



Maria J. Moncada
Senior Attorney
Florida Power & Light Company
700 Universe Boulevard
Juno Beach, FL 33408-0420
(561) 304-5795
(561) 691-7135 (Facsimile)
E-mail: maria.moncada@fpl.com

April 25, 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

RECEIVED - FPSC
2018 APR 25 PM 12:29
COMMISSION
CLERK

REDACTED

Re: Docket No. 20180046-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 OPC's First Request for Production of Documents (No. 5). 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)

6574179

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Florida Power & Light Company's Petition
for Consideration of the Tax Impacts Associated
with Tax Cuts and Jobs Act of 2017

Docket No: 20180046-EI

Date: April 25, 2018

**FLORIDA POWER & LIGHT COMPANY'S
REQUEST FOR CONFIDENTIAL CLASSIFICATION
OF INFORMATION PROVIDED IN RESPONSE TO THE OFFICE PUBLIC
COUNSEL'S FIRST REQUEST FOR PRODUCTION OF DOCUMENTS (No. 5)**

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 OPC's First Request for Production of Documents (No. 5) ("Confidential Discovery Response"). In support of its Request, FPL states as follows:

1. On March 23, 2018, OPC served its First Request for Production of Documents (Nos. 1-5) on FPL. FPL's Response to OPC's First Request for Production of Documents (No. 5) contains information of a confidential nature within the meaning of Section 366.093(3), Florida Statutes.

2. FPL served its responses to OPC's First Request for Production of Documents (Nos. 1-5) on April 23, 2018. This request is being filed 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 Scott Bores 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 contain information related 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.

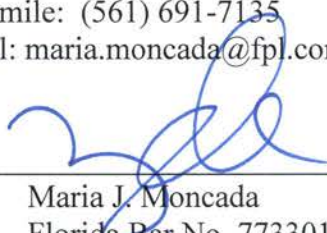
6. Upon a finding by the Commission that the Confidential Information remains proprietary and confidential business information, the information should not be declassified for

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 foregoing reasons, as more fully set forth in the supporting exhibits, Florida Power & Light Company respectfully requests that its Request for Confidential Classification be granted.

Respectfully submitted,

John T. Butler
Assistant General Counsel - Regulatory
Maria J. Moncada
Senior Attorney
Florida Power & Light Company
700 Universe Boulevard
Juno Beach, FL 33408
Telephone: (561) 304-5795
Facsimile: (561) 691-7135
Email: maria.moncada@fpl.com

By: 

Maria J. Moncada
Florida Bar No. 773301

CERTIFICATE OF SERVICE
Docket No. 20180046-EI

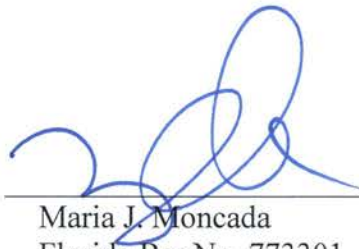
I **HEREBY CERTIFY** that a true and correct copy of FPL's Request for Confidential Classification* has been furnished by electronic service this 25th day of April 2018 to the following:

Suzanne Brownless
Office of General Counsel
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850
SBrownle@psc.state.fl.us

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

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Patricia Ann Christensen
Erik Sayler
Office of Public Counsel
c/o The Florida Legislature
111 West Madison St., Room 812
Tallahassee, FL 32399-1400
kelly.jr@leg.state.fl.us
christensen.patty@leg.state.fl.us
sayler.erik@leg.state.fl.us

By: _____



Maria J. Moncada
Florida Bar No. 773301

* The exhibits to this Request are not included with the service copies. Copies of Exhibits B, C and D are available upon request.

EXHIBIT A

CONFIDENTIAL

**FILED UNDER SEPARATE
COVER**

EXHIBIT B

REDACTED

CONFIDENTIAL

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From: [Yankee, David J. \(US - Chicago\)](#)
To: [Gonzalez, Millie](#)
Cc: [Ousdahl, Kimberly](#); [Christensen, Wendi \(US - Miami\)](#); [Baum, Julie \(US - Miami\)](#)
Subject: RE: COR - Protected vs. Unprotected
Date: Monday, April 02, 2018 11:47:16 AM

