers, account numbers, rates, billing determinants (kW and kWh usage), conservation savings in kW, kWh and bills. FPL treats such information as confidential and does not disclose it, except as required by law, to entities or persons other than the customer absent the customer's consent. To the best of my knowledge, FPL has maintained the confidentiality of these documents and materials.

3. Nothing has occurred since the issuance of Order No. PSC-16-306-CFO-EG to render the information stale or public, such that continued confidential treatment would not be appropriate. Therefore, the information should remain confidential for a period of not less than 36 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.


ANITA SHARMA

Date: 1/22/2018