

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Energy Conservation Cost Recovery  
Clause

Docket No: 20200002-EG  
Date: May 8, 2020

**FLORIDA POWER AND LIGHT COMPANY'S FOURTH REQUEST  
FOR EXTENSION OF CONFIDENTIAL CLASSIFICATION  
OF INFORMATION PROVIDED PURSUANT TO AUDIT NO. 12-010-4-3**

Pursuant to Section 366.093, Florida Statutes ("Section 366.093"), and Rule 25-22.006, Florida Administrative Code, Florida Power & Light Company ("FPL") hereby submits its Fourth Request for Extension of Confidential Classification of Information Provided Pursuant to Audit No. 12-010-4-3 ("Confidential Information"). In support of this request, FPL states as follows:

1. On July 30, 2012, FPL filed a Request for Confidential Classification of the Confidential Information, which included Exhibits A, B, C and D ("July 30, 2012 Request"). By Order No. PSC-12-0570-CFO-EI, dated October 24, 2012 ("Order 0570"), the Commission granted FPL's July 30, 2012 Request. FPL adopts and incorporates by reference the July 30, 2012 Request and Order 0570.

2. By Order No. PSC-16-0306-CFO-EG, dated July 28, 2014, the Commission granted FPL's Second Request for Extension of Confidential Classification.

3. On January 26, 2018 FPL filed its Third Request for Extension of Confidential Classification of the Confidential Information, which included Third Revised Exhibit D ("January 26, 2018 Request"). By Order No. PSC-2018-0512-CFO-EG, dated October 22, 2018 ("Order 0512"), the Commission granted FPL's January 26, 2018 Request. FPL adopts and incorporates by reference the January 26, 2018 Request and Order 0512.

4. The Confidential Information that was the subject of FPL's January 26, 2018 Request and Order 0512 warrants continued treatment as proprietary and confidential business

information within the meaning of Section 366.093(3). Accordingly, FPL hereby submits its Fourth Request for Extension of Confidential Classification.

5. All of the information designated in Exhibits A, B and C to the July 30, 2012 Request remains confidential. Accordingly, those exhibits will not be reproduced or reattached here.

6. The declaration of Anita Sharma in support of this Request is included as Fourth Revised Exhibit D.

7. The Confidential Information is intended to be and has been treated by FPL as private, its confidentiality has been maintained, and its disclosure would cause harm to FPL and its customers. Pursuant to Section 366.093, such materials are entitled to confidential treatment and are 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.

8. As the declaration included in Fourth Revised Exhibit D indicates, certain documents include competitively sensitive information, the disclosure of which would impair the competitive business of the provider of the information. Additionally, certain documents contain information that relates to customer-specific account information, which if disclosed would impair FPL's competitive interests. It is FPL's corporate policy not to disclose customer-specific information. This policy includes, but is not limited to: customer names, addresses, telephone numbers, and account numbers, rates, billing determinants (kW and kWh usage), conservation savings in kW, kWh and bills. FPL treats such information as confidential and does not disclose

it, except as required by law, to entities or persons other than the customer absent the customer's consent. This information is protected pursuant to Section 366.093(3)(e), Fla. Stat.

9. Nothing has changed since the Commission entered Order 0512 to render the Confidential Information stale or public, such that continued confidential treatment would not be appropriate.

10. Upon a finding by the Commission that the Confidential Information remains proprietary and confidential business information, the information should not be declassified for at least an additional eighteen (18) month period and should be returned to FPL as soon as it 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 included with or incorporated in this Request, Florida Power & Light Company respectfully requests that its Fourth Request for Extension of Confidential Classification be granted.

Respectfully submitted,

Maria Jose Moncada  
Senior Attorney  
Joel Baker  
Principal Attorney  
Florida Power & Light Company  
700 Universe Boulevard  
Juno Beach, FL 33408  
Telephone: (561) 304-5795  
Facsimile: (561) 691-7135  
Email: maria.moncada@fpl.com

By: s/ Maria Jose Moncada  
Maria Jose Moncada  
Florida Bar No. 0773301

**CERTIFICATE OF SERVICE**  
**Docket No. 20200002-EG**

I HEREBY CERTIFY that a true and correct copy of the foregoing Fourth Request for Extension of Confidential Classification was served by electronic mail this 8th day of May 2020 to the following:

Ashley Weisenfeld  
Division of Legal Services  
**Florida Public Service Commission**  
2540 Shumard Oak Blvd.  
Tallahassee, Florida 32399-0850  
aweisenf@psc.state.fl.us

Dianne M. Triplett  
299 First Avenue North  
St. Petersburg, Florida 33701  
dianne.triplett@duke-energy.com

