



Kenneth M. Rubin
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July 8, 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

Dear Mr. Teitzman:

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 document, 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.

Sincerely,

A handwritten signature in black ink, appearing to read "Ken Rubin", written over a white background.

Kenneth M. Rubin

Enclosure

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

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COMMISSION
CLERK

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: July 8, 2019

**FLORIDA POWER & LIGHT COMPANY'S
REQUEST FOR CONFIDENTIAL CLASSIFICATION OF FPL'S RESPONSE TO
STAFF'S SETTLEMENT DATA REQUEST NUMBER 7**

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 Response to Staff's First Settlement Data Request Number 7. In support of this request, FPL states as follows:

1. On June 18, 2019, Commission Staff was provided copies of FPL's Responses to Staff's First Settlement Data Requests numbered 1 through 17. Included within those responses was FPL's confidential response to Staff's First Settlement Data Request Number 7. FPL filed its Notice of Intent to Request Confidential Classification of this response on June 18, 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 information contained in its response to Staff's First Settlement Data Request Number 7.

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

a. Exhibit A consists of a copy the confidential response, on which all information that is entitled to confidential treatment under Florida law has been highlighted.

b. Exhibit B consists of a copy of the confidential response, on which all the information that is entitled to confidential treatment under Florida law has been redacted.

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 declaration of Kristin Manz in support of this Request.

2. 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.

3. As described more fully in the declaration included as Exhibit D, FPL's Response to Staff's First Settlement Data Request Number 7 contains information concerning trade secrets. This information is protected by Section 366.093(3)(a), Fla. Stat.

4. Additionally, FPL's Response to Staff's First Settlement Data Request Number 7 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.

5. 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 affidavit included herewith, Florida Power & Light Company respectfully requests that its Request for Confidential Classification be granted.

Respectfully submitted this 8th day of July, 2019.

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By: 

Kenneth M. Rubin
Florida Bar No. 0349038

CERTIFICATE OF SERVICE

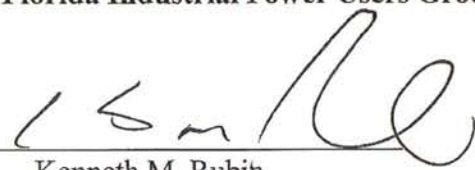
I **HEREBY CERTIFY** that a true and correct copy of the foregoing* has been furnished by electronic service on this 8th day of July, 2019 to the following:

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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.

CONFIDENTIAL

Florida Power & Light Company
Docket No. 20180049-EI
Staff's First Data Request
Request No. 7
Page 1 of 1

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3
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QUESTION:

What are FPL's estimated costs for development of Phase I of the FPL App?

RESPONSE:

FPL's estimated cost for developing Phase I of the App is approximately [REDACTED].

CONFIDENTIAL

Florida Power & Light Company
Docket No. 20180049-EI
Staff's First Data Request
Request No. 7
Page 1 of 1

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QUESTION:

What are FPL's estimated costs for development of Phase I of the FPL App?

RESPONSE:

FPL's estimated cost for developing Phase I of the App is approximately [REDACTED].

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: July 8, 2019

Description	Nos. of Pages	Conf. Y/N	Line/Column	Florida Statute 366.093(3) Subsection	Declarant
Staff's First Settlement Data Request No. 7	1	Y	Line 9	(a, e)	Kristin Manz

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)

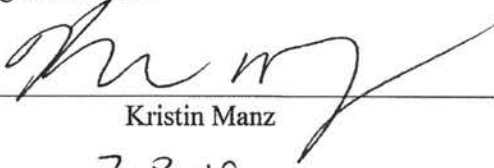
WRITTEN DECLARATION OF KRISTIN MANZ

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 Amended Request for Confidential Classification filed this date, for which I am listed as a declarant on Exhibit C. The document that I have reviewed is asserted by FPL to be proprietary confidential business information, which contains or constitutes trade secrets and information related to competitive interests, the disclosure of which would impair the competitive business of FPL and its affiliates. Specifically, the document contains the estimated cost to FPL to develop a proprietary business application (the “invention”) for which legal protection of the intellectual property is being sought. The invention has been developed internally by FPL and is, in and of itself, a trade secret. Disclosure of this information would impair or negate the commercial interests of FPL as FPL seeks to protect its intellectual property rights and potentially develop a commercial application of the invention. To the best of my knowledge, FPL has maintained the confidentiality of this information, with the sole exception of having addressed this information during an informal meeting with Commission Staff and the parties to this docket, during which FPL was asked by Staff for the referenced information for which confidential treatment is being requested, and FPL provided that information verbally based upon a reasonable expectation that the information was provided in the context of a confidential communication.

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: 7-8-19