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March 4, 2021

-VIA HAND DELIVERY-
Adam Teitzman
Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

REDACTED

RECEIVED-FPSC
2021 MAR -4 PM 3:14
COMMISSION
CLERK

**RE: Docket 20200257-EI
Florida Power & Light Company Petition for Approval of 2020 Nuclear
Decommissioning Study**

Dear Mr. Teitzman:

I enclose for filing in the above docket Florida Power & Light Company's Request for Confidential Classification of Information Provided in Response to Staff's First Data Request (Nos. 85 and 86). 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 the declaration in support of FPL's request.

If there are any questions regarding this transmittal, please contact me at (561)304-5662.

Sincerely,

William P. Cox

William P. Cox
Senior Attorney
Fla. Bar No. 0093531

for

- COM _____
- AFD _____
- APA _____
- ECO *1* *Exh B* _____
- ENG _____
- GCL _____
- IDM _____
- CLK _____

Enclosure

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Florida Power & Light Company's
Petition for Approval of 2020 Nuclear
Decommissioning Study

Docket No. 20200257-EI
Filed: March 4, 2021

**FLORIDA POWER & LIGHT COMPANY'S
REQUEST FOR CONFIDENTIAL CLASSIFICATION
OF INFORMATION PROVIDED IN RESPONSE TO
STAFF OF THE FLORIDA PUBLIC SERVICE COMMISSION'S
FIRST DATA REQUEST (NOs. 85 and 86)**

Pursuant to Section 366.093, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, Florida Power & Light Company ("FPL") requests confidential classification of certain information provided in response to the Staff of the Florida Public Service Commission's ("Staff") First Data Request (Nos. 85 and 86) ("Confidential Discovery Response"). In support of its Request, FPL states as follows:

1. On February 2, 2021, Staff served its First Data Request (Nos. 1-87) on FPL. FPL's Responses to Staff's First Data Request (Nos. 85 and 86) contain information of a confidential nature within the meaning of Section 366.093(3), Florida Statutes.

2. FPL served its responses to Staff's First Data Request (Nos. 1-87) on March 4, 2021. This request is being filed contemporaneously with the service of the responses to Staff's discovery in order to request confidential classification of the Confidential Discovery Responses consistent with Rule 25-22.006, Florida Administrative Code.

3. The following exhibits are included with and made a part of this request:

a. Exhibit A consists of a copy of the Confidential Discovery Responses 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 Discovery Responses on which all information that FPL asserts is entitled to confidential treatment is redacted.

c. Exhibit C is a table containing a page-and-line identification of the information highlighted in Exhibit A and a brief description of the Confidential Information. Exhibit C also references the specific statutory bases for the claim of confidentiality and identifies the declarants who support the requested classification.

d. Exhibit D contains the declaration of Lisa Fuca in support of this Request.

4. FPL submits that the highlighted information in Exhibit A is proprietary 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, and its confidentiality has been maintained. Pursuant to Section 366.093, such information is entitled to confidential treatment and 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 description included in Exhibit C and the declarations included in Exhibit D indicate, the Confidential Discovery Response provided by FPL contains information concerning bids or contractual data, the disclosure of which would impair the efforts of the company or its affiliates to contract for goods or services on favorable terms. This information is protected by Section 366.093(3)(e), Fla. Stat.


6. 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 and affidavits included herewith, Florida Power & Light Company respectfully requests that its Request for Confidential Classification be granted.

Respectfully submitted,

William P. Cox, Esq.
Senior Attorney
Florida Power & Light Company
700 Universe Boulevard
Juno Beach, FL 33408
Telephone: (561) 304-5662
Facsimile: (561) 691-7135


By: 
William P. Cox
Fla. Bar No. 0093531

CERTIFICATE OF SERVICE
Docket No. 20200257-EI

I HEREBY CERTIFY that a true and correct copy of the foregoing Request for Confidential Classification* has been furnished by electronic service this 4th day of March 2021 to the following:

Suzanne Brownless
Special Counsel
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399

By: _____


William P. Cox
Florida Bar No. 0093531

* The exhibits to this Request are not included with the service copies, but copies of Exhibits B, C, and D are available upon request.

