

State of Florida



Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

-M-E-M-O-R-A-N-D-U-M-

DATE: April 7, 2021
TO: Bianca Lherisson, Senior Attorney, Office of the General Counsel
FROM: Dale R. Buys, Public Utilities Supervisor, Division of Accounting & Finance
RE: CONFIDENTIALITY OF CERTAIN INFORMATION

DOCKET NOS: 20190157-EI DOCUMENT NO: 03123-2021

DESCRIPTION: FPL; FCG (Wright) - (CONFIDENTIAL) Certain material contained in portions of term loan agreements identified as Exhs 1(t), 1(u), and 1(v); and signed opinion of legal counsel identified as Exh 2(i) to joint consummation report.

SOURCE: Florida Power & Light; Florida City Gas

On March 30, 2021, Florida Power & Light and Florida City Gas (collectively the Companies) filed their exhibits to the 2020 consummation report in the above referenced docket. Pursuant to Section 366.093(3)(d) and (e) of the Florida Statutes (F.S.), and Rule 25-22.006, Florida Administrative Code (F.A.C), the Companies requested confidential classification of certain highlighted information in Document No. 03123-2021. This memo addresses only the information provided in Exhibit A to the Companies' 2020 consummation report.

The Companies claim that the information is intended to be and has been treated as private. Staff reviewed the material in Exhibit A and concurs that the identified documents included in the Companies' 2020 consummation report contain proprietary and confidential information concerning contractual data and information relating to competitive business interests, the disclosure of which could harm the competitive interests of the company and impair the competitive business of the provider of information. As such, this information is protected by Section 366.093(3)(d) and (e), F.S.

In staff's opinion, the request meets the criteria for confidentiality set forth in section 366.093(3)(d) and (e), F.S. Therefore, staff recommends that the Companies' request for confidentiality be approved.