

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Nuclear Cost)
Recovery Clause)

Docket No. 20190009-EI
Filed: January 31, 2019

**FLORIDA POWER & LIGHT COMPANY'S
SECOND REQUEST FOR EXTENSION OF CONFIDENTIAL CLASSIFICATION
OF AUDIT CONTROL NO. 12-010-4-2 WORK PAPERS**

Pursuant to Section 366.093, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, Florida Power & Light Company ("FPL") requests continued confidential classification of Audit Control No. 12-010-4-2 Work Papers (the "Confidential Information"). In support of its request, FPL states as follows:

1. On June 21, 2012, in Docket No. 120009-EI, FPL filed a Request for Confidential Classification of the Audit Work Papers (Confidential Document No. 04112-12). FPL's request was granted by Order No. PSC-14-0624-CFO-EI, issued October 29, 2014.

2. On April 29, 2016, FPL filed a First Request for Extension of Confidential Classification of the Confidential Information, which included First Revised Exhibits C and D. By Order No. PSC-2017-0307-CFO-EI, dated August 2, 2017, the Commission granted FPL's request.

3. The period of confidential treatment granted by Order No. PSC-2017-0307-CFO-EI will soon expire. FPL has reviewed the confidential documents and determined that all the information that was the subject of Order No. PSC-2017-0307-CFO-EI warrants continued treatment as proprietary and confidential business information within the meaning of Section 366.093(3), Florida Statutes. Accordingly, FPL hereby submits its Second Request for Extension of Confidential Classification. Exhibits A and B from FPL's June 21, 2012 and First Revised Exhibit C from the April 29, 2016 filing are incorporated herein by reference. Included

herewith is Second Revised Exhibit D, containing the affidavits of Stephanie Castaneda and Antonio Maceo in support of FPL's request.

4. The information that was granted confidential treatment by Order No. PSC-2017-0307-CFO-EI continues to be 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 in that the disclosure of the information would cause harm to customers or FPL's business operations, and its confidentiality has been maintained. Pursuant to Section 366.093, such information is entitled to confidential treatment and it 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.

5. As the declarations included in Second Revised Exhibit D indicate, the information included in Exhibit A continues to be proprietary, confidential business information. Certain information contained in the Audit Work Papers is information related to reports of FPL's internal auditors. This information is protected from public disclosure by Section 366.093(3)(b), Florida Statutes. The Audit Work Papers also contain information related to bids or contractual data, such as pricing or other terms, the public disclosure of which would violate nondisclosure provisions of FPL's contracts with certain vendors and impair FPL's ability to contract for goods or services on favorable terms in the future. Such information is protected from public disclosure by Section 366.093(3)(d), Florida Statutes. The Audit Work Papers also contain competitively sensitive information which, if disclosed, could impair the competitive interests of the provider of the information. Such information is protected from public disclosure

by Section 366.093(3)(e), Florida Statutes. A few documents include competitively sensitive information related to certain employees' compensation. Public disclosure of compensation information would enable competing employers to meet or beat the compensation currently offered, 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. Such information is also protected by Section 366.093(3)(e), Florida Statutes. Lastly, included on these documents are employee cell phone numbers and social security numbers. This employee information is unrelated to compensation, duties, qualifications, or responsibilities and is therefore protected from public disclosure pursuant to Section 366.093(3)(f), Florida Statutes.

6. Nothing has changed since the issuance of Order No. PSC-2017-0307-CFO-EI to render the confidential information stale or public, such that continued confidential treatment would not be appropriate. Accordingly, FPL requests that confidential treatment be extended for a period of not less than an additional 18 months.

7. Upon a finding by the Commission that the information referenced in Revised Exhibit C continues to be proprietary confidential business information, the information should not be declassified for a period of at least an additional 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 supported by the materials and affidavits included herewith, Florida Power & Light Company respectfully requests that its Second Request for Extension of Confidential Classification be granted.

Respectfully submitted,

Kevin I.C. Donaldson
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By: /s/ Kevin I.C. Donaldson
Kevin I.C. Donaldson
Fla. Bar No. 833401

CERTIFICATE OF SERVICE
DOCKET NO. 20190009-EI

I HEREBY CERTIFY that a true and correct copy of FPL's Second Request for Extension of Confidential Classification was served electronically this 31st day of January, 2019 to the following:

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By: s/ Kevin I.C. Donaldson
Kevin I.C. Donaldson
Fla. Bar No. 833401

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SECOND REVISED EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Nuclear Cost Recovery Clause

Docket No: 20190009-EI

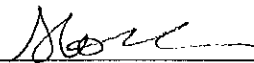
DECLARATION OF STEPHANIE CASTANEDA

1. My name is Stephanie Castaneda. I am currently employed by Florida Power & Light Company ("FPL") as Sr Director, Regulatory Accounting. I have personal knowledge of the matters stated in this written declaration.

2. I have reviewed the documents referenced and incorporated in FPL's Second Request for Extension of Confidential Classification of Information Obtained in Connection with Audit No. 12-10-4-2 for which I am identified as the declarant. The documents and materials that I have reviewed contain proprietary confidential business information, including contractual data and competitively sensitive data. Disclosure of this information would violate FPL's contracts with its vendors, work to the detriment of FPL's competitive interests, impair the competitive interests of its vendors and/or impair FPL's efforts to enter into contracts on commercially favorable terms. Additionally, certain of these materials 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. These documents include employee cell phone numbers and social security numbers which FPL has an obligation to maintain as confidential. Finally, these documents contain proprietary confidential business information related to Florida Power & Light Company's tax returns and NextEra Energy Resources' cost structure and proprietary processes. This information is competitively sensitive to FPL and NextEra Energy Resources, and disclosure of this information would work to the detriment of FPL's competitive interests. 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-2017-0307-CFO-EI to render the information stale or public, such that continued confidential treatment would not be appropriate. Therefore, the information should remain confidential for a period of not less than 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.


Stephanie Castaneda

Date: 1/30/19

SECOND REVISED EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Nuclear Cost Recovery Clause

Docket No: 20190009-EI

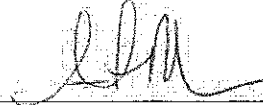
DECLARATION OF ANTONIO MACEO

1. My name is Antonio Maceo. I am currently employed by Florida Power & Light Company ("FPL") as Manager of Internal Auditing. I have personal knowledge of the matters stated in this written declaration.

2. I have reviewed the documents referenced and incorporated in FPL's Second Request for Extension of Confidential Classification of Information Obtained in Connection with Audit No. 12-010-4-2 for which I am identified as the declarant. The documents that I have reviewed contain information related to reports of internal auditors. Full and frank disclosure of information to the Internal Auditing department is essential for the department to fulfill its role, and the confidential status of internal auditing scope, process, findings, and reports supports such disclosure. The release of information related to reports of internal auditors would be harmful to FPL and its customers because it may affect the effectiveness of the Internal Auditing department itself. 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-2017-0307-CFO-EI to render the information state or public, such that continued confidential treatment would not be appropriate. Therefore, the information should remain confidential for a period of not less than 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.



Antonio Maceo

Date:

1/30/19