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April 25, 2022

VIA HAND DELIVERY

Mr. Adam Teitzman  
Division of the Commission Clerk and Administrative Services  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850

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2022 APR 25 PM 1:16  
COMMISSION  
CLERK

REDACTED

Re: **Docket No. 20200241-EI,  
Petition for limited proceeding for recovery of incremental storm restoration costs related to Hurricanes Sally, by Gulf Power Company; Petition for evaluation of Hurricane Isaias and Tropical Storm Eta storm costs, by Florida Power & Light Company (formerly Docket 20210178); and Petition for limited proceeding for recovery of incremental storm restoration costs and associated true-up process related to Hurricane Zeta, by Gulf Power Company (formerly Docket 20210179).**

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

Dear Mr. Teitzman:

I enclose for filing in the above referenced docket Gulf Power Company's ("Gulf") and Florida Power & Light Company's ("FPL") Request for Confidential Classification of Information Provided in Response to the Office of Public Counsel's ("OPC") Fourth Set of Interrogatories, Nos. 48-49 in Docket 20200241; OPC's Third Set of Interrogatories, Nos. 49 and 51-52 in Docket 20210178; and OPC's Fourth Set of Interrogatories, No. 42 in Docket 20210179.

The enclosed filing includes Exhibits A, B, C, and D. Exhibit A consists of a copy of the Confidential Documents. The information that Gulf and FPL assert is entitled to confidential treatment is highlighted. Exhibit B is an edited version of Exhibit A, in which the information Gulf and FPL assert is confidential has been redacted; or for responses deemed confidential in their entirety, an identifying cover page. Exhibit C is a justification table in support of Gulf and FPL's Request for Confidential Classification. Exhibit D contains declarations in support of Gulf and FPL's filing.

Please contact me if you or your Staff has any questions regarding this filing at (561) 694-3850 or [kate.cotner@fpl.com](mailto:kate.cotner@fpl.com).

Sincerely,

/s/ Kate Cotner  
Kate Cotner

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Petition for limited proceeding for recovery of incremental storm restoration costs related to Hurricane Sally, by Gulf Power Company.

Docket No: 20200241-EI  
Docket No. 20210178-EI  
Docket No. 20210179-EI

Date: April 25, 2022

In re: Petition for evaluation of Hurricane Isaias and Tropical Storm Eta storm costs, by Florida Power & Light Company.

In re: Petition for limited proceeding for recovery of incremental storm restoration costs and associated true-up process related to Hurricane Zeta, by Gulf Power Company.

**GULF POWER COMPANY AND FLORIDA POWER & LIGHT COMPANY'S  
REQUEST FOR CONFIDENTIAL CLASSIFICATION OF INFORMATION  
PROVIDED IN RESPONSE TO: (1) THE OFFICE OF PUBLIC COUNSEL'S  
("OPC") FOURTH SET OF INTERROGATORIES, Nos. 48-49 IN DOCKET NO.  
20200241-EI; (2) OPC'S FOURTH SET OF INTERROGATORIES, Nos. 49, 51 and 52 IN  
DOCKET 20210178-EI; AND (3) OPC'S THIRD SET OF INTERROGATORIES, No. 42  
IN DOCKET 20210179-EI.**

Pursuant to Section 366.093, Florida Statutes, and Rule 25-22.006, Florida Administrative Code ("Rule 25-22.006"), Gulf Power Company ("Gulf") and Florida Power & Light Company ("FPL") hereby file their Request for Confidential Classification and request confidential treatment of certain documents provided in their responses to the OPC's: (1) Fourth Set of Interrogatories, Nos. 48-49 in Docket No. 20200241-EI; (2) Fourth Set of Interrogatories, Nos. 49 and 51-52 in Docket 20210178-EI; and (3) Third Set of Interrogatories, No. 42 in Docket 20210179-EI ("Confidential Documents"). In support of this request, Gulf and FPL state as follows:

1. Gulf and FPL served their responses to OPC's Fourth Set of Interrogatories in Docket 20200241-EI, OPC's Fourth Set of Interrogatories in Docket 20210178-EI, and OPC's

Third Set of Interrogatories in Docket 20210179-EI (including the Confidential Documents) on April 25, 2022. This request is being filed contemporaneously with service of those responses to request confidential classification of certain information contained in its responses to OPC's: (1) Fourth Set of Interrogatories, Nos. 48-49 in Docket No. 20200241-EI; (2) Fourth Set of Interrogatories, Nos. 49 and 51-52 in Docket 20210178-EI; and (3) Third Set of Interrogatories, No. 42 in Docket 20210179-EI. The following exhibits are attached to and made a part of this request:

- a. Exhibit A consists of a copy of the Confidential Documents. The information that Gulf and FPL assert is entitled to confidential treatment is highlighted.
- b. Exhibit B consists an edited version of the Confidential Documents wherein the information Gulf asserts is entitled to confidential treatment has been redacted.
- c. Exhibit C is a table that identifies the information designated as confidential in Exhibit A and references the specific statutory bases for the claim of confidentiality and identifies the Declarant who supports the requested classification.
- d. Exhibit D consists of the declaration of David Hughes in support of this Request.

