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September 8, 2021

**VIA HAND DELIVERY**

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

**REDACTED**

2021 SEP -8 PM 3:55  
COMMISSION  
CLERK  
RECEIVED-FPSC

**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 its response to the Staff of the Florida Public Service Commission's ("Staff") Ninth Data Request, No. 8. The request includes Exhibits A, B (two copies), C and D.

Exhibit A consists of the document containing 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 FPL's Request for Confidential Classification. Exhibit D contains the declaration 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.

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

COM \_\_\_\_\_  
**AFD** 1 **exh B**

APA \_\_\_\_\_

ECO \_\_\_\_\_

ENG \_\_\_\_\_

GCL \_\_\_\_\_

IDM \_\_\_\_\_

CLK \_\_\_\_\_ Enclosure

Sincerely,

/s/ Maria Jose Moncada

Maria Jose Moncada

Senior Attorney

Fla. Bar No. 0773301

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: September 8, 2021

**FLORIDA POWER & LIGHT COMPANY'S REQUEST FOR CONFIDENTIAL  
CLASSIFICATION OF CERTAIN INFORMATION PROVIDED IN ITS  
RESPONSE TO THE STAFF OF THE FLORIDA PUBLIC SERVICE  
COMMISSION'S NINTH DATA REQUEST, No. 8**

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 its response to the Staff of the Florida Public Service Commission's ("Staff") Ninth Data Request, No. 8 (the "Confidential Information"). In support of its Request, FPL states as follows:

1. FPL served its responses to Staff's Ninth Data Request on September 8, 2021. This request is being filed contemporaneously with service of those responses to request confidential classification of certain information contained in its response to Staff's Ninth Data Request, No. 8, 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 document, 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 the individual 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, Florida Statutes, 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 declaration included as Exhibit D, the Confidential Information consists of information concerning competitive interests, the disclosure of which would impair the competitive business of the provider of the information. Specifically, the material contains projected cost information related to electric smart panels. This information is protected by Sections 366.093(3)(e), Florida Statutes.

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 Section 399.093(4), Florida Statutes

**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 8<sup>th</sup> day of September 2021 to the following parties:

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By: s/ Maria Jose Moncada  
Maria Jose Moncada  
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\* 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**

QUESTION:

Referring to Paragraph 25 of the Settlement and Tariff Sheet Nos. 9.806-9.808, please respond to the following questions regarding the Smart Panel Pilot:

- a. Refer to Tariff Sheet No. 9.806, under Scope of Services. Please explain the impact to participants, if any, in the event the participant's internet service provider fails to provide internet service, though no fault of the participant.
- b. Refer to Tariff Sheet No. 9.807, under Title and Risk of Loss. Please explain why FPL believes it is reasonable to require the customer to bear all risk of loss or damage of any kind with respect to the equipment to the extent such loss or damage is caused by weather.
- c. Referring to Tariff Sheet No. 9.807, under Expiration or Termination of Agreement, provide the estimated remaining net book value of the equipment for each year after installation.
- d. Referring to Tariff Sheet No. 9.807, under Expiration or Termination of Agreement, provide the estimated cost to uninstall and remove the equipment.
- e. Explain if customers receiving medically essential service may participate in the Smart Panel Pilot.

RESPONSE:

- a. The smart panel utilizes the participant's internet service to allow remote monitoring and operation of the panel by the customer and, as a back-up, by FPL. If the participant's internet service is temporarily interrupted through no fault of their own, they may lose access to data and other remote functionality until their service is restored. A temporary interruption of internet service beyond their control will have no impact on the participant's continued eligibility for the Smart Panel Pilot.
- b. Although the smart electrical panel is owned by FPL, when installed at the residential property of the customer, it is in the custody and control of the customer, and the customer is in the best position to safeguard the equipment and protect against loss or damage.
- c. The remaining net book value of the equipment for each year after installation would be calculated as follows based on an estimated installed cost of [REDACTED]
  - Year 1 - [REDACTED] (80% of the installed cost)
  - Year 2 - [REDACTED] (60% of the installed cost)
  - Year 3 - [REDACTED] (40% of the installed cost)
  - Year 4 - [REDACTED] (20% of the installed cost)
  - Year 5 - \$0



- d. As discussed in FPL's response to Item No. 23(j) in Staff's Fifth Data Request, FPL estimates the cost to uninstall and remove the equipment is approximately [REDACTED]
- e. Customers receiving medically essential service would be eligible to participate in the Smart Panel Pilot given that this is a voluntary program.

# **EXHIBIT C**

## **JUSTIFICATION TABLE**

**EXHIBIT C**

**COMPANY:** Florida Power & Light Company  
**TITLE:** Petition by Florida Power & Light Company for Base Rate Increase and Rate Unification  
**DOCKET NO.:** 20210015-EI  
**DATE:** September 8, 2021

Int/POD No.	Begin Bates Number	End Bates Number	Description	Confidential	Page No.	Line/Col	Florida Statute 366.093 (3) Subsection (e)	Declarant
Staff's 9 <sup>th</sup> Data Request, No. 8	N/A	N/A	FPL's Response to Staff's Ninth Data Request, No. 8, Part C	Y	1	1/B	(e)	Christopher Chapel
Staff's 9 <sup>th</sup> Data Request, No. 8	N/A	N/A	FPL's Response to Staff's Ninth Data Request, No. 8, Part C	Y	1	2/A	(e)	Christopher Chapel
Staff's 9 <sup>th</sup> Data Request, No. 8	N/A	N/A	FPL's Response to Staff's Ninth Data Request, No. 8, Part C	Y	1	3/A	(e)	Christopher Chapel
Staff's 9 <sup>th</sup> Data Request, No. 8	N/A	N/A	FPL's Response to Staff's Ninth Data Request, No. 8, Part C	Y	1	4/A	(e)	Christopher Chapel

Int/POD No.	Begin Bates Number	End Bates Number	Description	Confidential	Page No.	Line/Col	Florida Statute 366.093 (3) Subsection	Declarant
Staff's 9 <sup>th</sup> Data Request, No. 8	N/A	N/A	FPL's Response to Staff's Ninth Data Request, No. 8, Part C	Y	1	5/A	(e)	Christopher Chapel
Staff's 9 <sup>th</sup> Data Request, No. 8	N/A	N/A	FPL's Response to Staff's Ninth Data Request, No. 8, Part D	Y	2	6/B	(e)	Christopher Chapel

# **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 CHRISTOPHER CHAPEL**

1. My name is Christopher Chapel. I am currently employed by Florida Power & Light Company ("FPL") as Vice President of customer service. 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 FPL's response to Staff's Ninth Data Request, No. 8. The documents or materials that I have reviewed are proprietary confidential business information concerning bids or other contractual data, the disclosure of which would impair the efforts of FPL or its affiliates to contract for goods or services on favorable terms, as well as information relating to competitive interests, the disclosure of which would impair the competitive business of the provider of the information. Specifically, the information contains projected costs of smart electric panels. 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.



\_\_\_\_\_  
Christopher Chapel

Date: 9.7.21