

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 13-010-4-2 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 certain material provided to the Staff of the Florida Public Service Commission (“Staff”) pursuant to Audit Control No. 13-010-4-2 (“the Audit”) and reflected in Staff’s work papers. In support of its request, FPL states as follows:

1. On November 2, 2015, in Docket No. 150009-EI, FPL filed its First Request for Extension of Confidential Classification of the Audit work papers (Confidential Document No. 03580-13). FPL’s request was granted by Order No. PSC-16-0214-CFO-EI, issued June 6, 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. 03580-13). FPL’s request was granted by Order No. PSC-2018-0297-CFO-EI, issued June 8, 2018. The period of confidential treatment granted by Order No. PSC-2018-0297-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-2018-0297-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 26, 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. FPL's Third Revised Exhibit C is revised only to identify a new affiant. FPL's Third Revised Exhibit D includes the declarations of Antonio Maceo and Lisa Fuca support of FPL's request.

4. The information that was granted confidential treatment by Order No. PSC-2018-0297-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 work papers is information related to reports of internal auditors. This information is protected by Section 366.093(3)(b), Florida Statutes. The 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 work papers also include 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. Additionally, 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 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-2018-0297-CFO-EI to render the confidential information stale or public, such that continued confidential treatment would not be appropriate.

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 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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By: s/ David M. Lee
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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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By: s/ David M. Lee
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*Exhibits are not included with the service copies, but Second Revised Exhibits C and D are available upon request.

Third Revised Exhibit C
Company: Florida Power and Light Company
Title: List of Confidential Workpapers Audit #13-010-4-2
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
Index	Confidentiality Index	2	N			
9	List of internal audits	5	Y	All	(b)	Antonio Maceo
9-1	Internal audit notes	3	Y	All	(b)	Antonio Maceo
9-2	Internal audit notes	3	Y N Y	Page 1 All Page 2 Page 3 Lines 1-4	(b)	Antonio Maceo
9-3	Internal audit notes	2	Y	All	(b)	Antonio Maceo
9-3/1	Internal audit response	1	Y	Lines 1-3	(b)	Antonio Maceo
10 page 31	Request Number 31	1	Y	Lines 1-3	(b)	Antonio Maceo
12 page 2	Reconciliation to T-6	1	N			
12-1	Reconciliation to T-6	1	N			
12-1/1	Project control Worksheet	1	Y	Line 1	(d) (e)	Lisa Fuca
12-1/2	Project control Worksheet	1	Y	Line 1	(d) (e)	Lisa Fuca
12-1/3	Project control Worksheet	1	N			
12-2	CWIP Balances	1	N			
12-2/1	CWIP Balances	26	N			
12-2/1-1	CWIP Balances	1	N			
12-2/1-1/1	CWIP Balances	1	N			
12-2/1-1/2	CWIP Balances	1	N			
12-2/1-1/3	CWIP Balances	1	N			
12-2/1-1/4	CWIP Balances	1	N			
12-2/2	CWIP Balances	20	N			
25-1	PO's over \$250K	1	Y	Column A	(d) (e)	Lisa Fuca
25-1/1	PO's over \$250K	6	Y	Page 1 Lines 1-14 Page 2 Lines 1-5 Page 3 Lines 1-8	(d) (e)	Lisa Fuca

Document	Description	No. of Pages	Conf. Y/N	Line No./Col. No.	Florida Statute 366.093 (3) Subsection	Declarant
				Page 4 Lines 1-12 Page 5 Lines 1-16 Page 6 Lines 1-3		
43-1	Sample	14	N Y N Y Y Y Y	Pages 1-7 Page 8 Lines 1-5 Pages 9-10 Page 11 Lines 1-7 Page 12 Lines 1-8 Page 13 Lines 1-7 Page 14 Lines 1-4	(d) (e) (f)	Lisa Fuca
43-1/2	Sample questions	1	Y	Lines 1-9	(d) (e)	Lisa Fuca
43-1/2-1	Sample questions	1	Y	Lines 1	(d) (e)	Lisa Fuca
43-1/2-1/1	Sample questions	2	Y	Page 1 Lines 1-9 Page 2 Lines 1-24	(d) (e) (f)	Lisa Fuca
43-2	Sample	10	Y	Page 1-5 Column A Page 6 Column A and Column B Lines 1-2 Page 7 Column A and Column B Lines 1-3 Page 8 Column A Page 9 Column A and Column B Lines 1-5 and Line 6 Page 10 Column A and Column B Lines 1-3	(d) (e)	Lisa Fuca
43-2/1	Sample questions	2	Y	Page 1 Columns A and B and Line 1 Page 2 Columns A and B and C	(e)	Lisa Fuca
43-2/2	Sample	2	Y	Page 1 Column A Page 2 Column A Line 1 and Column B	(e)	Lisa Fuca