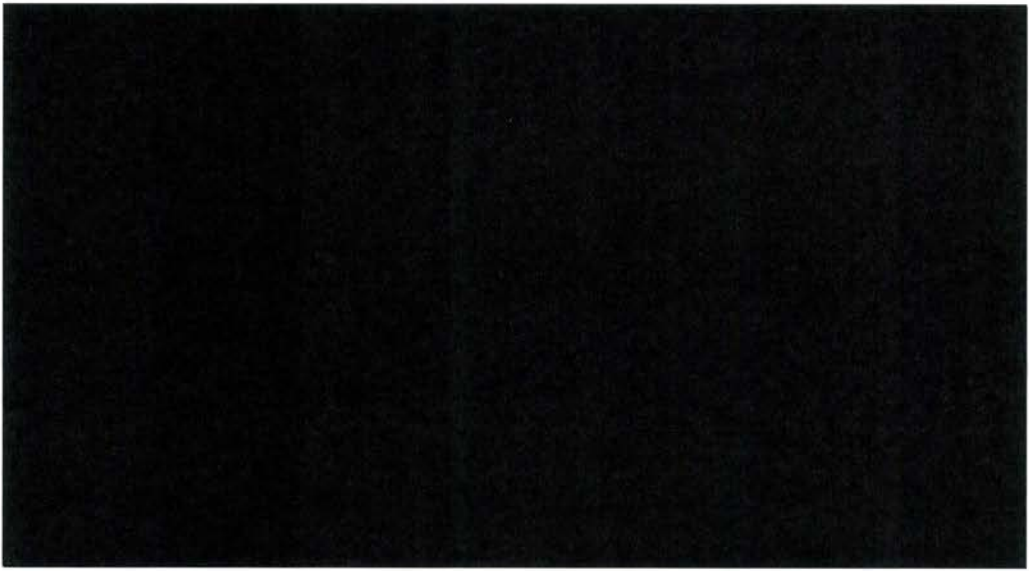
CAUTION - EXTERNAL EMAIL

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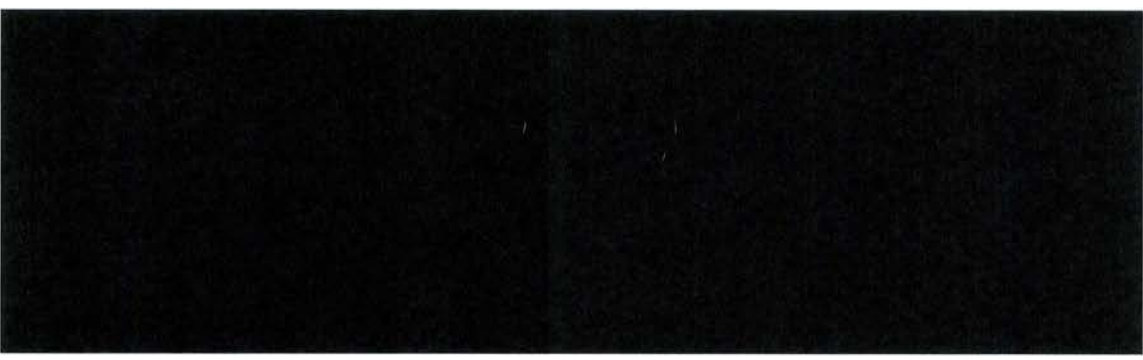
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From: Gonzalez, Millie [mailto:Millie.Gonzalez@fpl.com]
Sent: Wednesday, March 28, 2018 10:18 AM
To: Yankee, David J. (US - Chicago) <dyankee@deloitte.com>
Cc: Ousdahl, Kimberly <Kimberly.Ousdahl@fpl.com>

CONFIDENTIAL

1 Subject: COR - Protected vs. Unprotected

2 [Redacted]

3 [Redacted]

4 [Redacted]

5 [Redacted]

6 [Redacted]

7 [Redacted]

18 *****Any tax advice included in this communication may not contain a full description
19 of all relevant facts or a complete analysis of all relevant tax issues or authorities. This
20 communication is solely for the intended recipient's benefit and may not be relied upon
21 by any other person or entity. *****

22 This message (including any attachments) contains confidential information intended for
23 a specific individual and purpose, and is protected by law. If you are not the intended
24 recipient, you should delete this message and any disclosure, copying, or distribution of
25 this message, or the taking of any action based on it, by you is strictly prohibited.

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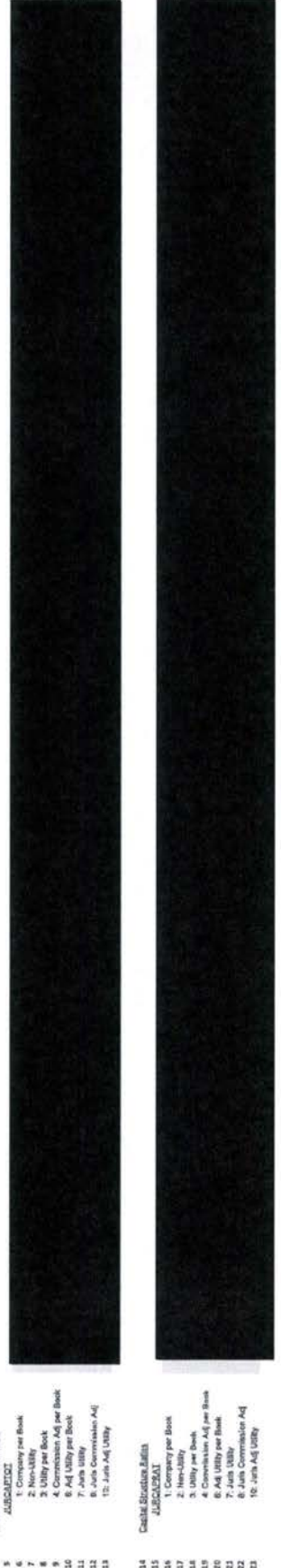
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 1: Company per Book
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 3: Utility per Book
 4: Commission Adj per Book
 5: Adj Utility per Book
 6: June Utility
 7: June Commission Adj
 8: June Adj Utility
 9: June Commission Adj
 10: June Adj Utility

