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January 11, 2019

VIA HAND DELIVERY

Mr. Adam Teitzman
Division of the Commission Clerk and Administrative Services
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

REDACTED

RECEIVED-FPSC
2019 JAN 11 PM 3:40
COMMISSION
CLERK

Re: Docket No. 20180049-EI

Dear Ms. Stauffer:

I enclose for filing in the above docket Florida Power & Light Company's ("FPL") Request for Confidential Classification. The request includes Exhibits A, B (two copies), C and D.

Exhibit A consists of a listing of the confidential documents, and all the information that FPL asserts is entitled to confidential treatment has been highlighted. Exhibit B is a listing of all the confidential information contained in Exhibit A. Exhibit C is a justification table in support of FPL's Request for Confidential Classification. Exhibit D contains the declarations in support of FPL's Request for Confidential Classification.

- COM _____
- AFD 1 Exh B _____
- APA _____
- ECO _____
- ENG _____
- GCL _____
- IDM _____
- CLK _____

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

Sincerely,

Kenneth M. Rubin

Enclosure

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

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Evaluation of storm restoration costs
for Florida Power & Light Company related
to Hurricane Irma.

Docket No: 20180049-EI

Date: January 11, 2019

**FLORIDA POWER & LIGHT COMPANY'S
REQUEST FOR CONFIDENTIAL CLASSIFICATION**

Pursuant to Section 366.093, Florida Statutes, and Rule 25-22.006, Florida Administrative Code ("F.A.C."), Florida Power & Light Company ("FPL") requests confidential classification of the transcript of Part 2 of a panel deposition of FPL witnesses, together with the exhibits identified during the deposition, taken December 13, 2018, whose testimony and Exhibit numbers 24 (Bates 019003 – 019029); Exhibit 25 (Bates 020809 – 020861); Exhibit 26 (Bates 020898 – 020915); Exhibit 27 (Bates 020959 – 020976); Exhibit 28 (Bates 048505 – 048515); Exhibit 29 (Bates 024647 – 024682); Exhibit 30 (Bates 036731 – 036772); Exhibit 31 (Bates 019800 – 019828); Exhibit 32 (Bates 020076 – 020110); and Exhibit 33 (Map – "Estimated Driving Time to FPL") constitute confidential information to be provided to the Staff of the Florida Service Commission ("Staff"). In support of this request, FPL states as follows:

1. The following exhibits are included with and made a part of this request:
 - a. Exhibit A consists of a listing of the confidential documents; the information contained in the deposition transcript and each of the identified exhibits is entitled to confidential treatment. Because the actual documents are voluminous and can be identified by reference to the exhibit numbers and corresponding Bates numbers, the documents themselves have not been appended to this Request. However, the deposition transcript and exhibit numbers and corresponding Bates numbers have been highlighted to indicate that the deposition transcript and the documents represented by the exhibit numbers and corresponding Bates numbers are confidential documents.

b. Exhibit B consists of a listing of the confidential documents, on which all the information that is entitled to confidential treatment under Florida law has been redacted. The cover page of the deposition transcript and exhibit numbers and corresponding Bates numbers themselves are not confidential, while the deposition transcript and the documents identified by the exhibit numbers and corresponding Bates numbers are confidential documents that are the subject of this Request for Confidential Classification.

c. Exhibit C is a table containing an 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 contains the declarations of Thomas Gwaltney, Ray Lozano and Kristin Manz in support of this Request.

2. FPL submits that the information contained within the deposition transcript and the identified exhibits highlighted 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 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.

3. As described more fully in the declaration included as Exhibit D, certain documents contain information concerning trade secrets. This information is protected by Section 366.093(3)(a), Fla. Stat.

4. Also, certain information in these documents concerns bids or other contractual data, the disclosure of which would impair the efforts of FPL or its affiliates to contract for goods and services on favorable terms. This information is protected by Section 366.093(3)(d), Fla. Stat.

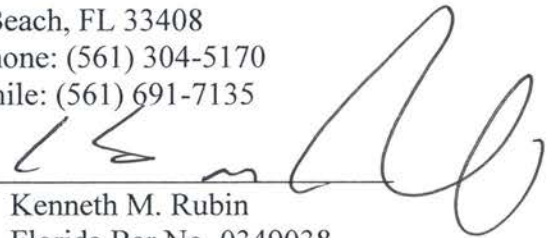
5. Lastly, certain information concerns FPL's competitive interests, the disclosure of which would impair the competitive business of FPL and its vendors. This information is protected by Section 366.093(3)(e), Fla. Stat.

6. Upon a finding by the Commission that the information contained within the deposition transcript and the identified exhibits highlighted in Exhibit A, and referenced in Exhibit C, is proprietary confidential business information, the information should not be declassified for a period of 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. *See* § 366.093(4), Fla. Stat.

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

Respectfully submitted this 11th day of January 2019.

