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COMMISSION  
CLERK

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September 3, 2021

**VIA HAND DELIVERY -**

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

**REDACTED**

**Re: Docket No. 20210001-EI**

Dear Mr. Teitzman:

I enclose for filing in the above docket Florida Power & Light Company's ("FPL") Third Request for Extension of Confidential Classification of Materials Provided Pursuant to Audit No. 15-023-4-2. The request includes Exhibits A, B (two copies), C and D.

Exhibit A consists of the documents containing confidential information that is the subject of FPL's Request for Confidential Classification. Exhibit B is an edited version of Exhibit A, in 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 consists of 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 Extension.

Should you have any questions regarding this filing, please contact me.

Sincerely,  
  
David M. Lee

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

**Attachments**

cc: Counsel for Parties of Record (w/ Request for Confidential Classification)

**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: September 3, 2021

**FLORIDA POWER & LIGHT COMPANY'S THIRD REQUEST  
FOR EXTENSION OF CONFIDENTIAL CLASSIFICATION OF  
MATERIALS PROVIDED PURSUANT TO AUDIT NO. 2015-023-4-2**

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 Third Request for Extension of Confidential Classification of Information Provided Pursuant to Audit No. 2015-023-4-2 ("Confidential Information"). In support of this request, FPL states as follows:

1. On May 21, 2015, FPL filed a Request for Confidential Classification of the Confidential Information, which included Exhibits A, B, C and D ("May 21, 2015 Request"). By Order No. PSC-15-0378-CFO-EI, dated September 10, 2015 ("Order 0378"), the Commission granted FPL's May 21, 2015 Request. FPL adopts and incorporates by reference the May 21, 2015 Request and Order 0378.

2. On January 20, 2017 FPL filed its First Request for Extension of Confidential Classification of the Confidential Information which included First Revised Exhibit D ("January 20, 2017 Request"). By Order No. PSC-2017-0046-CFO-EG, dated February 6, 2017 ("Order 0046"), the Commission granted FPL's January 20, 2017 Request. FPL adopts and incorporates by reference the January 20, 2017 Request and Order 0046.

3. On August 1, 2018 FPL filed its Second Request for Extension of Confidential Classification of the Confidential Information which included Second Revised Exhibit A, Second Revised Exhibit B, together with Second Revised Exhibit C to reduce the number of pages for

which confidential treatment is sought and Second Revised Exhibit D (“August 1, 2018 Request”). By Order No. PSC-2018-0452-CFO-EG, dated September 6, 2018 (“Order 0452”), the Commission granted FPL’s August 1, 2018 Request. FPL adopts and incorporates by reference the August 1, 2018 Request and Order 0452.

4. The period of confidential treatment granted by Order 0452 will soon expire. The Confidential Information that was the subject of FPL’s August 1, 2018 Second Request and Order 0452 warrants continued treatment as proprietary and confidential business information within the meaning of Section 366.093(3).

5. Included with this request are Third Revised Exhibit A, Third Revised Exhibit B, together with Third Revised Exhibit C to reduce the number of pages for which confidential treatment is sought. FPL has identified in Third Revised Exhibits A, B and C all the information in work papers that warrants continued confidential treatment. Third Revised Exhibit C is a table that identifies the specific pages, lines or columns that remain confidential. The table also references the specific statutory basis for confidentiality and the declarants who support the requested classification.

6. Also included as Third Revised Exhibit D is the declaration of Gerard J. Yupp in support of this request.

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 explained more fully in the declaration included as Third Revised Exhibit D, certain documents 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. This information is protected by Section 366.093(3)(d), Fla. Stat.

9. Also, certain documents contain information relating to competitive interests, the disclosure of which would impair the competitive business of FPL and its vendors. This information is protected by Section 366.093(3)(e), Fla. Stat.

10. Nothing has changed since the Commission entered Order 0452 to render the Confidential Information identified in Third Revised Exhibit C stale or public, such that continued confidential treatment would not be appropriate.

