



Kenneth M. Rubin
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July 15, 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 JUL 15 PM 2:55
COMMISSION CLERK

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.

- COM _____
 - AFD 1 Exh B
 - APA _____
 - ECO _____
 - ENG _____
 - GCL _____
 - IDM _____
 - CLK _____
- Enclosure
- cc: Counsel for Parties of Record (w/ copy of FPL's Request for Confidential Classification)

Sincerely,

Kenneth M. Rubin

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 15, 2019

**FLORIDA POWER & LIGHT COMPANY'S
REQUEST FOR CONFIDENTIAL CLASSIFICATION OF FPL'S RESPONSE TO
STAFF'S SECOND SETTLEMENT DATA REQUEST NUMBER 6**

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 Second Settlement Data Request Number 6. In support of this request, FPL states as follows:

1. On June 24, 2019, Commission Staff was provided copies of FPL's Responses to Staff's Second Settlement Data Requests numbered 1 through 6. Included within those responses was FPL's confidential response to Staff's Second Settlement Data Request Number 6. FPL filed its Notice of Intent to Request Confidential Classification of this response on June 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 information contained in its response to Staff's Second Settlement Data Request Number 6.

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 Dave Bromley 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 Second Settlement Data Request Number 6 contains information concerning bids or other contractual data, the disclosure of which would impair the efforts of FPL or its affiliates to contract for goods or services on favorable terms. This information is protected by Section 366.093(3)(d), Fla. Stat.

4. Additionally, FPL's Response to Staff's Second Settlement Data Request Number 6 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

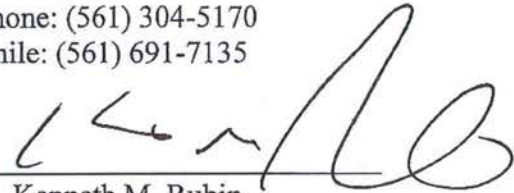
should not be declassified for a period of at least eighteen (18) months and should be returned to FPL as soon as the information is no longer necessary for the Commission to conduct its business. See § 366.093(4), Fla. Stat.

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 15th day of July, 2019.

Kenneth M. Rubin
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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

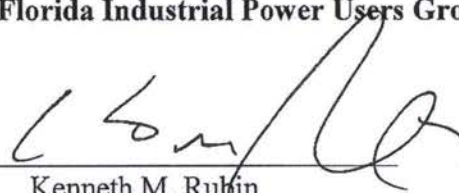
by electronic service on this 15th day of July, 2019 to the following:

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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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QUESTION:

Is the Crew Tracking Application, referred to in Section 8 of the Settlement Agreement, proprietary to FPL or is it commercially available? If the Application is proprietary, what are the estimated costs to develop and maintain the Application? If the Application is commercially available, what are the costs of using the Application.

RESPONSE:

The Crew Tracking Application FPL uses is commercially available. FPL refers to the tool as the "Mutual Assistance Automatic Vehicle Locator" (MAAVL). It is part of a suite of products for which FPL currently pays an annual fee of [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 15, 2019

Description	Nos. of Pages	Conf. Y/N	Line/Column	Florida Statute 366.093(3) Subsection	Declarant
Staff's Second Data Request No. 4	1	Y	Line 9	(d, e)	David Bromley

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 DAVID BROMLEY

1. My name is David Bromley. I am currently employed by Florida Power & Light Company ("FPL") as Manager of Regulatory Services, and I was employed in that capacity prior to and at 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 document 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 document that I have reviewed and which is asserted by FPL to be proprietary confidential business information contains or constitutes contractual data 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 document contains the fee or rate paid by FPL for a suite of products that includes the Crew Tracking Application used by FPL. The negotiated price which was agreed upon exclusively with this vendor is confidential as between FPL and the vendor. Disclosure of this information would impair FPL's commercial relationship with the vendor of the suite of products, and impair or negate the commercial interests of FPL as FPL negotiates to secure these products or similar products in the future. Disclosure of this information would also impair or negate the commercial interests of FPL's vendor as the vendor negotiates 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. 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.

3. 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.



David T. Bromley

Date: July 11, 2019