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June 21, 2021

**VIA HAND DELIVERY**

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

**REDACTED**

RECEIVED-FPSC  
2021 JUN 21 AM 11:5  
COMMISSION  
CLERK

**Re: Docket No. 20210015-EI**

Dear Mr. Teitzman:

I enclose for filing in the above docket Florida Power & Light Company's ("FPL") Request for Confidential Classification of Information contained in the Exhibits RCS-2 and RCS-3 to the testimony of the Office of Public Counsel witness Ralph C. Smith filed on June 21, 2021. The request includes Exhibits A, B (two copies), C and D. Exhibit A consists of the documents containing confidential information. 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 FPL's Request for Confidential Classification. Exhibit D contains any declarations in support of FPL's Request. 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.

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

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

Sincerely,

s/ Maria Jose Moncada  
Maria Jose Moncada

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

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Petition by Florida Power & Light  
Company for Rate Unification and for Base  
Rate Increase

Docket No. 20210015-EI

Filed: June 21, 2021

**FLORIDA POWER & LIGHT COMPANY'S REQUEST FOR CONFIDENTIAL  
CLASSIFICATION OF CERTAIN INFORMATION PROVIDED IN EXHIBITS  
RCS-2 AND RCS-3 TO THE TESTIMONY OF THE OFFICE OF PUBLIC  
COUNSEL'S WITNESS RALPH SMITH**

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 RCS-2 and RCS-3 to the testimony of the Office of Public Counsel's ("OPC") witness Ralph C. Smith ("Smith"), both of which are appended to and made part of the direct testimony of OPC witness Smith, filed June 21, 2021. (the "Confidential Information"). In support of its Request, FPL states as follows:

1. Prior to filing the direct testimony of Smith on June 21, 2021, OPC advised that certain confidential information would be included within the Smith Exhibits RCS-2 and RCS-3. This request is being filed contemporaneously with service of OPC's testimony to request confidential classification of certain information contained in Smith's Exhibits RCS-2 and RCS-3, consistent with Rule 25-22.006, Florida Administrative Code.

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

a. Exhibit A consists of a copy of the confidential material on which all the information that FPL asserts is entitled to confidential treatment has been highlighted.

b. Exhibit B consists of a copy of the confidential documents, on which all the information that is entitled to confidential treatment under Florida law has been redacted.

c. Exhibit C is a table that identifies by column and line the information for which confidential treatment is being sought and references the specific statutory basis for the

claim of confidentiality. Exhibit C also identifies the declarant who supports the requested classification.

d. Exhibit D contains the declaration of Scott Bores who supports the requested classification.

3. 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, Fla. Stat., 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.

4. As described in the declarations included as Exhibit D, the Confidential Information contains information concerning bids or other contractual data, the disclosure of which would impair the efforts of FPL to contract for goods or services on favorable terms. Specifically, some information pertains to premiums paid by FPL for certain insurance policies. This information is protected by Section 366.093(3)(d), Fla. Stat.

5. Upon a finding by the Commission that the Confidential Information is proprietary confidential business information, the 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 § 399.093(4), Fla. Stat.

**WHEREFORE**, for the above and foregoing reasons, as more fully set forth in the supporting materials and declarations included herewith, FPL respectfully requests that its Request for Confidential Classification be granted.

Respectfully submitted,

FLORIDA POWER & LIGHT COMPANY

By: /s/ Maria Jose Moncada

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**CERTIFICATE OF SERVICE**  
**20210015-EI**

**I HEREBY CERTIFY** that a true and correct copy of the foregoing\* has been furnished by electronic mail this 21st day of June 2021 to the following parties:

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

\* 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**



REDACTED


Florida Power & Light Company  
Directors and Officers Liability Insurance Expense

Docket No. 20210015-EI  
Exhibit RCS-2  
Schedule C-3  
Page 1 of 1

Projected Test Year Ended December 31, 2022 - without RSAM

**CONFIDENTIAL**

Line

<u>No.</u>	<u>Description</u>	<u>Per FPL</u> (A)	<u>Per OPC</u> (B)	<u>OPC Adjustment</u> (C)
1	1 Adjustment to Directors and Officers Liability Insurance			
2	2 Adjustment to Directors and Officers Liability Insurance (000s)			<u>\$ (1,120)</u>

Notes and Source

Col. A: FPL Response to OPC INT No. 95

Col. B: Disallowance Calculation:

- 3 Directors and Officers Liability Insurance - Per FPL
- 4 Disallowance
- 5 Directors and Officers Liability Insurance - Per OPC




Florida Power & Light Company  
Directors and Officers Liability Insurance Expense


Docket No. 20210015-EI  
Exhibit RCS-3  
Schedule C-3  
Page 1 of 1

Revenue Requirement Schedules - January 2023 Subsequent Year Rate Change  
(Thousands of Dollars)

**CONFIDENTIAL**

Line No.	Description	Per FPL (A)	Per OPC (B)	OPC Adjustment (C)
1	1 Adjustment to Directors and Officers Liability Insurance			
2	2 Adjustment to Directors and Officers Liability Insurance (000s)			\$ (1,182)

Notes and Source

3	Col. A: FPL Response to OPC INT No. 95			
	Col. B: Disallowance Calculation:			
4	Directors and Officers Liability Insurance - Per FPL			
5	Disallowance			
6	Directors and Officers Liability Insurance - Per OPC			

# **EXHIBIT C**

## **JUSTIFICATION TABLE**

**EXHIBIT C**

**COMPANY:** Florida Power & Light Company  
**TITLE:** Petition by Florida Power & Light Company for Rate Unification and for Base Rate Increase  
**DOCKET NO.:** 20210015-EI  
**DATE:** June 21, 2021

Int/POD No.	Begin Bates Number	End Bates Number	Description	No. of Pages	Confidential	Line/Col	Florida Statute 366.093 (3) Subsection	Declarant
OPC Witness Smith Exh. RCS-2	N/A	N/A	OPC adjustment to Directors' and Officers' liability insurance expense -2022	1	Y	Line 1 / Cols. A-C; Lines 3-5 / Col. A	(d)	Scott Bores
OPC Witness Smith Exh. RCS-3	N/A	N/A	OPC adjustment to Directors' and Officers' liability insurance expense -2023	1	Y	Line 1 / Cols. A-C; Lines 4-6 / Col. A	(d)	Scott Bores

# **EXHIBIT D**

# **DECLARATIONS**

**EXHIBIT D**

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Petition by Florida Power & Light Company  
for Rate Unification and for Base Rate Increase

Docket No: 20210015-EI

**DECLARATION OF SCOTT BORES**

1. My name is Scott Bores. I am currently employed by Florida Power & Light Company ("FPL") as Senior Director, Financial Planning and Analysis. 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, specifically the materials provided in Exhibits RCS-2 and RCS-3 to OPC's witness Ralph Smith's testimony filed in this docket on June 21, 2021. The documents or materials that I have reviewed and which are asserted by FPL to be proprietary confidential business information contain information concerning bids or other contractual data, the disclosure of which would impair the efforts of FPL to contract for goods or services on favorable terms. Specifically, some information pertains to premiums paid by FPL for certain insurance policies. 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.

  
\_\_\_\_\_  
Scott Bores

Date: 6/18/2021