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April 1, 2022

VIA HAND DELIVERY

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

REDACTED

RECEIVED-FPSC
2022 APR - 1 PM 2:42
COMMISSION CLERK

Re: Docket No. 20220001-EI

Dear Mr. Teitzman:

I enclose for filing in the above docket Florida Power & Light Company's ("FPL's") Request for Confidential Classification of Information Provided in Response to the Office of Public Counsel's First Request for Production of Documents Nos. 5, 6, 11 and 12. The request includes Exhibits A, B (two copies), C and D.

Exhibit A consists of the confidential documents, and all the information that FPL asserts is entitled to confidential treatment has been highlighted. The documents in Exhibit A are confidential in their entirety. Therefore, FPL has included only an identifying cover page for Exhibit B. Exhibit C is a justification table in support of FPL's Request for Confidential Classification. Exhibit D is the declaration in support of FPL's request.

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

AFD 1 exh "B"

- APA _____
- ECO _____
- ENG _____
- GCL _____
- IDM _____
- CLK _____

Sincerely,

Lisa Luddy for
David M. Lee

Enclosure

cc: Counsel for Parties of Record (w/ copy of FPL's 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: 20220001-EI

Date: April 1, 2022

**FLORIDA POWER & LIGHT COMPANY'S REQUEST
FOR CONFIDENTIAL CLASSIFICATION OF INFORMATION
PROVIDED IN RESPONSE TO THE OFFICE OF PUBLIC COUNSEL'S
FIRST REQUEST FOR PRODUCTION OF DOCUMENTS NOS. 5, 6, 11 AND 12**

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 response to the Office of Public Counsel's ("OPC") First Request for Production of Documents Nos. 5, 6, 11 and 12 ("Confidential Discovery Response"). In support of its Request, FPL states as follows:

1. On March 2, 2022, OPC served its First Request for Production of Documents (Nos. 1-19) on FPL. FPL's Response to OPC's First Request for Production of Documents Nos. 5,6,11 and 12 contain information of a confidential nature within the meaning of Section 366.093(3), Florida Statutes.

2. FPL served its responses to OPC's First Request for Production of Documents (Nos. 1-19) on April 1, 2022. This request is being filed contemporaneously with the service of the responses to OPC's discovery in order to request confidential classification of the Confidential Discovery Responses consistent with Rule 25-22.006, Florida Administrative Code.

3. The following exhibits are made a part of this request:

a. Exhibit A consists of a copy of the Confidential Discovery Responses on which all information that FPL asserts is entitled to confidential treatment is highlighted. The documents in Exhibit A are confidential in their entirety.

b. As FPL asserts the information in Exhibit A is confidential in its entirety, Exhibit B consists of only an identifying cover page.

c. Exhibit C is a table containing a page-and-line identification of the information highlighted in Exhibit A and a brief description of the Confidential Information. Exhibit C also references 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 Dean Curtland in support of this Request.

4. 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 determined 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.

5. As the descriptions included in Exhibit C and the declaration included in Exhibit D indicate, the Confidential Discovery Responses provided by FPL contains schemata information of FPL's nuclear power plants, which is information pertaining to the security systems or personnel procedures for nuclear power plants, transmission facilities or other security-sensitive facilities. Disclosure of this information would impair the security of the power plants. This information is protected by Section 366.093(3)(c), Fla. Stat.

6. 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 eighteen (18) 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 materials and declaration included herewith, Florida Power & Light Company respectfully requests that its Request for Confidential Classification be granted.

Respectfully submitted,

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By: _____



David M. Lee
Florida Bar No. 103152

CERTIFICATE OF SERVICE
Docket No. 20220001-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 1st day of April 2022 to the following:

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By: 

David M. Lee
Florida Bar No. 103152

* Copies of Exhibits C and D are available upon request.

Docket No. 20220001-EI

EXHIBIT “B”

REDACTED VERSIONS OF CONFIDENTIAL DOCUMENTS

OPC’s First Request for Production of Documents (No. 5)

Bates Nos. FCR-22-000665 through FCR-22-000675 are confidential in their entirety

OPC’s First Request for Production of Documents (No. 6)

Bates Nos. FCR-22-000676 through FCR-22-000693 are confidential in their entirety

OPC’s First Request for Production of Documents (No. 11)

Bates Nos. FCR-22-001346 through FCR-22-001370 are confidential in their entirety

OPC’s First Request for Production of Documents (No. 12)

Bates Nos. FCR-22-001371 through FCR-22-001372 are confidential in their entirety

EXHIBIT C

COMPANY: Florida Power & Light Company
TITLE: List of Confidential Documents
DOCKET NO.: 20220001-EI
DOCKET TITLE: Fuel and Purchased Power Cost Recovery Clause with Generating Performance Incentive Factor
SUBJECT: FPL's Responses to OPC's First Request for Production (Nos. 5,6,11 and 12)
DATE: April 1, 2022

OPC's First PODs	Bates Nos.	Description	Line No./ Col. No.	Florida Statute 366.093(3) Subsection	Declarant
Request No. 5	FCR-22-000665 through FCR-22-000675	Turkey Point Unit 3 Piping Diagrams	ALL	(c)	Dean Curtland
Request No. 6	FCR-22-000676 through FCR-22-000693	Turkey Point Unit 4 Piping Diagrams	ALL	(c)	Dean Curtland
Request No. 11	FCR-22-001346 through FCR-22-001370	St. Lucie Unit 1 Piping Diagrams	ALL	(c)	Dean Curtland
Request No. 12	FCR-22-001371 through FCR-22-001372	St. Lucie Unit 2 Piping Diagrams	ALL	(c)	Dean Curtland

EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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

Docket No: 20220001-EI

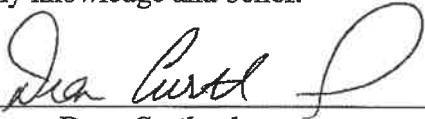
DECLARATION OF DEAN CURTLAND

1. My name is Dean Curtland. I am currently employed by Florida Power & Light Company ("FPL") as Vice President, Nuclear Business Operations. I have personal knowledge of the matters stated in this written declaration.

2. I have reviewed the documents and information included in Exhibit A to FPL's Request for Confidential Classification. The documents and materials in Exhibit A which are asserted by FPL to be proprietary confidential business relate to the security of FPL assets and/or facilities. Specifically, the confidential documents contain schemata information pertaining to nuclear generation facilities that, if disclosed publicly, could impair the security of the plant. 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, 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.



Dean Curtland

Date: 3/31/22