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March 2, 2018

**VIA HAND DELIVERY**

Ms. Carlotta S. Stauffer  
Division of the Commission Clerk and Administrative Services  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850

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COMMISSION  
CLERK

**Re: Docket No. 20180001-EI**

Dear Ms. Stauffer:

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 (No. 1). The request includes Exhibits A, B (two copies), C and D.

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 in support of FPL's request.

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

Sincerely,  
  
Maria J. Moncada

Enclosure

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

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**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Fuel and purchase power cost recovery  
clause with generating performance incentive  
factor

Docket No: 20180001-EI

Date: March 2, 2018

**FLORIDA POWER & LIGHT COMPANY'S REQUEST  
FOR CONFIDENTIAL CLASSIFICATION OF INFORMATION  
PROVIDED IN RESPONSE TO THE STAFF OF THE FLORIDA PUBLIC  
SERVICE COMMISSION'S FIRST SET OF INTERROGATORIES (No. 1)**

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 (No. 1) ("Confidential Discovery Response"). In support of its Request, FPL states as follows:

1. On January 31, 2018, Staff served its First Set of Interrogatories (Nos. 1-8) on FPL. FPL's Response to Staff's First Set of Interrogatories (No. 1) contains 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. 1-8) on March 2, 2018. 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 Gerard J. Yupp 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. 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.

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,

John T. Butler  
Assistant General Counsel - Regulatory  
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Email: maria.moncada@fpl.com

By: \_\_\_\_\_

  
Maria J. Moncada  
Florida Bar No. 773301

**CERTIFICATE OF SERVICE**

**Docket No. 20180001-EI**

I **HEREBY CERTIFY** that a true and correct copy of FPL's Request for Confidential Classification\* has been furnished by electronic service this 2nd day of March 2018 to the following:

Suzanne Brownless, Esq.  
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**Attorneys for Florida Industrial Power  
Users Group**

By: \_\_\_\_\_



Maria J. Moncada  
Florida Bar No. 773301

\* The exhibits to this Request are not included with the service copies. Exhibit B was served with FPL's Response to Staff's First Set of Interrogatories, No. 1. Copies of Exhibits C and D are available upon request.

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**EXHIBIT A**

**CONFIDENTIAL**

**FILED UNDER SEPARATE COVER**

**EXHIBIT B**

**REDACTED COPIES**

**REDACTED**



**QUESTION:**

**For each Request for Proposal (RFP) for coal issued in 2017 by or on behalf of FPL, list the bids received. For each bid, include the supplier, tonnage bid, coal quality, and delivered price information, as well as the method and route of delivery.**

**RESPONSE:**


In 2017, FPL's coal fired generation consisted of the St. Johns River Power Park (SJRPP), the Indiantown Co-Generation Plant and Scherer #4. The Cedar Bay Co-Generation Plant was retired effective December 31, 2016 and Indiantown was acquired effective January 5, 2017.

In 2017, there were no RFPs issued for coal at SJRPP or Indiantown.

Coal is delivered to Plant Scherer exclusively by rail in unit trains of approximately 135 cars. The route of delivery is a two-line haul via the BNSF Railway Company and Norfolk Southern (NS) trackage. BNSF services mines in the Powder River Basin (PRB) of Montana and Wyoming where the coal purchased for Scherer is produced. BNSF transports the coal to Memphis, TN for interchange with NS which delivers the coal to Plant Scherer near Juliette, GA.

In 2017, there were three RFPs issued for the delivery of spot coal and one RFP issued for the delivery of long-term coal to Scherer.

	A	B	C	D
<b>January Spot RFP for March-September 2017 Delivery</b>				
	Supplier	Tonnage Bid (tons/month)	Coal Quality (Btu/lb.)	Delivered Price (\$/mmbtu)
1	[REDACTED]	400,000	8400	2.336
2	[REDACTED]	100,000	8400	2.379
3	[REDACTED]	71,000	8400	2.384
4	[REDACTED]	30,000	8600	2.385
5	[REDACTED]	200,000	8400	2.394
6	[REDACTED]	400,000	8800	2.41
7	[REDACTED]	100,000	8850	2.424
8	[REDACTED]	200,000	8600	2.463
9	[REDACTED]	200,000	8800	2.468