EXHIBIT B

REDACTED

Florida Power & Light Company
Docket No: 20200257-EI
Staffs First Data Request
Request No: 85

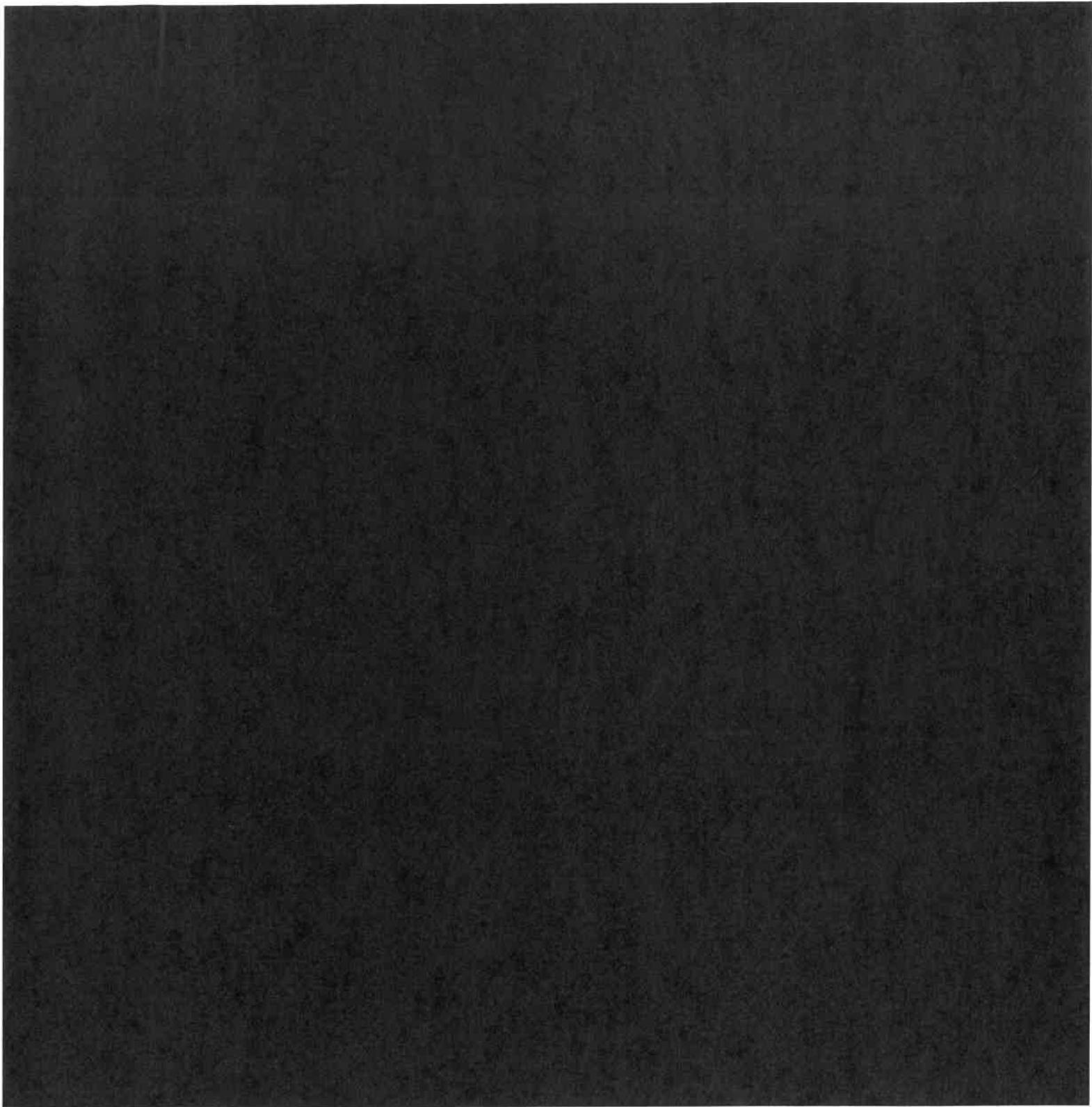
QUESTION:

