

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Nuclear Cost)
Recovery Clause)

Docket No. 20190009-EI
Filed: December 9, 2019

**FLORIDA POWER & LIGHT COMPANY'S
THIRD REQUEST FOR EXTENSION OF CONFIDENTIAL CLASSIFICATION
OF AUDIT CONTROL NO. 14-007-4-2 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 Audit Control No. 14-007-4-2 Work Papers (the "Audit Work Papers"). In support of its request, FPL states as follows:

1. On January 8, 2016, in Docket No. 160009-EI, FPL filed its First Request for Extension of Confidential Classification of the Audit Work Papers (Confidential Document No. 02951-14 (cross reference no. 02544-14)). FPL's request was granted by Order No. PSC-16-0224-CFO-EI, issued June 6, 2016.

2. On December 6, 2017 FPL filed its Second Request for Confidential Classification which included Second Revised Exhibits C and D ("December 6, 2017 Request"). By Order No. PSC-2018-0307-CFO-EI dated June 8, 2018 ("Order 0307") the Commission granted FPL's December 6, 2017 Request. FPL adopts and incorporates by reference the December 6, 2017 Request and Order 0307.

3. The period of confidential treatment by Order 0307 will soon expire. The Confidential Information that was subject of FPL's December 6, 2017 Request and Order 0307 warrants continued treatment as proprietary and confidential business information within the meaning of Section 366.093(3).

4. Accordingly, FPL hereby submits its Third Request for Extension of Confidential Classification. Exhibits A and B from FPL's June 12, 2014 filing are incorporated herein by

reference. Revised Exhibit C filed on January 8, 2016 is incorporated herein by reference. Included herewith is Third Revised Exhibits and Third Revised Exhibit D.

5. 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 indicates with bold font in Third Revised Exhibit C revisions made to reduce the amount of information classified as confidential. Third Revised Exhibit D includes the declaration of Lisa Fuca and Antonio Maceo in support of FPL's request.

6. The information that was granted confidential treatment by Order No. 0307 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.

7. As the declaration included in Third Revised Exhibit D indicates, the information included in Exhibit A continues to be proprietary, confidential business information. Certain information contained in the Audit Work Papers is information related to reports of FPL's internal auditors. This information is protected from public disclosure by Section 366.093(3)(b), Florida Statutes. The Audit 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 Audit Work Papers also contain 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. 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.

8. Nothing has changed since the issuance of Order No. 0307 to render the confidential information stale or public, such that continued confidential treatment would not be appropriate. Moreover, this information will remain confidential for a period longer than the 18 months typically provided for confidential treatment, and it is anticipated that Staff will retain these documents for more than 18 months.

9. 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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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 9th day of December, 2019 to the following:
electronic mail this 6th day of December, 2019 to the following:

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*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: List of Confidential Workpapers Audit #PA-14-007-4-2
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	1	N			
Cover Page	Cover Page	1	N			
9	List of Internal Audits	2	Y	All	(b)	Antonio Maceo
9-1	Internal Audits	4	Y	All	(b)	Antonio Maceo
9-2	Internal Audits	3	Y	All	(b)	Antonio Maceo
12-1 p. 1 & 3	Reconciliation to the General Ledger	2	N			
12-1/2	List of WBS Elements	2	Y N	Page 1 Line 1 Page 2	(d)(e)	Lisa Fuca
12-1/3	New Nuclears Transactions	1	Y	Line 1	(d)(e)	Lisa Fuca
12-1/4	General Ledger (July thru Sept)	2	Y N	Page 1 Lines 1-6 Page 2	(d)(e)	Lisa Fuca
12-1/5	New Nuclears Transactions (Oct. thru Dec)	1	N			
19 p. 2	Construction of Work in Progress	1	N			
19-1/1	Construction of Work in Progress	2	Y	Page 1 Lines 1-4 Page 2 Lines 1-3	(d)(e)	Lisa Fuca
19-1/1	Construction of Work in Progress	1	Y	Page 3 Line 1 Page 3 Lines 2-4	(b) (d)(e)	Antonio Maceo Lisa Fuca
19-1/1	Construction of Work in Progress	13	Y Y Y Y Y	Page 1 Lines 1, 2, 3 and 4 Page 2 Lines 1, 2 and 3 Page 3 Lines 1, 2, 3 and 4 Page 4 Line 1 Page 5 Lines 1-7	(d)(e)	Lisa Fuca