11. Pursuant to Section 366.093(4), F.S., the information for which confidential classification is granted remains protected from disclosure up to 18 months unless good cause is shown to grant protection from disclosure for a longer period. Currently, the Commission retains audit reports for period of seven years at which time the audit materials are returned to FPL unless Commission staff or another affected person requests that these audit materials continue to be retained. The nature of these materials will not change in the next three years. Therefore, to promote administrative efficiency, FPL requests confidential classification for a period of thirty-six (36) months. 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 thirty-six (36) 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 Third Request for Extension of Confidential Classification be granted.

Respectfully submitted,

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By:   
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\* has been furnished by electronic service on this 3rd day of September 2021 to the following:

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By:   
David M. Lee  
Florida Bar No. 103152

\* 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”**

**Docket No. 20210001-EI  
ACN 15-023-4-2**

rate Ag 1st a Ag

H/60

JHP  
3/15

Title Purchased Power Billing Facility Monthly Billing Statement

Facility Name: BROWARD RESOURCE RECOVERY SOUTH  
Region: Southeast  
Billing Month: April, 2014

Est.

Number of Hours in Month: 720

Number of Peak Hours in Month: 270

A

B  
C1

C  
C2

Energy Received, All Hours: 29,120.767 MWH 6,341.973 MWH (AA) 2,520.000 MWH ('91)

- 1 Energy Received, All Peak Hours [REDACTED]
- 2 Sales (Wheeled): [REDACTED] MWH
- 3 Net Energy Received, All Hours: [REDACTED] MWH
- 4 Maximum Hourly Energy: [REDACTED] MWH at [REDACTED]
- 5 Committed Capacity: <sup>46.2</sup>/<sub>53</sub> 3.500 MW ('91) Bill Demand
- 6 Monthly Billing Capacity Factor: <sup>46.2</sup> [REDACTED] % ('91)
- 7 Monthly Peak Capacity Factor: [REDACTED] % ('91)
- 8 Annual Capacity Factor: [REDACTED] % ('91)
- 9 Annual Peak Capacity Factor: [REDACTED] % ('91)
- 10 Billing Capacity Factor: [REDACTED] % ('91)
- 11 Unit Energy Cost: [REDACTED] \$/MWH ('91)

Monthly Energy Payment:

(As Available) \$196,000.21 + (91) \$69,718.92 = Total \$265,719.13

Monthly Capacity Payment:

\$103,215.00 = \$103,215.00  
<sup>46.2</sup>/<sub>53</sub>  
46.2  
1

Execution Date/Time: 05/01/14 at 04:05:56  
Invoice ID: 511



CONFIDENTIAL

P20

<sup>46.2</sup>/<sub>53</sub>

Florida Power & Light (E1802)  
Capacity Cost Recovery Clause  
Dkt.#150001-EI, ACN 15-023-4-2  
TYE 2014

Title Purchased Power

*78 of Separate Contracts 4/15*

*JHP  
3/K*

# FLORIDA POWER & LIGHT COMPANY

Billing Statement  
For Purchased Power From  
**WHEELABRATOR SOUTH BROWARD**  
For Transaction Period:

*Act*

MARCH 1, 2014 through MARCH 31, 2014

<u>A</u>	<u>B</u>	<u>AMOUNT</u>
<u>GENERATION</u>		
15,311,648 MWH ('09 AA)		\$ 434,196.02
<del>██████████</del>		<del>1,183.06</del>
		<del>435,329.08</del>
2,590,000 MWH ('91 CONTRACT)		<del>71,422.66</del>
17,901,648 Total MWH	Monthly Energy Payment	506,751.74
Amount Due for Capacity Payment	('91 CONTRACT)	103,215.00
	Monthly Capacity Payment	103,215.00
FPL Customer Charge <sup>1</sup>		(1491.99)
<b>TOTAL</b>		<b>\$ 608,474.75</b>

<sup>2</sup> Revised '91 Contract Unit Energy Cost  
<sup>1</sup> GSLDT-3 Rate Schedule effective 1/02/14

