



Kenneth M. Rubin  
Assistant General Counsel  
Florida Power & Light Company  
700 Universe Boulevard  
Juno Beach, FL 33408-0420  
(561) 691-2512  
(561) 691-7135 (Facsimile)  
E-mail: Ken.Rubin@fpl.com

June 13, 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

**Re: Docket No. 20180049-EI**

**REDACTED**

RECEIVED-FPSC  
2019 JUN 13 PM 1:29  
COMMISSION  
CLERK

Dear Mr. Teitzman:

I enclose for filing in the above docket Florida Power & Light Company's ("FPL") Request for Confidential Classification related to FPL's Response to OPC's First Request for Production of Documents. 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 declaration in support of FPL's Request for Confidential Classification.

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

- COM
- AFD Exh B
- APA \_\_\_\_\_
- ECO \_\_\_\_\_
- ENG \_\_\_\_\_
- GCL \_\_\_\_\_
- IDM \_\_\_\_\_
- CLK \_\_\_\_\_

Sincerely,

Kenneth M. Rubin

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: June 13, 2019

**FLORIDA POWER & LIGHT COMPANY'S REQUEST FOR CONFIDENTIAL  
CLASSIFICATION OF FPL'S ANSWERS TO OPC'S FIRST REQUEST FOR  
PRODUCTION OF DOCUMENTS NOS. 3, 6 – 10, AND AMENDED 9.**

Pursuant to Section 366.093, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, Florida Power & Light Company ("FPL") hereby submits its Request for Confidential Classification of FPL'S Answers to OPC's First Request for Production of Documents Nos. 3, 6 – 10, and amended 9. In support of this request, FPL states as follows:

1. On May 24, 2019, Commission Staff was provided copies of documents produced by FPL in response to OPC's First Request for Production of Documents Nos. 3, 6 – 10, and amended 9. FPL filed its Notice of Intent to Request Confidential Classification of these materials on May 24, 2019. Pursuant to Rule 25-22.006(3)(a)1, FPL is required to file a Request for Confidential Classification of the confidential information within 21 days. Accordingly, FPL is filing this Request for Confidential Classification to maintain continued confidential handling of the documents produced in response to OPC's First Request for Production of Documents Nos. 3, 6 – 10, and amended 9.

2. FPL has previously asserted the confidentiality of these materials in its Motion for Temporary Protective Order dated June 19, 2018. On July 10, 2018 and August 30, 2018 the Commission entered Order Nos. PSC-2018-0343-CFO-EI and PSC-2018-0442-CFO-EI, respectively granting the Motion for Temporary Protective Order referred to herein.

3. The following exhibits are included with and made a part of this request:

a. Exhibit A consists of a disc containing confidential documents provided to the clerk of the Commission with FPL's notice of intent filed May 24, 2019. Therefore this disc will not be reproduced with this Request.

b. Exhibit B consists of a copy of the confidential documents, on which all the information that is entitled to confidential treatment under Florida law has been redacted. For the documents that are confidential in their entirety, FPL has included only identifying cover pages in Exhibit B.

c. Exhibit C is a table containing an identification of the information highlighted in Exhibit A by page and line 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.

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 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 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.

6. 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.

7. 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.

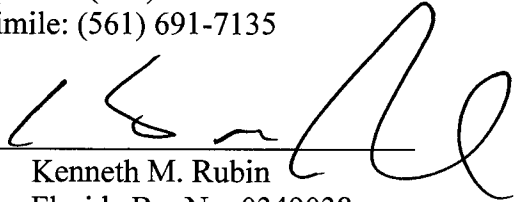
8. Upon a finding by the Commission that the information highlighted in Exhibit A, and referenced in Exhibit C, is proprietary confidential business information, the information should not be declassified for a period of at least eighteen (18) months and should be returned to FPL as soon as the information 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 13<sup>th</sup> day of June, 2019.

