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December 23, 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

**REDACTED**

COMMUNICATIONS  
CLERK

2019 DEC 23 PM 3:33

RECEIVED-FPSC

**Re: Docket No. 20190061-EI**

Dear Mr. Teitzman:

I enclose for filing in the above docket Florida Power & Light Company's ("FPL's") Request for Confidential Classification of Information Provided in Response to the Office of Public Counsel's Second Request for Production of Documents, No. 3. The request includes Exhibits A, B (two copies), C and D.

Exhibit A consists of the confidential documents, and all the information that FPL asserts is entitled to confidential treatment has been highlighted. Exhibit B is an edited version of Exhibit A, in which the information FPL asserts is confidential has been redacted. Exhibit C is a justification table in support of FPL's Request for Confidential Classification. Exhibit D contains a declaration in support of FPL's request.

Please contact me if you or your Staff has any questions regarding this filing.

Sincerely,

Maria Jose Moncada

- COM
- AFD
- APA
- ECO
- ENG  Exhibit B
- GCL
- IDM
- CLK

Enclosure

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

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Petition for approval of FPL SolarTogether Program and Tariff, by Florida Power & Light Company

Docket No: 20190061-EI

Date: December 23, 2019

**FLORIDA POWER & LIGHT COMPANY'S  
REQUEST FOR CONFIDENTIAL CLASSIFICATION OF  
INFORMATION PROVIDED IN RESPONSE TO THE OFFICE OF PUBLIC  
COUNSEL'S SECOND REQUEST FOR PRODUCTION OF DOCUMENTS (No. 3)**

Pursuant to Section 366.093, Florida Statutes and Rule 25-22.006, Florida Administrative Code, Florida Power & Light Company ("FPL") hereby requests confidential classification by the Florida Public Service Commission ("Commission") of certain information provided in response to the Office of Public Counsel's Second Request for Production of Documents, No. 3 ("POD Request No. 3"). The information and documents subject to this Request for Confidential Classification are collectively referred to as the "Confidential Documents." In support of this Request, FPL states as follows:

1. The Commission's Staff has requested a copy of certain pages from FPL's response to POD Request No 3. FPL submits that certain information contained in its response to POD Request No. 3 contains Confidential Information, as defined in Rule 25-22.006(1)(a). As a result, FPL hereby requests confidential classification of that information, pursuant to Rule 25-22.006(4).

2. The following exhibits are included herewith and made a part hereof:

- a. Exhibit A consists of a copy of the Confidential Documents on which all information that FPL asserts is entitled to confidential treatment is highlighted.
- b. Exhibit B consists of an edited version of the Confidential Documents on which all information that FPL asserts is entitled to confidential treatment

is redacted. Because all pages are confidential in their entirety, Exhibit B consists of only an identifying cover page.

- c. Exhibit C is a table that identifies the information highlighted in Exhibit A and references the specific statutory basis for the claim of confidentiality and identifies the Declarant who supports the requested classification.
- d. Exhibit D is the Declaration of William F. Brannen in support of this Request.

3. FPL asserts that the highlighted information in Exhibit A contains proprietary confidential contractual data, the disclosure of which would impair the efforts of FPL or its affiliates to contract for goods or services on favorable terms, as well as information relating to competitive interests, the disclosure of which would impair the competitive business of the provider of the information.


4. As described in Exhibit D, the proprietary confidential business information contained in Exhibit A includes 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, as well as information relating to competitive interests, the disclosure of which would impair the competitive business of the provider of the information. This information is protected by Sections 366.093(3)(d) and (e), Fla. Stat.

5. Upon a finding by the Commission that the information contained in the Confidential Documents is proprietary and confidential business information, the information should not be declassified for at least eighteen (18) months, or as otherwise extended by the Commission, 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, including those set forth in the supporting materials, Florida Power & Light Company respectfully requests that its Request for Confidential Classification be granted.

Respectfully submitted this 23rd day of December 2019.

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Juno Beach, FL 33408  
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By:  \_\_\_\_\_  
Maria Jose Moncada  
Florida Bar No. 0773301

**CERTIFICATE OF SERVICE**  
**Docket No. 20190061-EI**

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by electronic service on this 23rd day of December 2019 to the following:

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By:   
Maria Jose Moncada  
Fla. Bar No. 0773301

# **EXHIBIT B**

**FPL's Response to OPC's Second  
Request for Production of Documents, No. 3**

**Bates No. FPL 001497-001501**

**Is confidential in its entirety**

**EXHIBIT C**

**COMPANY:** Florida Power & Light Company  
**TITLE:** List of Confidential Documents  
**DOCKET NO.:** 20190061-EI  
**DOCKET TITLE:** FPL Petition for approval of FPL SolarTogether Program and Tariff  
**SUBJECT:** FPL's Response to the Office of Public Counsel's Second Request for Production of Documents, Request No. 3  
**DATE:** December 23, 2019

| Discovery Item                                      | Bates Number      | Description                               | Line No./ Col. No. | Florida Statute 366.093(3) Subsection | Declarant          |
|---|-------------------|---|--------------------|---------------------------------------|--------------------|
| OPC 2nd Request for Production of Documents (No. 3) | FPL 001497-001501 | Exhibit C-2, Project Control Requirements | All                | (d)(e)                                | William F. Brannen |



**EXHIBIT D**

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Petition by Florida Power & Light Company  
for Approval of FPL SolarTogether Program and  
Tariff

Docket No: 20190061-EI

STATE OF FLORIDA                    )  
  )  
PALM BEACH DADE COUNTY        )

**DECLARATION OF WILLIAM F. BRANNEN**

1. My name is William F. Brannen. I am currently employed by Florida Power & Light Company ("FPL") as Senior Director for Project Engineering Due Diligence. My business address is 700 Universe Blvd., Juno Beach, Florida 33408. I have personal knowledge of the matters stated in this written declaration.

2. I have reviewed the documents that are included in FPL's Request for Confidential Classification regarding OPC's Second Request for Production of Documents No. 3, for which I am listed as the declarant. The documents or materials that I have reviewed and which are asserted by FPL to be proprietary confidential business information constitute contractual data, the disclosure of which would impair the efforts of the public utility or its affiliates to contract for goods or services on favorable terms, as well as information relating to competitive interests, the disclosure of which would impair the competitive business of the provider of the information. Specifically, the material consists of project control requirements related to a negotiated contract. To the best of my knowledge, FPL has maintained the confidentiality of these documents and materials.

3. Consistent with the provisions of the Florida Administrative Code, such materials should remain confidential for a period of at least an additional eighteen months (18) months. In addition, these materials 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.

  
William F. Brannen

Date: 12/25/2019