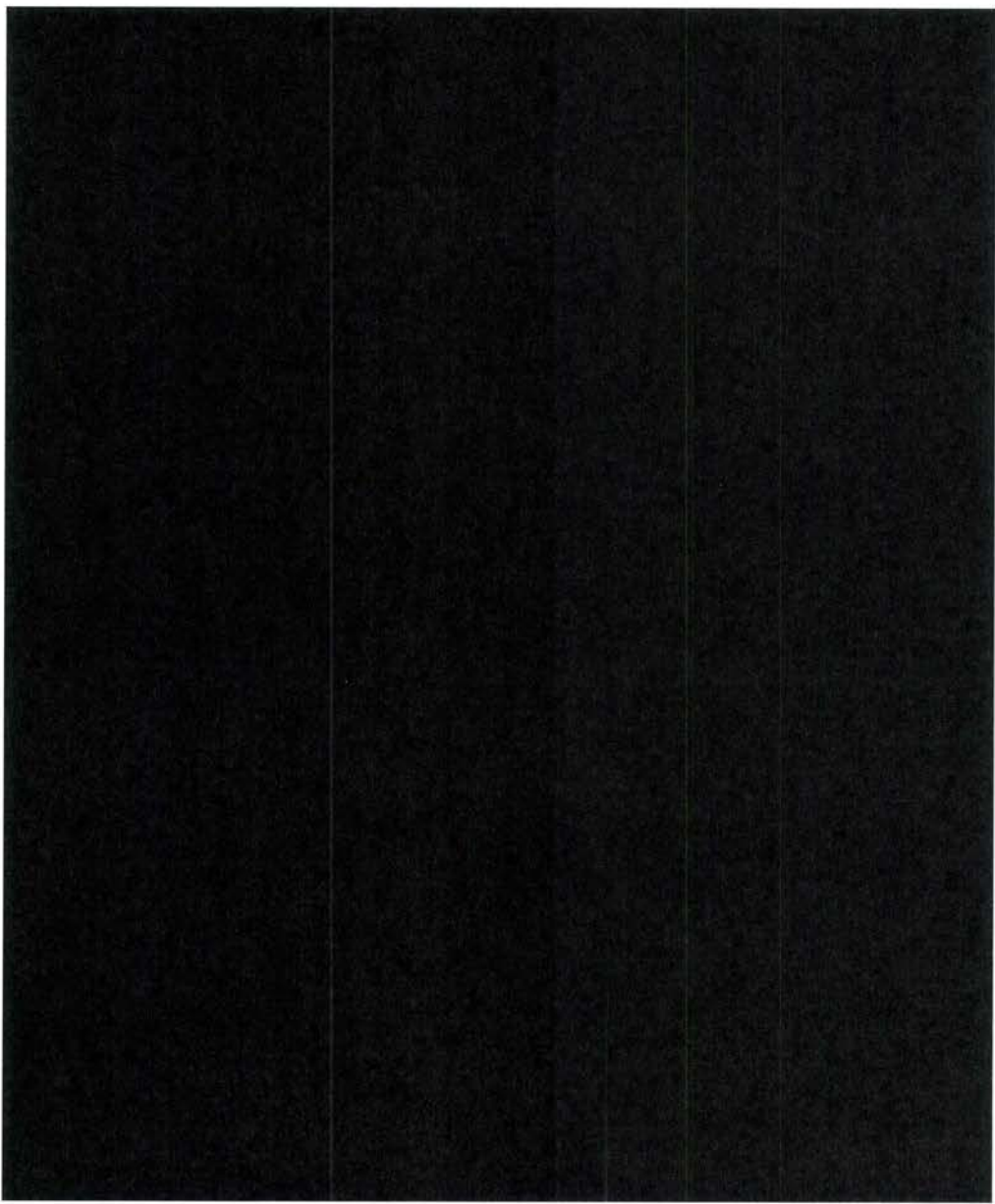
	A	B	C	D
<b>April Spot RFP for June-December 2017 Delivery</b>				
	Supplier	Tonnage Bid (total tons)	Coal Quality (Btu/lb.)	Delivered Price (\$/mmbtu)
1		2,000,000	8400	2.32
2		2,000,000	8600	2.366
3		700,000	8425	2.368
4		500,000	8900	2.373
5		291,662	8400	2.375
6		2,000,000	8400	2.375
7		105,000	9350	2.379
8		500,000	8900	2.379
9		249,996	8600	2.382
10		500,000	8900	2.385
11		500,000	8900	2.391
12		2,000,000	8800	2.449
13		700,000	8850	2.466

**November Spot RFP for January-March 2018 Delivery**

	Supplier	Tonnage Bid (total tons)	Coal Quality (Btu/lb)	Delivered Price (\$/mmbtu)
14				
15				
16				
17				
18				
19				
20				
21				

A	B	C	D	E
October Long Term RFP for Delivery in 2018, 2019, 2020 & 2021				
Supplier	Tonnage Bid (Total tons)	Coal Quality (Btu/lb.)	Delivered Price (\$/mmbtu)	Year