Kenneth M. Rubin  
Assistant General Counsel  
[ken.rubin@fpl.com](mailto:ken.rubin@fpl.com)  
Kevin I. C. Donaldson  
Senior Attorney  
[Kevin.donaldson@fpl.com](mailto:Kevin.donaldson@fpl.com)  
Christopher T. Wright  
Senior Attorney  
[Christopher.Wright@fpl.com](mailto:Christopher.Wright@fpl.com)  
Florida Power & Light Company  
700 Universe Boulevard  
Juno Beach, FL 33408  
Telephone: (561) 304-5170  
Facsimile: (561) 691-7135

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

  
Kenneth M. Rubin  
Florida Bar No. 0349038

**CERTIFICATE OF SERVICE**

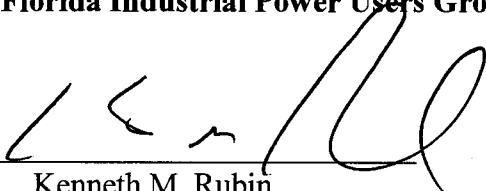
I **HEREBY CERTIFY** that a true and correct copy of the foregoing\* has been furnished by electronic service on this 13<sup>th</sup> day of June 2019 to the following:

Suzanne S. Brownless, Esq.  
Special Counsel  
Office of General Counsel  
2540 Shumard Oak Blvd.  
Tallahassee, Florida 32399-0850  
sbrownle@psc.state.fl.us  
**Florida Public Service Commission**

Robert Scheffel Wright, Esq.  
John T. LaVia, III, Esq.  
Gardner, Bist, Bowden, Bush, Dee,  
LaVia, & Wright, P.A.  
1300 Thomaswood Drive.  
Tallahassee, Florida 32308  
schef@gbwlegal.com  
jlavia@gbwlegal.com  
**Florida Retail Federation**

J. R. Kelly, Esq.  
Stephanie Morse, Esq.  
Charles J. Rehwinkel, Esq.  
Patricia A. Christensen, Esq.  
c/o The Florida Legislature  
111 West Madison Street, Room 812  
Tallahassee, Florida 32399  
kelly.jr@leg.state.fl.us  
Morse.Stephanie@leg.state.fl.us  
rehwinkel.charles@leg.state.fl.us  
**Office of Public Counsel**

Jon C. Moyle, Jr./Karen A. Putnal  
c/o Moyle Law Firm, P.A.  
118 North Gadsden Street  
Tallahassee, Florida 32301  
jmoyle@moylelaw.com  
kputnal@moyle.com  
**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.

**EXHIBIT B**

**Documents produced in response to OPC's First Request for Production of Documents  
Nos. 3, 6 – 10, and amended 9 are confidential in their entirety**

**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:** June 13, 2019

<b>Description</b>	<b>Nos. of Pages</b>	<b>Conf. Y/N</b>	<b>Line/Column</b>	<b>Florida Statute 366.093(3) Subsection</b>	<b>Declarant</b>
FPL'S Answers to OPC's First Request for Production of Documents Nos. 3, 6 – 10, and amended 9	ALL	Y	ALL	(a,d,e)	Kristin Manz Thomas Gwaltney Ray Lozano



**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 )

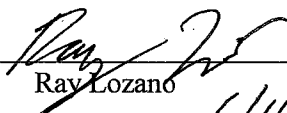
WRITTEN DECLARATION OF RAY LOZANO

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 17 Requests for Confidential Classification filed this date, for which I am listed as a declarant on Exhibit C. The answers and 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 answers and documents contain 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 answers and 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 negatively 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  
Date: 6/11/19

**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 )

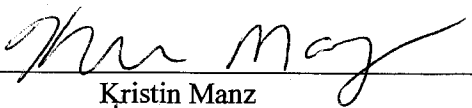
WRITTEN DECLARATION OF KRISTIN MANZ

1. My name is Kristin Manz. I am currently employed by Florida Power & Light Company ("FPL") as IT Technology Director. During the time that Hurricane Irma impacted FPL's service territory, through July of 2018, I was employed by FPL as Director of Finance Operations. 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 17 Requests for Confidential Classification filed this date, for which I am listed as a declarant on Exhibit C. The answers and 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 answers and documents contain 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 answers and 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 negatively 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.

  
\_\_\_\_\_  
Kristin Manz  
Date: 6-11-19

**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 )

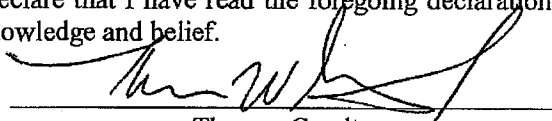
WRITTEN DECLARATION OF THOMAS GWALTNEY

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 17 Requests for Confidential Classification filed this date, for which I am listed as a declarant on Exhibit C. The answers and 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 answers and documents contain 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 answers and 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 negatively 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: 6/12/19