

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for rate increase by Florida Power & Light Company	Docket No. 160021-EI
In re: Petition for approval of 2016-2018 storm hardening plan, by Florida Power & Light Company	Docket No. 160061-EI
In re: 2016 depreciation and dismantlement study by Florida Power & Light Company	Docket No. 160062-EI
In re: Petition for limited proceeding to modify and continue incentive mechanism by Florida Power & Light Company	Docket No. 160088-EI
	Filed: February 5, 2018

**FLORIDA POWER & LIGHT COMPANY’S FIRST
REQUEST FOR EXTENSION OF CONFIDENTIAL CLASSIFICATION**

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 First Request for Extension of Confidential Classification of information provided in response to the Staff of the Florida Public Service Commission’s (“Staff”) First Set of Interrogatories, No. 3, Third Set of Interrogatories, Nos. 89 and 114, Third Request for Production of Documents Nos. 15, 18 and 20; and Office of Public Counsel’s (“OPC”) First Request for Production of Documents Nos. 2, 8, 10, 15, 19, 28, 34, 36 and 38, Third Request for Production of Documents, No. 89 (“Confidential Discovery Responses”). In support of this request, FPL states as follows:

1. On May 23, 2016, FPL filed a Request for Confidential Classification of the Confidential Information (Document No. 03147-16 and 03148-16), which included Exhibits A, B, C and D (“May 23, 2016 Request”). On July 13, 2016, FPL filed corrected Exhibits A and B related to OPC’s Request for Production of Documents (No. 19) (Document No. 04833-16). By Order No. PSC-16-0312-CFO-EI, dated August 3, 2016 (“Order 0312”), the Commission

granted FPL's May 23, 2016 Request. FPL adopts and incorporates by reference the May 23, 2016 Request, July 13, 2016 correction and Order 0312.

2. The period of confidential treatment granted by Order 0312 will soon expire. The Confidential Discovery Responses that was the subject of FPL's May 23, 2016 Request, July 13, 2016 correction and Order 0312 warrants continued treatment as proprietary and confidential business information within the meaning of Section 366.093(3). Accordingly, FPL hereby submits its First Request for Extension of Confidential Classification.

3. All of the information designated in Exhibits A and B to the May 23, 2016 Request and Exhibits A and B to the July 13, 2016 correction remain confidential. Accordingly, those exhibits will not be reproduced or reattached here. Regarding First Revised Exhibit C, all of the information listed in the May 23, 2016 Request remains confidential; the Exhibit is revised only to identify Howard Ferguson and John T. Butler as new declarants.

4. This Request includes First Revised Exhibit D, which consists of the declarations of Robert Barrett, Joseph Balzano, Howard Ferguson, Keith R. Ferguson, John T. Butler, Kim Ousdahl, Kathleen Slattery and Gerard J. Yupp in support of this Request.

5. The Confidential Discovery Responses are intended to be and have 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.

6. As described more fully in the declarations included as First Revised Exhibit D indicate, certain Confidential Discovery Responses provided by FPL contain information concerning bids or other contractual data, the disclosure of which would impair the efforts of FPL or its vendors to contract for goods or services on favorable terms. This information is protected by Section 366.093(3)(d), Fla. Stat.

7. Also, certain information relates to competitive interests, the disclosure of which would impair the competitive business of the provider of the information. This information is protected by Section 366.093(3)(e), Fla. Stat.

8. Additionally, certain documents contain competitively sensitive information related to certain employees' compensation. Public disclosure of compensation information for particular positions would enable competing employers to meet or beat the compensation offered by FPL, resulting in the loss of talented employees, or conversely, the need to increase the level of compensation already paid in order to retain these employees and attract new talent. The quality of service and the cost of service implications would be detrimental to FPL and its customers. This information is protected by Section 366.093(3)(e), Fla. Stat.

9. Lastly, some documents pertain to employee personnel information unrelated to compensation, duties, qualifications or responsibilities. This information is protected by Section 366.093(3)(f), Fla. Stat.