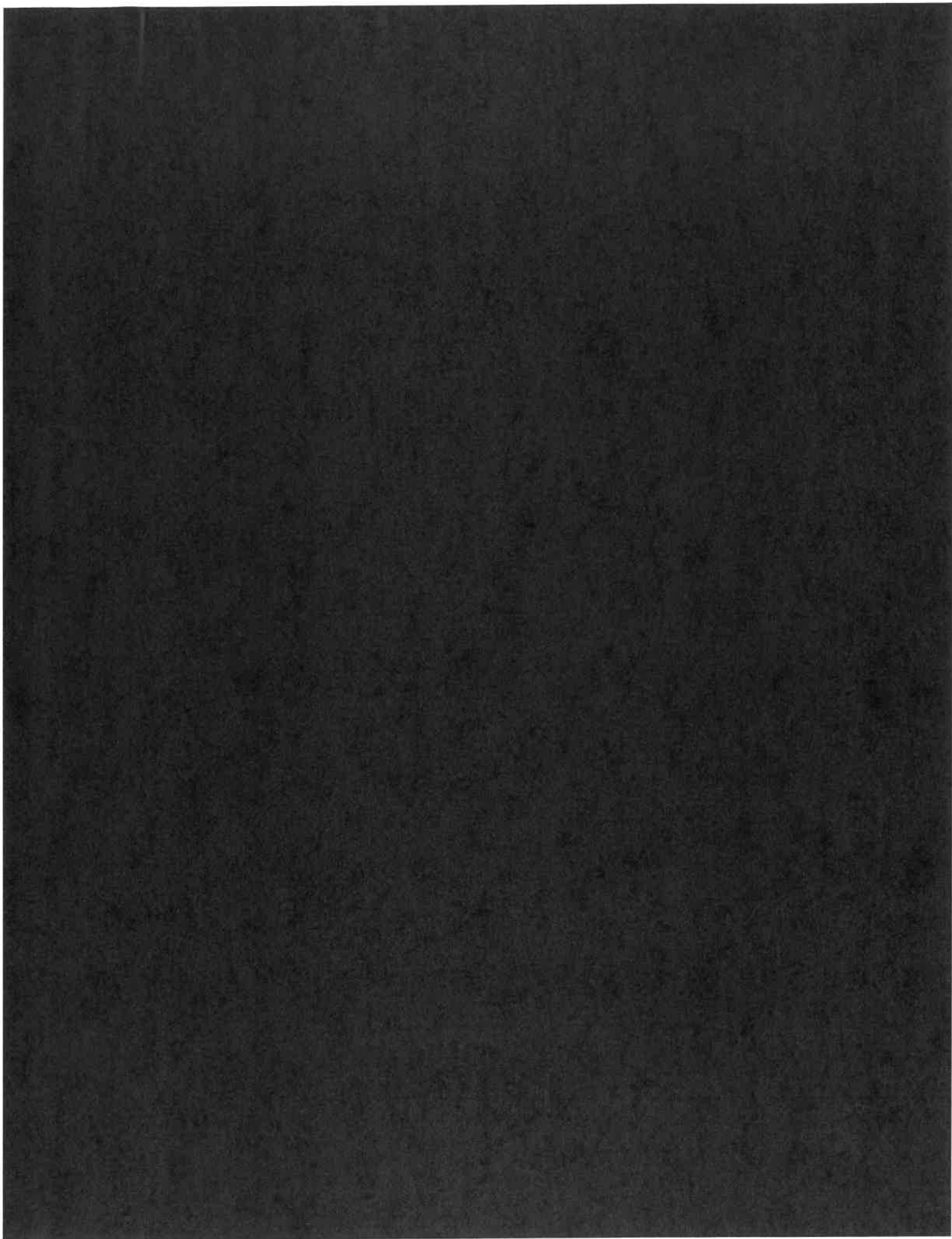
Document Requests - Nuclear Decommissioning Trust Fund

Please refer to the Decommissioning Study for St. Lucie, Section 11, Page 34. Please provide a copy of the local labor rate schedule used for estimating the cost of decommissioning FPL's St. Lucie Nuclear Units.

RESPONSE: (do not edit or delete this line or anything above this)

Please see confidential Attachment No. 1 for this Data Request, No. 85.





Florida Power & Light Company
Docket No: 20200257-EI
Staffs First Data Request
Request No: 86

