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August 24, 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

Re: Docket No. 20180001-EI

REDACTED


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2018 AUG 24 PM 3:47
COMMISSION
CLERK

Dear Ms. Stauffer:

I enclose for filing in the above docket Florida Power & Light Company's ("FPL's") Request for Confidential Classification of certain information provided in Schedule E12 of Appendix V to the prepared testimony of FPL witness Renae B. Deaton. 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 contains the declaration in support of 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)

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: August 24, 2018

**FLORIDA POWER AND LIGHT COMPANY'S
REQUEST FOR CONFIDENTIAL CLASSIFICATION OF CAPACITY
PAYMENTS TO NON-COGENERATORS IDENTIFIED IN SCHEDULE E12**

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 contained in Schedule E12 of Appendix V to the prepared testimony of FPL witness Renae B. Deaton (the "Confidential Information"). In support of its Request, FPL states as follows:

1. On August 24, 2018, FPL submitted the prepared testimony of FPL witness Renae B. Deaton in this docket. Schedule E12 of Appendix V to the testimony contains information regarding FPL's capacity payments to specific non-cogenerator counterparties, which is of a confidential nature. This Request seeks confidential classification of the Confidential Information consistent with Rule 25-22.006.

2. The following exhibits are included with this Request:

a. Exhibit A consists of a copy of Schedule E12 to of Appendix V in which all of the confidential information is highlighted.

b. Exhibit B consists of two copies of Schedule E12 to Appendix V in which all of the Confidential Information is redacted.

c. Exhibit C is a table that identifies by page, line or column the Confidential Information, together with references to the specific statutory bases for the claim of confidentiality and to the affiant who supports the requested classification.

d. Exhibit D is the declaration of Gerard Yupp in support of this request.

3. FPL submits that the highlighted information in Exhibit A is proprietary confidential business information within the meaning of Section 366.093(3), Florida Statutes (“Section 366.093(3)”). 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 hard of disclosure against the public interest in access to the information.

4. FPL seeks confidential protection for the highlighted information contained in Schedule E12, which identifies capacity payments to non-cogenerators. The highlighted information consists of contractual data about FPL’s capacity payments to specific counterparties. The disclosure of this contractual information would provide other market participants insight into FPL’s marketing and procurement practices and impair FPL’s ability to contract for capacity on favorable terms, to the detriment of FPL and its customers. Such information is protected by Section 366.093(3)(d). This information also relates to the competitive interests of FPL and suppliers from whom FPL purchases capacity. The disclosure of this information would impair their competitive businesses. Such information is protected by Section 366.093(3)(e).

5. Upon a finding by the Commission that the Confidential Information is proprietary confidential business information within Section 366.093(3), such information should not be declassified for at least 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. § 366.093(4), Fla. Stat.

WHEREFORE, for the above and foregoing reasons, as more fully set forth in the supporting materials and declaration included herewith, Florida Power & Light Company respectfully requests that its Request for Confidential Classification be granted.

Respectfully submitted,

R. Wade Litchfield, Esq.
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By: 

Maria J. Moncada
Fla. Bar No. 0773301

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 mail on this 24th day of August 2018 to the following:

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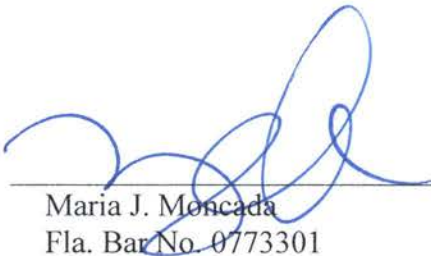
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By: _____