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 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 supporting materials and declarations included herewith, Florida Power & Light Company respectfully requests that its First Request for Extension of Confidential Classification be granted.

Respectfully submitted,

John T. Butler
Assistant General Counsel - Regulatory
Maria J. Moncada
Senior Attorney
Florida Power & Light Company
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By: s/ Maria J. Moncada
Maria J. Moncada
Florida Bar No. 0773301

CERTIFICATE OF SERVICE
Docket No. 160021-EI

I **HEREBY CERTIFY** that a true and correct copy of the foregoing First Request for Extension of Confidential Classification has been furnished by electronic mail this 5th day of February 2018 to the following parties:

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By: /s/ Maria J. Moncada
Maria J. Moncada
Florida Bar No. 0773301

FIRST REVISED EXHIBIT C

EXHIBIT C

COMPANY: Florida Power & Light Company
TITLE: List of Confidential Documents
DOCKET NO: 20160021-EI
DOCKET TITLE: Petition for Increase in Rates by Florida Power & Light Company
DATE: February 5, 2018

Bold denotes a new declarant.

Discovery Set	Item No.	Bates Number	Conf. Y/N	Line/Column	Florida Statute 366.093(3) Subsection	Declarant	
OPC First POD	2	OPC 006748-006750	Y	ALL	(e)	K. Slattery	
		OPC 006751-006752 File Name: (OPC 1st POD No. 2 -G09 - WorldatWork Survey- CONFIDENTIAL)					
		OPC 006753-006786					
	8	OPC 007034-007126	Y	ALL	(e)	K. Slattery	
	10	OPC 013801-014373	Y	ALL	(d), (e)	J. Balzano	
	15	OPC 009897-009932	Y	ALL	(e)	K. Slattery	
	19	OPC 007357	Y	Col. C, Lns. 97-145	(e)	K. Slattery	
		OPC 007358	Y	Col. C, Lns. 95-146	(e)		
	28	OPC 009966-9970	N				
		OPC 009971	Y	ALL	(e)	K. Ousdahl	
		OPC 009972-009988	N				
		OPC 009989	Y	ALL	(e)	K. Ousdahl	
		OPC 009990	N				
		OPC 009991	Y	ALL	(e)	K. Ousdahl	
		34	OPC 011007-012464	Y	ALL	(d), (e)	J. Balzano
		36	OPC 009994-009996	Y	ALL	(e)	B. Barrett
	38	OPC 005395	N				
		OPC 005396	Y	Col. F, Ln. 4-78 Col. G, Ln. 4-78	(d), (e)	H. Ferguson	
		OPC 005397	N				
OPC 005398		N					
OPC 005399		N					
OPC Third POD	89	OPC 024480-024495	Y	ALL	(e)	K. Ferguson	
		OPC 024496-024514	Y	ALL	(e)	J. Butler	
Staff First Set of Ints.	3	Staff 000099	N				
		Staff 000100	Y	Ln. 8A Ln. 9A, 9B Ln. 14A Ln. 15A, 15B Ln. 16A	(d)	K. Ousdahl	
		Staff 000101	N				

Discovery Set	Item No.	Bates Number	Conf. Y/N	Line/Column	Florida Statute 366.093(3) Subsection	Declarant
Staff Third Set of Ints.	89	Page 1	N			K. Slattery
	114	Staff 000260	Y	Col. A, Lns. 2-34 Col. F, Lns. 2-34 Col. G, Lns. 2-34 Col. I, Lns. 2-34	(d), (e)	G. Yupp
		Staff 000261	Y	Col. A, Lns. 2-34 Col. F, Lns. 2-34 Col. G, Lns. 2-34 Col. I, Lns. 2-34		
		Staff 000262	Y	Col. A, Lns. 2-30 Col. F, Lns. 2-30 Col. G, Lns. 2-30 Col. I, Lns. 2-30		
Staff Third POD	15	Staff 000192	Y	Cols. F-U, Ln. 4 Cols. F-U, Ln. 5	(d), (e)	J. Balzano
		Staff 000193-000211	Y	ALL		
	18	Staff 00213-00214	Y	ALL	(d), (e)	J. Balzano
	20	Staff 000221-000222	Y	ALL	(d), (e)	J. Balzano

FIRST REVISED EXHIBIT D

EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for rate increase by Florida
Power & Light Company.