14 15 16 17 18 19 20 21 22 23
 1: Company per Book
 2: Non-Utility
 3: Utility per Book
 4: Commission Adj per Book
 5: Adj Utility per Book
 6: June Utility
 7: June Commission Adj
 8: June Adj Utility

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R
	2018 - Tax Return	2019 - Tax Return	2020 - Tax Return	2021 - Tax Return	2022 - Tax Return	2023 - Tax Return	2024 - Tax Return	2025 - Tax Return	2026 - Tax Return	2027 - Tax Return	2028 - Tax Return	2029 - Tax Return	2030 - Tax Return	2031 - Tax Return	2032 - Tax Return	2033 - Tax Return	2034 - Tax Return	2035 - Tax Return
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8	2. Utility per Book																	
9	3. Commission Adj per Book																	
10	4. Commission Adj per Book																	
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CONFIDENTIAL

Reinstein, David

Subject: FW: Tax Reform Net Income Walk

From: Kirk, Heidi

Sent: Thursday, January 04, 2018 5:09 PM

To: Reinstein, David <David.Reinstein@fpl.com>; Steiger, Derek <Derek.Steiger@fpl.com>

Cc: Barrett, Robert E J <Robert.Barrett@fpl.com>; Bores, Scott <Scott.Bores@fpl.com>; Laney, Ina <Ina.Laney@fpl.com>; Piragic, Sanjin <Sanjin.Piragic@fpl.com>

Subject: RE: Tax Reform Net Income Walk

Dave,

Please see the business drivers for net income walk. Let me know if you need a more summarized view of surplus-don't think you use it for the LRF.

<u>A</u> Net Income Walk - 2017 - 2022	<u>B</u> 2017	<u>C</u> 2018	<u>D</u> 2019	<u>E</u> 2020	<u>F</u> 2021	<u>G</u> 2022
September MOPR (October LRF)	\$ 1,943					
Rate Base-change in capex assumptions	11					
ROE-2018-2020 update to 11.6%	(0)					
Equity Ratio-Change in Dividend assumptions	(13)					
FPLES revised forecast	3					
AFUDC equity due to capex update	(0)					
Other	0					
October MOPR (November LRF)	\$ 1,946					
Rate Base-2018 & 2019 surplus usage; 2020-2022 capex update	4					
ROE-2017 Irma write-off; 2021 and 2022 update to 11.6%	(63)					
Reduction in Deferred Taxes	2					
Tax benefit of FPLES & gas reserves	14					
AFUDC equity due to capex update	-					
Other	4					
October MOPR - Tax Reform	\$ 1,904					

Thanks

Heidi

From: Reinstein, David

Sent: Thursday, January 04, 2018 3:12 PM

To: Steiger, Derek

Cc: Barrett, Robert E J; Bores, Scott; Kirk, Heidi; Laney, Ina; Piragic, Sanjin

Subject: Re: Tax Reform Net Income Walk

EXHIBIT C

JUSTIFICATION TABLE

EXHIBIT C

COMPANY: Florida Power & Light Company
TITLE: List of Confidential Documents
DOCKET NO: 20180046-EI
DOCKET TITLE: Petition for Consideration of the Tax Impacts Associated with Tax Cuts and Jobs Act of 2017
DATE: April 25, 2018

Description	Bates Numbers	Nos. of Pages	Conf. Y/N	Line/Column	Florida Statute 366.093(3) Subsection	Declarant
4/2/2108 email with Deloitte	FPL 000066 - FPL 000068	3	Y	Pg. 1, Lns. 6 - 37	(e)	Scott Bores
			Y	Pg. 2, Lns. 1 - 35		
			Y	Pg. 3, Lns. 2 - 17		
Tax Reform Cap Structure	FPL 000069 – FPL 000070	3	Y	Pg. 1, Cols. C-N, Lns. 6-13, 16-23	(e)	Scott Bores
			Y	Pg. 2, Cols. O-AF, Lns. 6-13, 16-23		
			Y	Pg. 3, Cols. B-R, Lns. 6-13, 16-23		
Tax Reform Net Income	FPL 000071	1	Y	Cols. C-G, Lns. 16-23, 25-31	(e)	Scott Bores

EXHIBIT D

DECLARATIONS

EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Florida Power & Light Company's Petition
for Consideration of the Tax Impacts Associated
with Tax Cuts and Jobs Act of 2017

Docket No: 20180046-EI

DECLARATION OF SCOTT BORES

1. My name is Scott Bores. I am currently employed by Florida Power & Light Company ("FPL") as the Senior Director of Financial Planning & Analysis. 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 material non-public information, the disclosure of which would violate Securities and Exchange Commission regulations. In addition, some of the material consists of analyses performed by FPL's auditing service provider, Deloitte, the public disclosure of which would impair Deloitte's competitive business. 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.



Scott Bores

Date: 4/24/2018