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April 2, 2021

-VIA HAND DELIVERY -

Adam Teitzman
Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

REDACTED

RECEIVED-FPSC
2021 APR -2 PM 3:30
COMMISSION
CLERK

Re: Docket No. 20210001-EI

Dear Mr. Teitzman:

Enclosed for filing on behalf of Florida Power & Light Company ("FPL") is FPL's Request for Confidential Classification of certain information provided in exhibits to the prepared direct testimony of FPL witnesses Renae B. Deaton (RBD-2) and Gerard J. Yupp (GJY -1). The request includes Exhibits A through D.

Exhibit A contains the confidential information that is the subject of FPL's Request for Confidential Classification. Exhibit A is submitted for filing in an envelope marked "EXHIBIT A" – CONFIDENTIAL. 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 Request for Confidential Classification. Exhibit D is the declaration in support of FPL's Request for Confidential Classification. In accordance with Rule 25-22.006(3)(d), FPL requests confidential treatment of the information in Exhibit A pending disposition of FPL's Request for Confidential Classification.

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

- COM _____
- AFD 1 *Exh B*
- APA _____
- ECO _____
- ENG _____
- GCL _____ Enclosures
- IDM _____ cc: Counsel for Parties of Record (w/ copy of FPL's Request for Confidential Classification)
- CLK _____ Florida Power & Light Company

Sincerely,

s/ David M. Lee
David M. Lee

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Fuel and purchase power cost recovery
clause with generating performance incentive
factor

Docket No: 20210001-EI

Date: April 2, 2021

**FLORIDA POWER & LIGHT COMPANY'S
REQUEST FOR CONFIDENTIAL CLASSIFICATION
OF CERTAIN PORTIONS OF EXHIBITS RBD-2 AND GJY-1**

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 exhibits to the prepared direct testimony of FPL witnesses Renae B. Deaton (RBD-2) and Gerard J. Yupp (GJY-1) (the "Confidential Information"). In support of this request, FPL states as follows:

1. On April 2, 2021, FPL submitted the prepared testimony of FPL witnesses Renae B. Deaton and Gerard J. Yupp in this docket, which included Exhibits RBD-2 and GJY-1. This Request seeks confidential classification of the Confidential Information consistent with Rule 25-22.006.
2. The following exhibits are included with and made a part of this Request:
 - a. Exhibit A consists of a copy of confidential material on which all of the information that FPL asserts is entitled to confidential treatment has been highlighted.
 - b. Exhibit B consists of a copy of the confidential material on which all information that FPL asserts is entitled to confidential treatment has been redacted. A copy of the redacted Exhibits is also included in the copy of the prepared testimony of FPL witnesses Deaton and Yupp.

c. Exhibit C is a table that identifies by page, line or column the Confidential Information, together with references to the specific statutory bases for the claim of confidentiality and identifies the declarant who supports the requested classification.

d. Exhibit D is the declaration of Gerard J. Yupp in support of this Request.

3. 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.

4. As more fully described in the declaration in Exhibit D, the documents provided by FPL contain information concerning contractual data, the disclosure of which would impair the efforts of FPL or its affiliates to contract for goods or services on favorable terms. This information is protected by Section 366.093(3)(d), Fla. Stat.

5. Additionally, the information relates to competitive interests, the disclosure of which would impair the competitive businesses of FPL or its vendors. This information is protected by Section 366.093(3)(e), Fla. Stat.

6. Upon a finding by the Commission that the Confidential Information highlighted in Exhibit A, and referenced in Exhibit C, is proprietary confidential business information within Section 366.093(3), such information should not be declassified for a period of at least 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 more fully set forth in the supporting materials, Florida Power & Light Company respectfully requests that its Request for Confidential Classification be granted.

Respectfully submitted,

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By: s/ David M. Lee
David M. Lee
Florida Bar No. 103152

CERTIFICATE OF SERVICE

Docket No. 20210001-EI

I **HEREBY CERTIFY** that a true and correct copy of the foregoing Request for Confidential Classification* has been furnished by electronic mail on this 2nd day of April 2021 to the following:

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By: s/ David M. Lee
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* Copies of Exhibits C and D are available upon request.

EXHIBIT "B"

**Docket No. 20210001-EI
RBD-2 and GJY-1**

REDACTED

Florida Power & Light Company
 Schedule A12 - Capacity Costs: Payments to Non-cogenerators
 Page 2 of 2

For the Month of **Dec-20**

<u>Contract</u>	<u>Counterparty</u>	<u>Identification</u>	<u>Contract Start Date</u>	<u>Contract End Date</u>
1	Solid Waste Authority - 40 MW	Other Entity	January, 2012	March 31, 2032
2	Solid Waste Authority - 70 MW	Other Entity	July, 2015	May 31, 2034
3	Orlando Utilities Commission OP-CAP	Other Entity	December 17, 2018	December 31, 2020

2020 Capacity in MW

<u>Contract</u>	<u>Jan</u>	<u>Feb</u>	<u>Mar</u>	<u>Apr</u>	<u>May</u>	<u>Jun</u>	<u>Jul</u>	<u>Aug</u>	<u>Sep</u>	<u>Oct</u>	<u>Nov</u>	<u>Dec</u>
1	40	40	40	40	40	40	40	40	40	40	40	40
2	70	70	70	70	70	70	70	70	70	70	70	70
3	70	70	70	70	100	100	100	100	100	80	80	80
Total	180	180	180	180	210	210	210	210	210	190	190	190