Docket No: 160021-EI

STATE OF FLORIDA)
)
COUNTY OF PALM BEACH) WRITTEN DECLARATION OF
) JOSEPH BALZANO

1. My name is Joseph Balzano. I am currently employed by NextEra Energy, Inc. as Assistant Treasurer. I have personal knowledge of the matters stated in this written declaration.

2. I have reviewed the documents referenced and incorporated in FPL's Request for Confidential Classification for which I am identified as a declarant. The documents that I have reviewed and which are asserted by FPL to be proprietary confidential business information contain or constitute information relating to competitive interests, the disclosure of which would impair the competitive interests of FPL or its vendors. Specifically, the materials include proprietary long-term and short-term forecast information sold by vendors; the seller's business and competitive interests would be harmed if these documents were in the public domain. The documents also contain information regarding negotiated rating agency fees, which could impair the company's ability to negotiate such rates on favorable terms in the future. Additionally, the rating agency fees are kept confidential from the rating agency analysts in order to protect the unbiased nature of corporate credit ratings. Other materials contain non-public, forecasted company information, potential investments and/or divestitures, and the company's financial strategy. Finally, the designated materials include communications with rating agencies, which are made subject to an expectation of privacy and confidentiality. To the best of my knowledge, FPL has maintained the confidentiality of this information.

3. Nothing has occurred since the issuance of Order No. PSC-16-0312-CFO-EI to render the designated information stale or public, such that continued confidential treatment would not be appropriate. Therefore, consistent with the provisions of the Florida Administrative Code, such materials should remain confidential for a period of at least an additional 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.



JOSEPH BALZANO

Date: January 21, 2018

EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for rate increase by Florida
Power & Light Company.

Docket No: 160021-EI

STATE OF FLORIDA)
)
COUNTY OF PALM BEACH)

WRITTEN DECLARATION OF **ROBERT E. BARRETT**

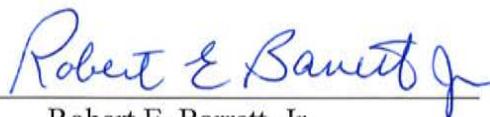
1. My name is Robert E. Barrett, Jr. I am currently employed by Florida Power & Light Company ("FPL") as Vice President, Finance. I have personal knowledge of the matters stated in this written declaration.

2. I have reviewed the documents referenced and incorporated in FPL's Request for Confidential Classification for which I am identified as an declarant. The documents or materials that I have reviewed and which are asserted by FPL to be proprietary confidential business information relate to FPL's competitive interests. Specifically, the documents contain information regarding financing rate negotiated and procured by FPL. Disclosure of this information could impair FPL's competitive advantage and impede its ability to negotiate similar financing terms in the future for the benefit of FPL customers. 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-16-0312-CFO-EI to render the designated information stale or public, such that continued confidential treatment would not be appropriate. Therefore, consistent with the provisions of the Florida Administrative Code, such materials should remain confidential for a period of at least an additional 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.

5. 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.



Robert E. Barrett, Jr.

Date: 1/11/2018

EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for rate increase by Florida
Power & Light Company

Docket No: 160021-EI


DECLARATION OF JOHN BUTLER

1. My name is John Butler. I am currently employed by Florida Power & Light Company ("FPL") as Assistant General Counsel, Regulatory. I have personal knowledge of the matters stated in this written declaration.