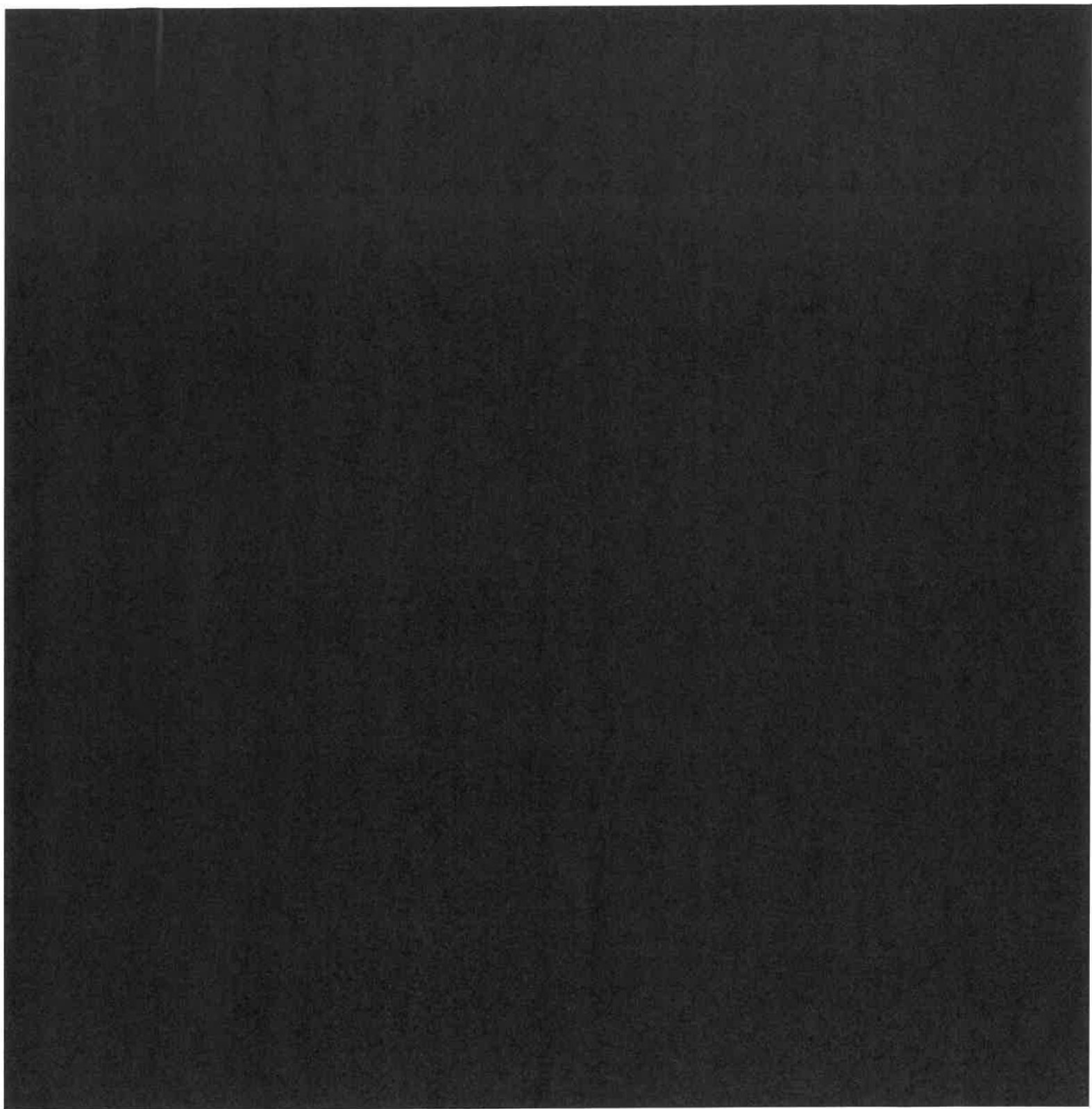
QUESTION:

Document Requests - Nuclear Decommissioning Trust Fund

Please refer to the Decommissioning Study for Turkey Point, Section 10, Page 34. Please provide a copy of the local labor rate schedule used for estimating the cost of FPL's Turkey Point Nuclear Units.

RESPONSE: (do not edit or delete this line or anything above this)

Please see confidential Attachment No. 1 for this Data Request, No. 86.