Maria J. Moncada
Fla. Bar No. 0773301

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

EXHIBIT A

CONFIDENTIAL

FILED UNDER SEPARATE COVER

EXHIBIT B

REDACTED COPIES

	A	B	C	D	E	F	G	H	I	J	K	L	M
1	Florida Power & Light Company												
2	Schedule E12 - Capacity Costs												
3	Page 2 of 2												
4													
5													
6													
7	2019 Projection												
8													
9													
10	Contract	Counterparty						Identification		Contract Start Date		Contract End Date	
11	1	Solid Waste Authority (40MW)						Other Entity		January 1, 2012		April 1, 1932	
12	2	Solid Waste Authority (70MW)						Other Entity		July 16, 2016		May 31, 2034	
13	3	Orlando Utilities Commission PPA						Other Entity		January 1, 2019		December 31, 2020	
14													
15	2019 Capacity in MW												
16													
17	Contract	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19	Jul-19	Aug-19	Sep-19	Oct-19	Nov-19	Dec-19
18	1	40	40	40	40	40	40	40	40	40	40	40	40
19	2	70	70	70	70	70	70	70	70	70	70	70	70
20	3	70	70	70	70	100	100	100	100	100	80	80	80
21	Total	180	180	180	180	210	210	210	210	210	190	190	190
22													
23	2019 Capacity in Dollars												
24													
25	Contract	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19	Jul-19	Aug-19	Sep-19	Oct-19	Nov-19	Dec-19
26	1												
27	2												
28	3												
29	Total	\$2,159,683	\$2,159,683	\$2,159,683	\$2,159,683	\$2,450,833	2,493,233	\$2,493,233	\$2,493,233	\$2,493,233	\$2,299,133	\$2,299,133	\$2,299,133
30													
31	Total Capacity Payments to Non-Cogenerators for 2019 ^{(1), (2)}						24,965,500						
32													
33	⁽¹⁾ Total short-term capacity payments do not include payments for the Solid Waste Authority - 70 MW unit. Capacity costs for this unit were recovered through the Energy Conservation												
34	Cost Recovery Clause in 2014, consistent with Commission Order No. PSC-11-0293-FOF-EU issued in Docket No. 110018-EU on July 6, 2011.												
35													
36	⁽²⁾ Appendix VI, page 1, line 1												

	A	B	C	D	E	F	G	H	I	J	K	L	M
1	Florida Power & Light Company												
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18	1	40	40	40	40	40	40	40	40	40	40	40	40
19	2	70	70	70	70	70	70	70	70	70	70	70	70
20	3	70	70	70	70	100	100	100	100	100	80	80	80
21	Total	180	180	180	180	210	210	210	210	210	190	190	190
22													
23	2019 Capacity in Dollars												
24													
25	Contract	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19	Jul-19	Aug-19	Sep-19	Oct-19	Nov-19	Dec-19
26	1												
27	2												
28	3												
29	Total	\$2,159,683	\$2,159,683	\$2,159,683	\$2,159,683	\$2,450,833	2,493,233	\$2,493,233	\$2,493,233	\$2,493,233	\$2,299,133	\$2,299,133	\$2,299,133
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31	Total Capacity Payments to Non-Cogenerators for 2019 ⁽¹⁾ , ⁽²⁾						24,965,500						
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35													
36	⁽²⁾ Appendix VI, page 1, line 1												

EXHIBIT C

JUSTIFICATION TABLE

EXHIBIT C

COMPANY: Florida Power & Light Company
TITLE: List of Confidential Exhibits
DOCKET TITLE: Fuel and Purchased Power Cost Recovery Clause with Generating Performance Incentive Factor
DOCKET NO: 20180001-EI
DATE: August 24, 2018

Description	Page No.	Line No./Column No.	Florida Statute 366.093 (3) Subsection	Declarant
Exhibit RBD-9, Appendix VI, Schedule E12: FPL Capacity Payments to Non-Cogenerators (2019 Projected)	2 of 2	Lines 26-28, Cols. B-M	(d), (e)	G. J. 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

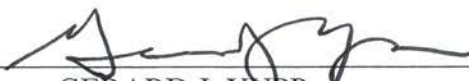
DECLARATION OF GERARD J. YUPP

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 written declaration.

2. I have reviewed the documents and information included in Exhibit A to FPL's Request for Confidential Classification of Capacity Payments to Non-Cogenerators Identified in Schedule E12. The documents or materials that I have reviewed and which are asserted by FPL to be proprietary confidential business information comprise information concerning contractual data about FPL's capacity payments to specific counterparties. Disclosure of this contractual information would provide other market participants insight into FPL's marketing and procurement practices and impair FPL's ability to contract for capacity on favorable terms, to the detriment of FPL and its customers. The information contained in Schedule E12 also relates to the competitive interests of FPL and suppliers from whom FPL purchases capacity, the disclosure of which would impair their competitive businesses.

3. Consistent with the provisions of the Florida Administrative Code, such materials should remain confidential for a period of eighteen (18) months. In addition, the 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.


GERARD J. YUPP

Date: 8/21/18