2. I have reviewed the documents referenced and incorporated in FPL's Request for Confidential Classification for which I am identified as an affiant. The documents or materials I have reviewed, which are asserted by FPL to be confidential contain or constitute contractual data such as pricing and other terms, and also contain information relating to competitive interests, the disclosure of which would impair the competitive business of FPL and FPL's vendors. Specifically, the confidential materials consist of contracts for the engagement of legal services pursuant to negotiated terms and conditions. Public disclosure of these documents would impair FPL's ability to negotiate competitive terms for legal services in the future, to the detriment of FPL customers. In addition, FPL's legal services vendors have expressed that their competitive interests will be harmed by public disclosure of the negotiated rates. 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-16-0312-CFO-EI to render the designated information stale or public, such that continued confidential treatment would not be appropriate. Therefore, consistent with the provisions of the Florida Administrative Code, such materials should remain confidential for a period of at least an additional 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.



JOHN BUTLER

Date: 2-5-2018

EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for rate increase by Florida
Power & Light Company.

Docket No: 160021-EI

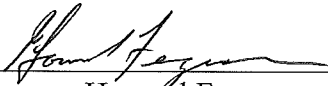
STATE OF FLORIDA)
)
COUNTY OF PALM BEACH) **WRITTEN DECLARATION OF**
) **HOWARD FERGUSON**

1. My name is Howard Ferguson. I am currently employed by NextEra Energy Resources (“NEER”) as a Principal Engineer of Power Generation Division. I have personal knowledge of the matters stated in this written declaration.

2. I have reviewed the documents referenced and incorporated in FPL’s Request for Confidential Classification for which I am identified as a declarant. The documents or materials that I have reviewed and which are asserted by FPL to contain information concerning contractual data, the disclosure of which would impair the efforts of the FPL or its affiliates to contract for goods and services on favorable terms. The information also relates to competitive interests, the disclosure of which would impair the competitive business of the provider of the information. Specifically, the documents contain information related to FPL’s contractual future expected maintenance intervals with our major component replacement vendors. Release of this information would put FPL at a competitive disadvantage because it would negatively impact our ability to negotiate with vendors in the future, to the detriment of customers. 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-16-0312-CFO-EI to render the designated information stale or public, such that continued confidential treatment would not be appropriate. Therefore, consistent with the provisions of the Florida Administrative Code, such materials should remain confidential for a period of at least an additional 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.



Howard Ferguson

Date: 1/18/2018

EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for rate increase by Florida
Power & Light Company.

Docket No: 160021-EI

STATE OF FLORIDA)
)
COUNTY OF PALM BEACH) **WRITTEN DECLARATION OF
KEITH FERGUSON**

1. My name is Keith Ferguson. I am currently employed by Florida Power & Light Company (“FPL”) as Controller. I have personal knowledge of the matters stated in this written declaration.

2. I have reviewed the documents referenced and incorporated in FPL’s Request for Confidential Classification for which I am identified as a declarant. The documents or materials that I have reviewed and which are asserted by FPL to contain confidential business information constitutes contractual data and information relating to competitive interests, the disclosure of which would impair the competitive business of the provider of the information. Specifically, the materials consist of a negotiated depreciation consulting agreement which FPL is contractually required to maintain confidential. In addition, disclosure of the negotiated terms would impair FPL’s ability to negotiate favorable terms for such services in the future, to the detriment of customers. 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-16-0312-CFO-EI to render the designated information stale or public, such that continued confidential treatment would not be appropriate. Therefore, consistent with the provisions of the Florida Administrative Code, such materials should remain confidential for a period of at least an additional 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.



KEITH FERGUSON

Date: 1/24/2018

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for rate increase by Florida Power & Light Company.

Docket No: 160021-EI

STATE OF FLORIDA)
COUNTY OF PALM BEACH)

WRITTEN DECLARATION OF KIM OUSDAHL

1. My name is Kim Ousdahl. I am currently employed by Florida Power & Light Company ("FPL") as Vice President Controller & Chief Accounting Officer. I have personal knowledge of the matters stated in this written declaration.

