

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Nuclear Cost)
Recovery Clause)

Docket No. 20190009-EI
Filed: December 6, 2019

**FLORIDA POWER & LIGHT COMPANY'S
THIRD REQUEST FOR EXTENSION OF CONFIDENTIAL CLASSIFICATION
OF AUDIT REPORT PA-13-01-001**

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 Report PA-13-01-001 (the “Audit Report”). In support of its request, FPL states as follows:

1. On November 6, 2015, in Docket No. 150009-EI, FPL filed its First Request for Extension of Confidential Classification of Audit Report PA-13-01-001 (Confidential Document No. 03378-13). FPL’s request was granted by Order No. PSC-16-0238-CFO-EI, issued June 15, 2016.

2. On December 6, 2017, in Docket No. 20170009-EI, FPL filed its Second Request for Extension of Confidential Classification of the Audit work papers (Confidential Document No. 03378-13). FPL’s request was granted by Order No. PSC-2018-0296-CFO-EI, issued June 8, 2018. The period of confidential treatment granted by Order No. PSC-2018-0296-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-2018-0296-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 Third Request for Extension of Confidential Classification. Exhibits A and B from FPL’s June 17, 2013 filing are incorporated herein by reference. Included herewith are FPL’s Third Revised Exhibits C and D.

3. FPL's Third Revised Exhibit C is a table containing the specific line, column and page references to the confidential information, and references to the specific statutory basis or bases for the claim of confidentiality and to the declaration in support of the continued confidential classification. Third Revised Exhibit C is revised only to identify a new affiant. FPL's Third Revised Exhibit D includes the declarations of Lisa Fuca and Antonio Maceo in support of FPL's request.

4. The information that was granted confidential treatment by Order No. PSC-2018-0296-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 Third Revised Exhibit D indicate, the information included in Exhibit A continues to be proprietary, confidential business information. Certain information contained in the Audit Report is information related to reports of internal auditors. This information is protected by Section 366.093(3)(b), Florida Statutes. The Audit Report also contains 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 information is also 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.

6. Additionally, some documents contain employee personnel information unrelated to compensation, duties qualifications or responsibilities. This information is protected by Section 366.093(3)(f), Florida Statutes.

7. Nothing has changed since the issuance of Order No. PSC-2018-0296-CFO-EI to render the confidential information stale or public, such that continued confidential treatment would not be appropriate.

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

Respectfully submitted,

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**CERTIFICATE OF SERVICE
DOCKET NO. 20190009-EI**

I HEREBY CERTIFY that a true and correct copy of the foregoing* was served by electronic mail this 6th day of December, 2019 to the following:

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Fla. Bar No. 103152

*Exhibits are not included with the service copies, but Third Revised Exhibits C and D are available upon request.

Third Revised Exhibit C
Company: Florida Power and Light Company
Title: Review of FPL's Project Management Internal Controls for
Nuclear Plant Uprate and Construction Projects Audit #PA-13-01-001
Docket No. 20190009-EI

Bold denotes revision to reduce the amount of confidential classification previously requested or a new declarant

Document	Description	No. of Pages	Conf. Y/N	Line No./Col. No.	Florida Statute 366.093 (3) Subsection	Declarant
Audit Report	Internal Controls Report for EPU & PTN	38	N	Cover Pages 1-2 i-ii, 1-10, 12, 14-16, 22-26, 31		
			Y	Page 11 Lines 1-3	(d), (e)	Lisa Fuca
				Page 13 Line 1	(d), (e)	Lisa Fuca
				Page 17 Lines 1-7	(b)	Antonio Maceo
				Page 18 Lines 1-2	(b)	Antonio Maceo
				Page 19 Col. A	(d), (e)	Lisa Fuca
				Page 20 Col. A Lines 1-2	(d), (e)	Lisa Fuca
				Page 21 Col. A	(d), (e)	Lisa Fuca
				Page 27 Lns. 1-4	(b)	Antonio Maceo
				Page 28 Lns. 1-17	(b)	Antonio Maceo
				Page 29 Col. A, Lns 1-3, 6-18 Col. B, Lns 2-7, 10, 13-14,17 Lines 19-21	(b)	Antonio Maceo
				Page 30 Col. A, Lns 6-8, 10-11 Col. B, Lns 1-5, 7-10	(b)	Antonio Maceo
				Page 32 Col. A Lines 1-2	(d), (e)	Lisa Fuca
	Page 33 Cols. A and B	(d), (e)	Lisa Fuca			
	Page 34 Lines 1-4	(d), (e)	Lisa Fuca			

THIRD REVISED EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Nuclear Cost Recovery Clause

Docket No: 20190009-EI

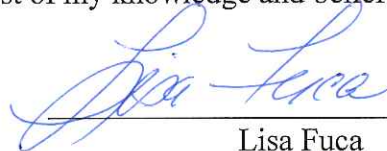
DECLARATION OF LISA FUCA

1. My name is Lisa Fuca. I am currently employed by Florida Power & Light Company ("FPL") as Principal Business Analyst, Nuclear Business Operations. I have personal knowledge of the matters stated in this written declaration.

2. I have reviewed the documents referenced and incorporated in FPL's Third Request for Extension of Confidential Classification of Information Obtained in Connection with Audit No. PA-13-01-001 for which I am identified as the declarant. The documents and materials that I have reviewed contain proprietary confidential business information, including information concerning bids or 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. To the best of my knowledge, FPL has maintained the confidentiality of these documents and materials.

3. No significant changes have occurred since the issuance of Order No. PSC-2018-0296-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.



Lisa Fuca

Date: _____

11/13/19

THIRD REVISED EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Nuclear Cost Recovery Clause

Docket No: 20190009-EI

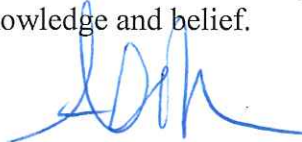
DECLARATION OF ANTONIO MACEO

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 declaration.

2. I have reviewed the documents referenced and incorporated in FPL's Third Request for Extension of Confidential Classification of Information Obtained in Connection with Audit No. PA-13-01-001 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. No significant changes have occurred since the issuance of Order No. PSC-2018-0296-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.



Antonio Maceo

Date:

11/19/19