*Bill Demand 8.5 ✓*



INVOICE NO: EMT-0314-07-07

CONFIDENTIAL

*462  
57*

Title Purchase Power

4/15/14 JHP  
3/15

Qualifying Facility Monthly Billing Statement

Est

Facility Name: BROWARD RESOURCE RECOVERY SOUTH  
 Region: SOUTHEAST  
 Billing Month: March, 2014

- Number of hours in Month : 743 A
- Number of peak hours in Month : 271 B
- Energy Received, All Hours : 37,455,758 MWH C1 16,311,648 MWH (AA) C2 2,590,000 MWH ('91)
- 1 Energy Received, All Peak Hours [REDACTED]
- 2 Sales (Wheeled): [REDACTED] MWH
- 3 Net Energy Received, All Hours: [REDACTED] MWH
- 4 Maximum Hourly Energy: [REDACTED] MWH at [REDACTED] DCPC1C2
- Committed Capacity : 3,500 MW ('91)
- 5 Monthly Billing Capacity Factor : [REDACTED] % ('91)
- 6 Monthly Peak Capacity Factor: [REDACTED] % ('91)
- 7 Annual Capacity Factor : [REDACTED] % ('91)
- 8 Annual Peak Capacity Factor : [REDACTED] % ('91)
- 9 Billing Capacity Factor : [REDACTED] % ('91) C2
- 10 Unit Energy Cost : [REDACTED] \$/MWH ('91)

	(As Available)		('91)	=	Total
Monthly Energy Payment:	\$434,196.02	+	\$71,422.66	=	\$505,618.68
Monthly Capacity Payment:			\$103,215.00	=	\$103,215.00

46.2  
1-1

Execution Date/Time : 04/21/14 at 13:56:26

CONFIDENTIAL



P 3/11  
46.2  
5-2

**REDACTED VERSION OF CONFIDENTIAL DOCUMENTS**

**Capacity Audit Workpaper Number 46-2/5-3**

**[Pages 1 through 2]**

**Purchased Power**

**THIRD REVISED EXHIBIT C**

**COMPANY:** Florida Power & Light Company  
**TITLE:** List of Confidential Workpapers  
**AUDIT:** FPL Capacity Audit  
**AUDIT CONTROL NO:** 15-023-4-2  
**DOCKET NO:** 20210001-EI  
**DATE:** September 3, 2021

**Bold denotes revision to reduce the amount of confidential classification previously requested or a new declarant**

Workpaper No.	Description	No. of Pages	Conf Y/N	Line No./Column No.	Florida Statute 366.093 (3) Subsection	Declarant
16-3/1	Capital Sample	2	N			
42-2	Transmission Revenues	1	N			
42-2/1	Transmission Revenues	5	N			
42-2/1-1	Transmission Revenues	1	N			
42-2/2	Sales	1	N			
42-2/2-1	Sales	1	N			
42-2/2-2	Sales	1	N			
42-3	Transmission Revenues	1	N			
42-3/1	Transmission Revenues	6	N			
44-4	Incremental Fee Sample	5	N			
45-1	Transmission Charges	1	N			
45-2	Transmission Charges	1	N			
45-2/1	Transmission Charges	1	N			
45-3	Transmission Charges	1	N			
45-3/1	Transmission Charges	1	N			
45-3/2	Transmission Charges	1	N			
45-4	Transmission Charges	1	N			
45-4/1	Transmission Charges	1	N			
45-5	Transmission Charges	1	N			
45-6	Transmission Charges	1	N			
45-6/1	Transmission Charges	1	N			
45-7	Transmission Charges	1	N			
45-7/1	Transmission Charges	1	N			
45-8	Explanation of Transmission Charges	1	N			
46-2	Purchased Power	1	N			
46-2/1	Purchased Power	1	N			
46-2/1-1	Purchased Power	1	N			
<b>46-2/2</b>	<b>Purchased Power</b>	<b>1</b>	<b>N</b>			
46-2/2-1	Purchased Power	1	N			
<b>46-2/2-2</b>	<b>Purchased Power</b>	<b>1</b>	<b>N</b>			
<b>46-2/2-3</b>	<b>Purchased Power</b>	<b>4</b>	<b>N</b>			
<b>46-2/2-3/1</b>	<b>Purchased Power</b>	<b>1</b>	<b>N</b>			
<b>46-2/2-3/1-1</b>	<b>Purchased Power</b>	<b>1</b>	<b>N</b>			
46-2/2-3/1-2	Purchased Power	3	N			
46-2/2-3/1-3	Purchased Power	1	N			
46-2/3	Purchased Power	1	N			
46-2/3-1	Purchased Power	1	N			
46-2/3-2	Purchased Power	1	N			
46-2/3-3	Purchased Power	4	N			
46-2/4	Purchased Power	1	N			