2020 Capacity in Dollars

	<u>Jan</u>	<u>Feb</u>	<u>Mar</u>	<u>Apr</u>	<u>May</u>	<u>Jun</u>	<u>Jul</u>	<u>Aug</u>	<u>Sep</u>	<u>Oct</u>	<u>Nov</u>	<u>Dec</u>
Total	2,083,820	2,083,820	2,083,820	2,083,820	2,412,200	2,145,800	2,456,600	2,412,200	2,412,200	2,192,619	2,193,280	2,193,280

Year-to-date Short Term Capacity Payments	26,753,459 ⁽¹⁾
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(1) Total capacity costs do not include payments for the Solid Waste Authority - 70 MW unit. Capacity costs for this unit were recovered through the Energy Conservation Cost Recovery Clause in 2014, consistent with Commission Order No. PSC-11-0293-FOF-EU issued in Docket No. 110018-EU on July 6, 2011.

	<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>	<u>E</u>	<u>F</u>	<u>G</u>	<u>H</u>	<u>I</u>	<u>J</u>	<u>K</u>	<u>L</u>
<u>Contract</u>	<u>Jan</u>	<u>Feb</u>	<u>Mar</u>	<u>Apr</u>	<u>May</u>	<u>Jun</u>	<u>Jul</u>	<u>Aug</u>	<u>Sep</u>	<u>Oct</u>	<u>Nov</u>	<u>Dec</u>
1												
2												
3												

<u>True ups</u>												
1												
2												
3												

REDACTED

	A	B	C	D	E	F	G	H	I	J	K	L
1	ASSET OPTIMIZATION DETAIL											
2	Actual for the Period of: January 2020 through December 2020											
3												
4	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)
5		Natural Gas	Natural Gas	Natural Gas	Natural Gas	Delivered	Natural Gas	Natural Gas	O&A	Electric Transmission	NOX	Total
6		Delivered City-Gate	Production Area	Capacity Release	Option	Natural Gas	Storage	AMA	Service	Capacity Release	Emissions	Asset Optimization
7		Sales	Sales	Firm Transport	Premiums	Savings	Optimization	Gains	Gains	Firm Transmission	Sales	Gains
8	Month	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)
10	January											
12	February											
14	March											
16	April											
18	May											
20	June											
22	July											
24	August											
26	September											
28	October											
30	November											
32	December											
34	Total	1,919,429	800,131	2,838,728	7,548,469	0	1,679,113	3,161,263	28,000	0	0	17,875,132

EXHIBIT C

COMPANY: Florida Power & Light Company
TITLE: List of Confidential Exhibits
DOCKET TITLE: Fuel and Purchased Power Cost Recovery Clause with Generating Performance Incentive Factor
DOCKET NO: 20210001-EI
DATE: April 2, 2021

Exhibit No.	Description	Pages	Conf Y/N	Column No./Line No.	Florida Statute 366.093 (3) Subsection	Declarant
RBD-2	Schedule A12 - Capacity Costs	2	N Y	Pg. 1 Pg. 2, Lns 1 and 3, Cols. A-L Line 2, Cols. A-D Line 4, Cols. A, C and J Lns 5 and 6, Cols. A and C	(d), (e)	G. Yupp
GJY-1	Asset Optimization Detail	4	N Y N	Pgs. 1-2 Pg. 3, Cols. B-L, Lns. 10, 12, 14, 16, 18, 20, 22, 24, 26, 28, 30, 32 Pg. 4	(e)	G. Yupp

EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Fuel and Purchase Power Cost Recovery
Clause with Generating Performance Incentive
Factor

Docket No: 20210001-EI

DECLARATION OF GERARD J. YUPP

1. My name is Gerard J. Yupp. I am currently employed by Florida Power & Light Company ("FPL") as Senior Director of Wholesale Operations in the Energy Marketing and Trading Division. I have personal knowledge of the matters stated in this written declaration.

2. I have reviewed the exhibits to FPL's Request for Confidential Classification of Information included in the testimony of FPL witness Renae B. Deaton (Exhibit RBD-2) and the testimony of FPL witness Gerard J. Yupp (Exhibit GJY-1). The documents and materials which are asserted by FPL to be proprietary confidential business information contain or constitute contractual data, the disclosure of which would impair the efforts of FPL to contract for goods or services on favorable terms. Specifically, the documents contain information related to the pricing for short-term capacity purchases, the disclosure of which would impair FPL's ability to contract for capacity on favorable terms for the benefit of its customers. The information provided by FPL also contains information related to the competitive interests of suppliers from whom FPL purchases capacity, the disclosure of which would impair the competitive businesses of the providers of the information. Additionally, the documents contain financial details related to FPL's asset optimization activities for natural gas and electric transmission. The disclosure of this information would impair FPL's ability to execute transactions for natural gas commodity sales, natural gas storage, natural gas transportation, and electricity transmission on favorable terms for the benefit of its customers. Disclosure also would impair the competitive interests of FPL and its vendors and would place FPL at a competitive disadvantage when coupled with other information that is publicly available. To the best of my knowledge, FPL has maintained the confidentiality of this information.

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


GERARD J. YUPP

Date: 3/30/2021