Document	Description	No. of Pages	Conf. Y/N	Line No./Col. No.	Florida Statute 366.093 (3) Subsection	Declarant
			N	Page 6		
			Y	Page 7 Lines 1-4		
			Y	Page 8 Lines 1-2		
			N	Pages 9-10		
			Y	Page 11-12, Lines 1-2		
			Y	Page 13 Lns 1-4		
			Y	Page 14 Lns 1-15		
			Y	Page 15 Lns 1-12		
			N	Page 16		
19-1/1-1	Construction of Work in Progress	5	N			
19-1/2	Construction of Work in Progress	3	Y	Page 1 Lns 1-11 Pages 2-3 Lns 1-9	(d)(e)	Lisa Fuca
19-1/3	Construction of Work in Progress	1	Y	Lines 1-8	(d)(e)	Lisa Fuca
44	Organizational Charts	2	N			
45-1 p. 1	Contracts	1	Y	Columns A-D	(d)(e)	Lisa Fuca
45-1 p. 3 thru 11	Contracts	9	Y	Pages 3-11 Line 1	(d)(e)	Lisa Fuca
45-1/1	Contracts	10	Y	Page 1 Lines 1-19 Page 2 Lines 1-17 Page 3 Line 1 Page 4 Lines 1-3 Page 5 Lines 1-9 Page 6 Lines 1-15 Page 7 Lines 1-13 Page 8 Lines 1-18 Pgs 9-10 Lns 1-15	(d)(e)	Lisa Fuca
46-1	Payroll	4	N			
46-1/1	Payroll	32	Y	Pages 1-32 Column A	(e)	Lisa Fuca

Document	Description	No. of Pages	Conf. Y/N	Line No./Col. No.	Florida Statute 366.093 (3) Subsection	Declarant
46-1/1-1	Payroll	3	Y	Pages 1-3 Column A	(e)	Lisa Fuca
46-1/1-2	Payroll	1	N			
46-1/2	Payroll	34	Y N	Pages 1-32 Column A Pages 33-34	(e)	Lisa Fuca
46-1/3	Payroll	1	Y	Columns A-H and Lines 1-4	(e)	Lisa Fuca
46-1/3-1	Payroll	2	Y	Page 1 Columns A-B Page 2 Column A	(e)	Lisa Fuca
46-1/3-2	Payroll	2	Y	Pgs 1-2 Column A	(e)	Lisa Fuca
46-1/3-3	Payroll	3	Y	Page 1 Cols. A-I Pgs 2-3 Cols. A-D	(e)	Lisa Fuca
46-2	Payroll	3	Y	Page 1 Columns A-C Page 2 Lines 1-22 Page 3 Cols A-C	(e)	Lisa Fuca
46-2/1	Payroll	1	N			
46-2/1-1	Payroll	2	N			
46-2/1-2	Payroll	8	N			
49-1	Affiliate Charges	1	Y	Columns A-C	(d)(e)	Lisa Fuca
49-1/1	Affiliate Charges	2	Y	Pages 1-2 Col. A	(d)(e)	Lisa Fuca
49-1/1-1	Affiliate Charges	2	Y N	Page 1 Lines 1-17 Page 2	(d)(e)	Lisa Fuca
49-1/2	Affiliate Charges	4	Y	Page 1 Lines 1-16 Page 2 Cols. A-D Page 3 Lines 1-5 Page 4 Lines 1-6	(d)(e)	Lisa Fuca
49-1/2-1	Affiliate Charges	1	Y	Page 1 Cols A-D and Lns 1-2	(d)(e)	Lisa Fuca
49-2	Affiliate Charges	2	N Y	Page 1 Page 2 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

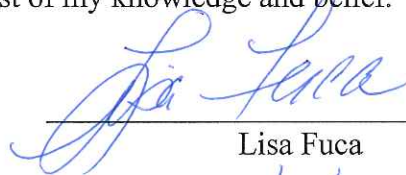
DECLARATION OF LISA FUCA

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-14-007-4-2 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. 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-2018-0307-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

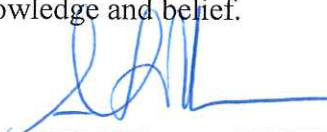
DECLARATION OF ANTONIO MACEO

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-14-007-4-2 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-2018-0307-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