2. I have reviewed the documents referenced and incorporated in FPL's Request for Confidential Classification for which I am identified as the affiant. The documents or materials that I have reviewed and which are asserted by FPL to contain confidential information relate to FPL's competitive interests. Specifically, some of the documents contain information concerning environmental liabilities. Other documents provided contain contractual data. Specifically, the confidential documents information concerning negotiated terms and conditions of unconsummated real estate contracts. Disclosure of this information could impair FPL's ability to negotiate terms for real estate contracts on similar or favorable terms in the future. Finally, the documents also contain pro forma tax documentation that was incorporated into Nextera Energy's tax return, which is confidential pursuant to 26 U.S.C. § 6103.

3. Nothing has occurred since the issuance of Order No. PSC-16-0312-CFO-EI to render the designated information stale or public, such that continued confidential treatment would not be appropriate. Therefore, consistent with the provisions of the Florida Administrative Code, such materials should remain confidential for a period of at least an additional 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.

[Handwritten signature of Kim Ousdahl]

KIM OUSDAHL

Date: 1/11/2018

EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for rate increase by Florida
Power & Light Company.

Docket No: 160021-EI

STATE OF FLORIDA)
)
COUNTY OF PALM BEACH)

WRITTEN DECLARATION OF KATHLEEN SLATTERY

1. My name is Kathleen Slattery. I am currently employed by Florida Power & Light Company ("FPL") as Senior Director of Executive Services & Compensation. 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 information relating to competitive interests, the disclosure of which would impair the competitive business of the provider of the information. Specifically third party proprietary methodology for calculating per employee per year medical costs, proprietary salary budget survey result provided and available only to paying participants, proprietary benefits analysis (medical cost drivers, retirement plans) provided and available only to paying participants. In addition, certain files contain employee personnel information unrelated to compensation, duties, qualifications, or responsibilities, such as individual ages to two decimal places as of a date in time, linked to job titles which could be personally identifiable. To the best of my knowledge, FPL has maintained the confidentiality of these documents and materials.

3. Other materials contain compensation information such as salary data, severance program accruals or other information that would allow for the calculation of compensation for employees and employment positions. Public disclosure of compensation information for particular positions would enable competing employers to meet or beat the compensation offered by FPL, resulting in the loss of talented employees, or conversely, the need to increase the level of compensation already paid in order to retain these employees and attract new talent. The quality of service and the cost of service implications would be detrimental to FPL and its customers.

4. Nothing has occurred since the issuance of Order No. PSC-16-0312-CFO-EI to render the designated information stale or public, such that continued confidential treatment would not be appropriate. Therefore, consistent with the provisions of the Florida Administrative Code, such materials should remain confidential for a period of at least an additional 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.

5. 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.


KATHLEEN SLATTERY

Date: 1-11-2018

EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for rate increase by Florida
Power & Light Company.

Docket No: 160021-EI

STATE OF FLORIDA)
)
COUNTY OF PALM BEACH)

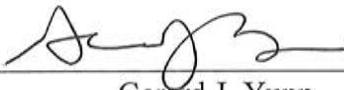
WRITTEN DECLARATION OF GERARD J. YUPP

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 referenced and incorporated in FPL's Request for Confidential Classification. The document that I have reviewed and which is asserted by FPL to be proprietary confidential business information contains or constitutes information such as pricing and other contractual terms related to FPL's natural gas optimization transactions. The disclosure of this information would impair the efforts of FPL to contract for goods or services on favorable terms for the benefit of its customers, and would impair the competitive interests of FPL and its vendors. Certain information in this document would also place FPL at a disadvantage when coupled with other information that is publicly available. 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-16-0312-CFO-EI to render the designated information stale or public, such that continued confidential treatment would not be appropriate. Therefore, consistent with the provisions of the Florida Administrative Code, such materials should remain confidential for a period of at least an additional 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.



Gerard J. Yupp

Date: 1/25/18