Matthew R. Bernier  
106 East College Avenue, Suite 800  
Tallahassee, Florida 32301  
matthew.bernier@duke-energy.com  
FLRegulatoryLegal@duke-energy.com  
**Attorneys for Duke Energy Florida**

Beth Keating  
Gunster, Yoakley & Stewart, P.A.  
215 South Monroe Street, Suite 601  
Tallahassee, Florida 32301-1804  
bkeating@gunster.com  
**Attorneys for Florida Public Utilities Company**

Mike Cassel  
Director Regulatory Affairs  
**Florida Public Utilities Company**  
208 Wildlight Avenue  
Yulee, Florida 32097  
mcassel@fpuc.com

J.R. Kelly  
Patricia A. Christensen  
Charles J. Rehwinkel  
Thomas A. (Tad) David  
Mireille Fall-Fry  
**Office of Public Counsel**  
c/o The Florida Legislature  
111 West Madison St., Room 812  
Tallahassee, FL 32399-1400  
kelly.jr@leg.state.fl.us  
christensen.patty@leg.state.fl.us  
rehwinkel.charles@leg.state.fl.us  
david.tad@leg.state.fl.us  
fall-fry.mireille@leg.state.fl.us

James D. Beasley  
J. Jeffrey Wahlen  
Malcolm N. Means  
Ausley & McMullen  
P.O. Box 391  
Tallahassee, Florida 32302  
jbeasley@ausley.com  
jwahlen@ausley.com  
mmeans@ausley.com  
**Attorneys for Tampa Electric Company**

Paula K. Brown, Manager  
**Tampa Electric Company**  
Regulatory Coordinator  
Post Office Box 111  
Tampa, Florida 33601-0111  
regdept@tecoenergy.com

Jon C. Moyle  
Moyle Law Firm, P.A.  
118 N. Gadsden St.  
Tallahassee, Florida 32301  
jmoyle@moylelaw.com  
mqualls@moylelaw.com  
**Attorneys for Florida Industrial Power  
Users Group**

Russell A. Badders  
Vice President  
& Associate General Counsel  
One Energy Place, Bin 100  
Pensacola, Florida 32520-0100  
russell.badders@nexteraenergy.com  
**Attorneys for Gulf Power Company**

James W. Brew  
Laura A. Wynn  
Stone Mattheis Xenopoulos & Brew, PC  
1025 Thomas Jefferson Street, NW  
Eighth Floor, West Tower  
Washington, DC 20007-5201  
jbrew@smxblaw.com  
lwb@smxblaw.com  
**Attorneys for White Springs Agricultural  
Chemicals, Inc. d/b/a PCS Phosphate -  
White Springs**

By: s/ Maria Jose Moncada  
Maria Jose Moncada

# **EXHIBIT D**

## **DECLARATION**

**FOURTH REVISED EXHIBIT D**

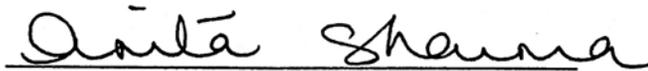
**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Energy Conservation Cost Recovery Clause

Docket No: 20200002-EG

**DECLARATION OF ANITA SHARMA**

1. My name is Anita Sharma. I am currently employed by Florida Power & Light Company ("FPL") as Manager, Demand Side Management Cost and Performance. I have personal knowledge of the matters stated in this written declaration.
2. I have reviewed the documents that are referenced in FPL's Fourth Request for Extension of Confidential Classification of Information Provided Pursuant to Audit No. 12-010-4-3. Such documents or materials that I have reviewed and which, in whole or in part, are asserted by FPL to be proprietary confidential business information, contain or constitute competitively sensitive information, the disclosure of which would impair the competitive business of the provider of the information. Specifically, some of the information contains or constitutes information pertaining to payroll, pension and welfare rates. Other information pertains to negotiated terms with third party vendors for equipment and services related to FPL's implementation of demand side management and conservation programs. Additionally, some documents contain customer-specific account information, which if disclosed would impair FPL's competitive interests or those of its vendors. It is FPL's corporate policy not to disclose customer-specific account information. This policy includes, but is not limited to: customer names, addresses, telephone numbers, account numbers, rates, billing determinants (kW and kWh usage), conservation savings in kW, kWh and bills. FPL treats such information as confidential and does not disclose it, except as required by law, to entities or persons other than the customer absent the customer's consent. To the best of my knowledge, FPL has maintained the confidentiality of these documents and materials.
3. Nothing has occurred since the issuance of Order No. PSC-2018-0512-CFO-EG 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.

  
ANITA SHARMA

Date: 5/8/2020