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By: 
Kenneth M. Rubin
Florida Bar No. 0349038

CERTIFICATE OF SERVICE

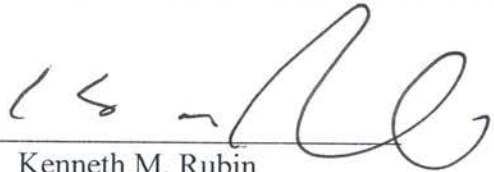
I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by electronic service on this 11th day of January 2019 to the following:

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Florida Industrial Power Users Group

By: 
Kenneth M. Rubin

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

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EXHIBIT A

CONFIDENTIAL

FILED UNDER SEPARATE COVER

EXHIBIT B

REDACTED COPIES

EXHIBIT B

**Exhibit A - Deposition Transcript and Exhibits 24 through 33 are
confidential in their entirety**

EXHIBIT C

JUSTIFICATION TABLE

EXHIBIT C

COMPANY: Florida Power & Light Company
TITLE: List of Confidential Documents
DOCKET NO: 20180049-EI
DOCKET TITLE: Evaluation of storm restoration costs for Florida Power & Light Company related to Hurricane Irma.
DATE: January 11, 2019

Description	Bates Number	Nos. of Pages	Conf. Y/N	Line/Column	Florida Statute 366.093(3) Subsection	Declarant
Deposition Transcript and Exhibits 24 through 33	N/A	All but the cover page	Y	ALL	(a,d,e)	Kristin Manz
Deposition Transcript and Exhibits 24 through 33	N/A	All but the cover page	Y	ALL	(a,d,e)	Ray Lozano
Deposition Transcript and Exhibits 24 through 33	N/A	All but the cover page	Y	ALL	(a,d,e)	Thomas Gwaltney

EXHIBIT D

DECLARATIONS

EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Evaluation of storm restoration costs for
Florida Power & Light Company related to
Hurricane Irma.

Docket No: 20180049-EI

STATE OF FLORIDA)
COUNTY OF PALM BEACH)

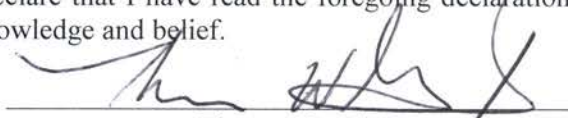
WRITTEN DECLARATION OF THOMAS GWALTNEY

1. My name is Thomas Gwaltney. I am currently employed by Florida Power & Light Company ("FPL") as Power Delivery Sr. Director of Emergency Preparedness. During the time that Hurricane Irma impacted FPL's service territory, through March 2018, I was employed by FPL as Sr. Director Central Maintenance and Construction Power Delivery. 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 a 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 contractual data, trade secrets, and information related to competitive interests, the disclosure of which would impair the competitive business of FPL, its affiliates and its contractors, vendors and suppliers. Specifically, the documents and exhibits contains the names, rates, quantity, contractual provisions, invoices of our third-party contractors, vendors and suppliers, payments to our contractors, vendors and suppliers, all of which was agreed upon exclusively with these contractors, vendors, and suppliers. The documents further describe the specific methodologies developed and used by FPL to negotiate contracts, to secure resources, to receive, review and approve or reject requests for payment, and every other aspect of FPL's unique processes developed and used by FPL in responding to storm events, obtaining resources, and administering payment processes related thereto. Disclosure of this information would impair FPL's contractor, vendor, and supplier relationships, and impair or negate the commercial interests of FPL as FPL negotiates contracts and seeks to obtain contractors, vendors and suppliers to provide critical construction, restoration resources necessary to perform storm restoration. Disclosure of this information would also impair or negate the commercial interests of FPL's contractors, vendors and suppliers as they negotiate with others for the services they provide. The disclosure of this information will also impact the efforts of FPL or its affiliates to contract for goods and services on favorable terms in the future, which in turn increases costs to FPL and its customers. 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.



Thomas Gwaltney
Date: 1/9/19

EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Evaluation of storm restoration costs for Florida Power & Light Company related to Hurricane Irma.

Docket No: 20180049-EI

STATE OF FLORIDA)
COUNTY OF PALM BEACH)

WRITTEN DECLARATION OF RAY LOZANO

1. My name is Ray Lozano. I am currently employed by Florida Power & Light Company ("FPL") as Integrated Supply Chain Business Unit Strategy Manager, and I was similarly employed in that capacity prior to and during the time that Hurricane Irma impacted FPL's service territory. 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 a 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 contractual data, trade secrets, and information related to competitive interests, the disclosure of which would impair the competitive business of FPL, its affiliates and its contractors, vendors and suppliers. Specifically, the documents and exhibits contains the names, rates, quantity, contractual provisions, invoices of our third-party contractors, vendors and suppliers, payments to our contractors, vendors and suppliers, all of which was agreed upon exclusively with these contractors, vendors, and suppliers. The documents further describe the specific methodologies developed and used by FPL to negotiate contracts, to secure resources, to receive, review and approve or reject requests for payment, and every other aspect of FPL's unique processes developed and used by FPL in responding to storm events, obtaining resources, and administering payment processes related thereto. Disclosure of this information would impair FPL's contractor, vendor, and supplier relationships, and impair or negate the commercial interests of FPL as FPL negotiates contracts and seeks to obtain contractors, vendors and suppliers to provide critical construction, restoration resources necessary to perform storm restoration. Disclosure of this information would also impair or negate the commercial interests of FPL's contractors, vendors and suppliers as they negotiate with others for the services they provide. The disclosure of this information will also impact the efforts of FPL or its affiliates to contract for goods and services on favorable terms in the future, which in turn increases costs to FPL and its customers. 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.

Ray Lozano signature and name

Date: 1/3/19