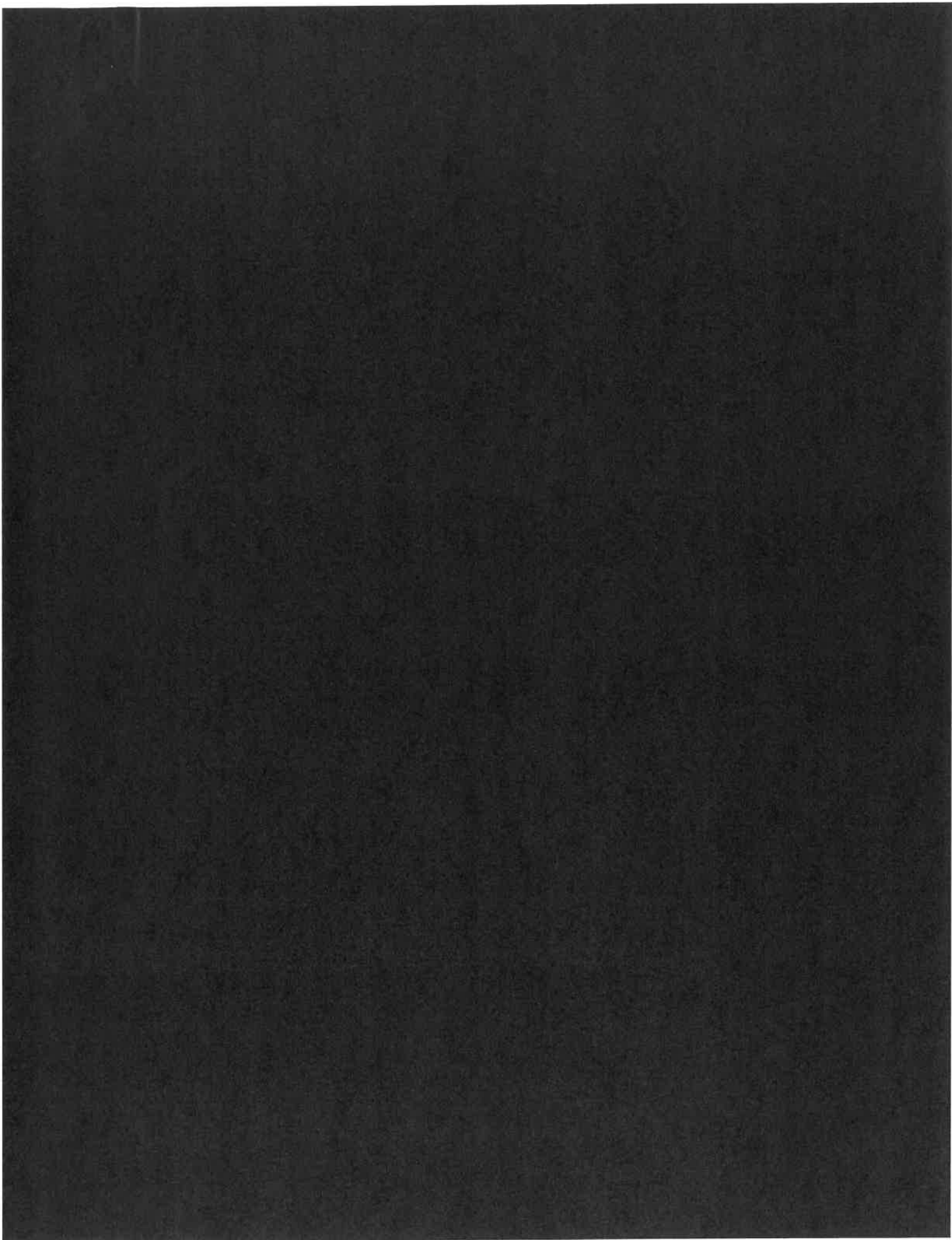


EXHIBIT C

JUSTIFICATION TABLE

EXHIBIT C

COMPANY: Florida Power & Light Company
TITLE: List of Confidential Documents
DOCKET NO: 20200257-EI
DOCKET TITLE: Florida Power & Light Company Petition for Approval of 2020 Nuclear Decommissioning Study
DATE: March 4, 2021

Set	Data Request	Pages	Conf. Y/N	Line/Column	Florida Statute 366.093(3) Subsectio n	Declarant
Staff's 1 st Set of Data Requests	85 (Attachment No. 1)	3	Y	All	(d)	Lisa Fuca
Staff's 1 st Set of Data Requests	86 (Attachment No. 1)	3	Y	All	(d)	Lisa Fuca

EXHIBIT D

DECLARATIONS

EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Florida Power & Light Company's
Petition for Approval of 2020 Nuclear
Decommissioning Study

Docket No: 202000257-EI

STATE OF FLORIDA)
)
COUNTY OF PALM BEACH) WRITTEN 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. I have personal knowledge of the matters stated in this written declaration.

2. I have reviewed the documents referenced and incorporated in FPL's Request for Confidential Classification for which I am identified as a declarant. The documents or materials that I have reviewed and which are asserted by FPL to contain information relating to competitive interests, the disclosure of which would impair the efforts of the company or its affiliates to contract for goods or services on favorable terms (SECTION 366.093(3)(d), F.S.). Specifically, the documents contain information related to FPL's contracted hourly wage rates. Release of this information would put FPL at a competitive disadvantage because it would negatively impact our ability to negotiate with vendors in the future, to the detriment of customers. 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 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: March 4, 2020