Document	Description	No. of Pages	Conf. Y/N	Line No./Col. No.	Florida Statute 366.093 (3) Subsection	Declarant
43-2/3	Sample	2	N			
43-2/4	Sample	6	N			
43-2/5	Sample	2	Y N	Page 1 Column A Page 2	(e)	Lisa Fuca
43-3	Sample	14	N Y	Pages 1-7 Page 8 Lines 1-21 Page 9 Lines 1-15 Page 10 Lines 1-13 Page 11 Lines 1-11 Page 12 Lines 1-16 Page 13 Lines 1-13 Page 14 Lines 1-4	(d) (e)	Lisa Fuca
43-3/1	Sample questions	4	Y N	Page 1 Lines 1-2 Page 2 Lines 1-3 Page 3 Lines 1-3 Page 4	(d) (e)	Lisa Fuca
43-3/1-2	Sample questions	1	Y	Line 1	(d) (e)	Lisa Fuca
43-3/1-2/1	Sample questions	1	Y	Column A	(d) (e)	Lisa Fuca
43-3/2	Sample questions	1	Y	Column A	(e)	Lisa Fuca
43-3/2-1	Sample questions	1	Y	Column A	(e)	Lisa Fuca
43-3/2-2	Sample questions	1	Y	Lines 1-3 and Cols. A, B, C and D	(e)	Lisa Fuca
43-4	Sample	2	N Y	Page 1 Page 2 Column A	(d) (e)	Lisa Fuca
46-1	Payroll	3	N Y Y	Page 1 Page 2 Lines 1-7 Page 3 Lines 1-7	(e)	Lisa Fuca
46-1/1	Payroll	6	Y	Pages 1-4 Column A Page 5 Column A and Column B Lines 1-4	(d) (e)	Lisa Fuca

Document	Description	No. of Pages	Conf. Y/N	Line No./Col. No.	Florida Statute 366.093 (3) Subsection	Declarant
				Page 6 Column A and Column B Lines 1-2		
46-1/1-1	Payroll	1	Y	Lines 1-2	(f)	Lisa Fuca
46-1/2	Payroll	8	Y	Pages 1-8 Column A	(d) (e)	Lisa Fuca
46-2/2	Payroll	1	N			
49-1	Affiliate Charges	1	Y	Line 1	(e)	Lisa Fuca
49-2	Affiliate Charges	8	Y Y N Y N Y N Y	Page 1 Line 1 Page 2 Lines 1-2 Page 3 Page 4 Lines 1-2 Page 5 Page 6 Lines 1-2 Page 7 Page 8 Lines 1-2	(d) (e)	Lisa Fuca
49-3	Affiliate Charges	1	Y	Lines 1-16	(d) (e)	Lisa Fuca
49-3/1	Affiliate Charges	1	Y	Cols. A, B, C and D	(d) (e)	Lisa Fuca
49-3/2	Affiliate Charges	1	Y	Lines 1-5	(d) (e)	Lisa Fuca
49-3/2-1	Affiliate Charges	1	N			
49-3/3	Affiliate Charges	1	Y	Lines 1-6	(d) (e)	Lisa Fuca
49-5	Affiliate Charges	1	N			
49-5/1	Affiliate Charges	8	Y Y Y N Y N Y	Page 1 Lines 1-2 Page 2 Line 1 Page 3-4 Lines 1-2 Pages 5 Page 6 Lines 1-3 Page 7 Page 8 Lines 1-6	(d) (e)	Lisa Fuca
49-5/2	Affiliate Charges	1	Y	Page 1 Lines 1-2	(d) (e)	Lisa Fuca
49-5/2-1	Affiliate Charges	1	N			
49-5/2-2	Affiliate Charges	1	N			
50-1	Jurisdictional factor	1	N			

Document	Description	No. of Pages	Conf. Y/N	Line No./Col. No.	Florida Statute 366.093 (3) Subsection	Declarant
50-2	Jurisdictional factor	1	N			
50-3	Jurisdictional factor	1	N			

THIRD REVISED EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Nuclear Cost Recovery Clause

Docket No: 20190009-EI

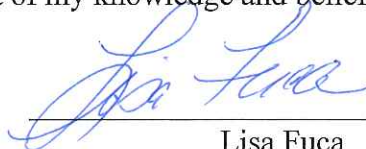
DECLARATION OF LISA FUCA

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-13-010-4-2 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. Finally, these documents include employee social security numbers, which FPL has an obligation to maintain as confidential. 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-2018-0297-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-13-010-4-2 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. No significant changes have occurred since the issuance of Order No. PSC-2018-0297-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:

11/13/19