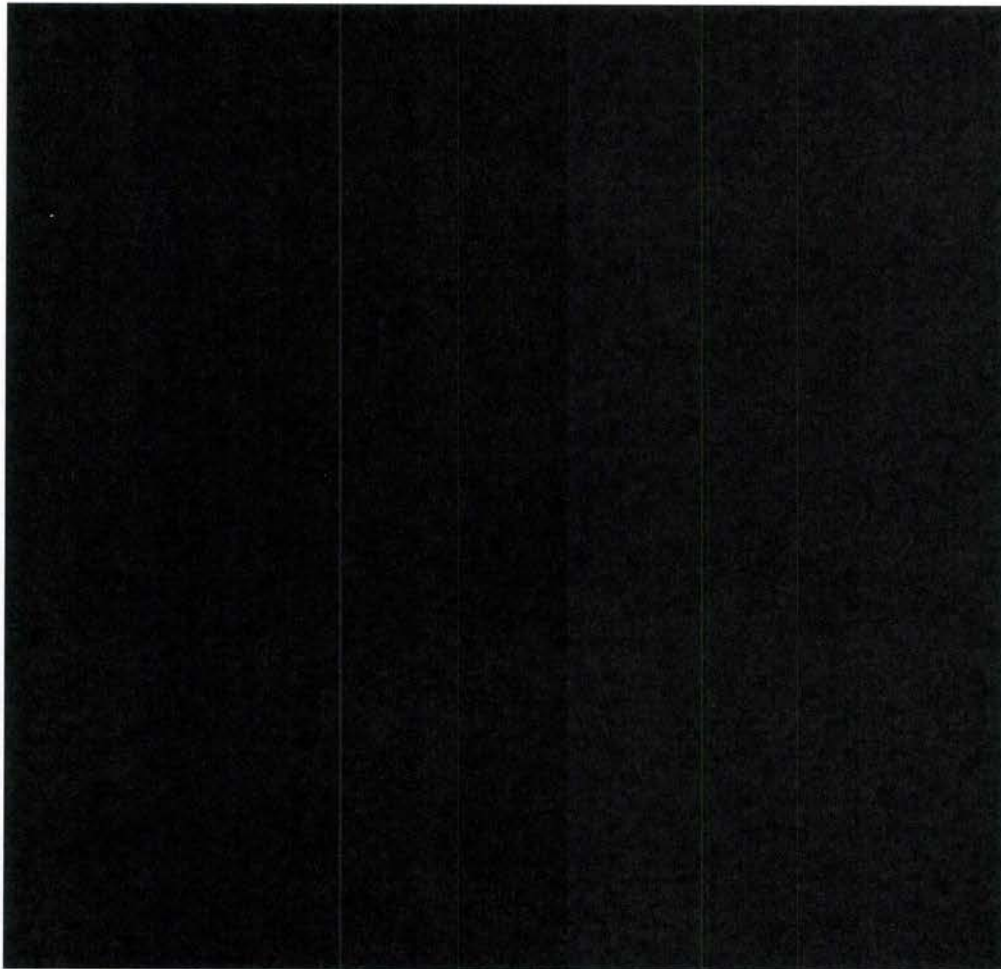
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A B C D E  
**October Long Term RFP for Delivery in 2018, 2019, 2020 & 2021**

Supplier Tonnage Bid Coal Quality Delivered Price Year  
(Total tons) (Btu/lb.) (\$/mmbtu)

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
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# **EXHIBIT C**

## **JUSTIFICATION TABLE**

**EXHIBIT C**

**COMPANY:** Florida Power & Light Company  
**TITLE:** List of Confidential Documents  
**DOCKET NO.:** 20180001-EI  
**DOCKET TITLE:** Fuel and Purchased Power Cost Recovery Clause with Generating Performance Incentive Factor  
**SUBJECT:** FPL's Responses to Staff's 1st Set of Interrogatories No. 1  
**DATE:** March 2, 2018

Staff's 1st Set of Interrogs.	Pg Nos.	Description	Line No./ Col. No.	Florida Statute 366.093(3) Subsection	Declarant
Int. No. 1	1 - 4	Requests for Proposal bids for coal received by FPL	Pg. 1, Col. A, Lns. 1-9  Pg. 2, Col. A, Lns. 1-21 Cols. B-D, Lns. 14-21  Pg. 3, Cols. A-E, Lns. 1-29  Pg. 4, Cols. A-E, Lns. 1-23	(d), (e)	G. Yupp

**EXHIBIT D**

**DECLARATION**

**EXHIBIT D**

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Fuel and Purchase Power Cost Recovery  
Clause with Generating Performance Incentive  
Factor

Docket No: 20180001-EI

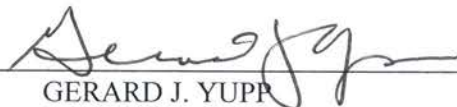
**DECLARATION OF GERARD J. YUPP**

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 declaration.

2. I have reviewed the documents and information included in Exhibit A to FPL's Request for Confidential Classification. The documents and materials in Exhibit A which are asserted by FPL to be proprietary confidential business concern bids and other contractual data, as well as competitive interests of FPL's suppliers, the public disclosure of which would impair the efforts of FPL to contract for goods or services on favorable terms. Specifically, the documents contain information regarding bids received from FPL's coal suppliers, including proposed volumes, quality, pricing, and delivery methods. Disclosure of this information would impair the competitive interests of FPL and its vendors, and would place FPL at a competitive 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. 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.

  
GERARD J. YUPP

Date: 2/22/18