Workpaper No.	Description	No. of Pages	Conf Y/N	Line No./Column No.	Florida Statute 366.093 (3) Subsection	Declarant
46-2/4-1	Purchased Power	1	N			
46-2/4-2	Purchased Power	1	N			
46-2/4-3	Purchased Power	2	N			
46-2/5	Purchased Power	1	Y	Col. A, Lns. 1-10 Col. B, Lns 1, 4 Col. C, Line 1	(d), (e)	G. Yupp
46-2/5-1	Purchased Power	1	Y	Cols. A-B, Line 1	(d)	G. Yupp
46-2/5-2	Purchased Power	1	Y	Col. A, Lns. 1-10 Col. B, Lns 1, 4 Col. C, Line 1	(d), (e)	G. Yupp
46-2/5-3	Purchased Power	2	Y	ALL	(d)	G. Yupp
46-2/6	Purchased Power	1	N			
46-2/6-1	Purchased Power	1	N			
46-2/6-2	Purchased Power	1	N			
46-2/6-3	Purchased Power	3	N			
46-3	Purchased Power	1	N			
46-3/1	Purchased Power	1	N			
46-3/1-1	Purchased Power	1	N			
46-4	Purchased Power	1	N			
46-4/1	Purchased Power	1	N			
46-4/1-1	Purchased Power	1	N			
46-4/1-2	Purchased Power	1	N			
46-4/2	Purchased Power	1	N			
46-4/2-1	Purchased Power	1	N			
46-4/2-2	Purchased Power	3	N			
46-4/2-3	Purchased Power	2	N			
46-5	Purchased Power	1	N			
46-5/1	Purchased Power	1	N			
46-5/1-1	Purchased Power	1	N			
46-5/1-2	Purchased Power	1	N			
46-5/2	Purchased Power	1	N			
46-5/2-1	Purchased Power	2	N			
46-5/2-2	Purchased Power	1	N			
46-5/2-3	Purchased Power	3	N			
46-6	Purchased Power	1	N			
46-6/1	Purchased Power	1	N			
46-6/1-1	Purchased Power	1	N			
46-6/1-2	Purchased Power	1	N			
46-6/2	Purchased Power	1	N			
46-6/2-1	Purchased Power	4	N			
46-6/2-2	Purchased Power	1	N			
46-6/2-3	Purchased Power	3	N			
53-1	NRC Fees	1	N			
53-2	NRC Fees	1	N			
53-3	NRC Fees	3	N			
53-3/1	NRC Schedule of Fees	1	N			

**THIRD REVISED 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 documents referenced and incorporated in FPL's Third Request for Extension of Confidential Classification of Information Obtained in Connection with Audit No. 15-023-4-2 for which I am identified as the declarant. The documents or materials that I have reviewed and which are asserted by FPL to be proprietary confidential business information contain or constitute contractual data such as pricing formulas and other terms, payment records, and supplier rates for capacity and energy transactions, the disclosure of which would impair the efforts of FPL to contract for capacity and energy on favorable terms for the benefit of its customers, and would impair the competitive interests of FPL and its vendors. Certain information in these documents and materials would also place FPL at a disadvantage when coupled with other information that is publicly available. 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-2018-0452-CFO-EI 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 36 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.

  
GERARD J. YUPP

Date: 8/24/21