2. Gulf and FPL submit that the highlighted information in Exhibit A is proprietary and confidential business information, 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.

3. As described in the declarations in Exhibit D, the confidential business information includes information relating to competitive interests, the disclosure of which would impair the competitive business provider of the information. This information is protected by Section 366.093(3)(e), Florida Statutes.

4. Upon a finding by the Commission that the Confidential Documents are proprietary and confidential business information, the information should not be declassified for at least eighteen (18) months 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), Florida Statutes.

5. **WHEREFORE**, for the above and foregoing reasons, as more fully set forth in the supporting materials, Gulf Power Company and Florida Power & Light Company respectfully request that its Request for Confidential Classification be granted. Additionally, Gulf and FPL respectfully request that the Commission, the Office of Public Counsel, and any other party subject to the public records law treat the materials as confidential pending a formal ruling by the Commission or the return of the materials, consistent with Section 366.093(2), Florida Statutes.

Respectfully submitted this 25<sup>th</sup> day of April 2022.

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By: /s/ Kate Cotner  
Kate Cotner  
Florida Bar No. 60581

**CERTIFICATE OF SERVICE**

**Docket No. 20200241-EI**

**Docket No. 20210178-EI**

**Docket No. 20210179-EI**

I HEREBY CERTIFY that a true and correct copy of the foregoing was served by electronic mail this 25<sup>th</sup> day of April 2022 to the following:

Public Service Commission  
Office of General Counsel  
Shaw Stiller  
Jennifer Crawford  
Ryan Sandy  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850  
sstiller@psc.state.fl.us  
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Richard Gentry  
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Office of Public Counsel  
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Tallahassee, Florida 32399  
Gentry.richard@leg.state.fl.us  
Christensen.patty@leg.state.fl.us  
lewis.sarah@leg.state.fl.us

*s/ Kate Cotner*

\_\_\_\_\_  
Kate Cotner

\* 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**

The response to OPC's Fourth Set of Interrogatories, No. 48, in Docket 20200241-EI, Bates Nos. 029471, is confidential in its entirety.



QUESTION:

Sally - Cost Reconciliations.

Please refer to the summary cost support Excel file included with the Confidential files attached to the November 12, 2021 petition for Hurricane Sally storm cost recovery entitled "DH-1 Sally 10.2021 Rev3." Refer further to worksheet tab GL to AP Reconciliation which shows amongst other things the identified reconciled amounts between the storm costs recorded in the general ledger and those reflected in the accounts payable detail as of October 31, 2021. Finally, refer to the Excel cells A42 through D45, which shows the individual reconciling items related to non-POs summing to \$840,360.

- a. For each individual cost variance identified, please indicate whether the amount was included in the costs summarized in Exhibit DH-1(Sally).
- b. For each individual cost variance identified, please describe in detail the cost variance observed.
- c. For each individual cost variance identified, please indicate whether there has been any change to the status of the costs since October 31, 2021. If there has been a change to the status for any such item, describe each change in detail and whether that change has had an effect on the total costs summarized in Exhibit DH-1(Sally).

RESPONSE:

- a. See table below.



- b. & c. See response to subpart a.

QUESTION:

Isaias and Eta - Cost Reconciliations.

Please refer to the summary cost support Excel file included with the Confidential files attached to the November 12, 2021 petition for Hurricane Isaias storm cost recovery entitled "DH-1 Isaias Final Costs as of July 2021." Refer further to worksheet tab GL to AP Reconciliation which shows amongst other things the identified reconciled amounts between the storm costs recorded in the general ledger and those reflected in the accounts payable detail as of July 31, 2021. Finally, refer to the Excel cells A31 through F36, which shows the individual reconciling items related to Purchase Orders (POs) summing to \$57,445.

- a. For each individual cost variance identified, please indicate whether the amount was included in the costs summarized in Exhibit DH-1(Isaias).
- b. For each individual cost variance identified, please describe in detail the cost variance observed.
- c. For each individual cost variance identified, please indicate whether there has been any change to the status of the costs since July 31, 2021. If there has been a change to the status for any such item, describe each change in detail and whether that change has had an effect on the total costs summarized in Exhibit DH-1(Isaias).
- d. For each individual cost variance identified that is described as "Goods Received on GL Detail, invoice not received," in which the status has not changed since July 31, 2021, please explain why those costs should be considered since they have not been invoiced in well over a year since the storm.

RESPONSE:

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- b & c. See response to subpart (a).
- e. Each variance identified that is described as "Goods Received on GL Detail, invoice not received", has been resolved by either deletion, receipt or payment of the invoice. For items that were reversed, FPL will file a revised Exhibit DH-1(Isaias) to reflect these changes at a later date.

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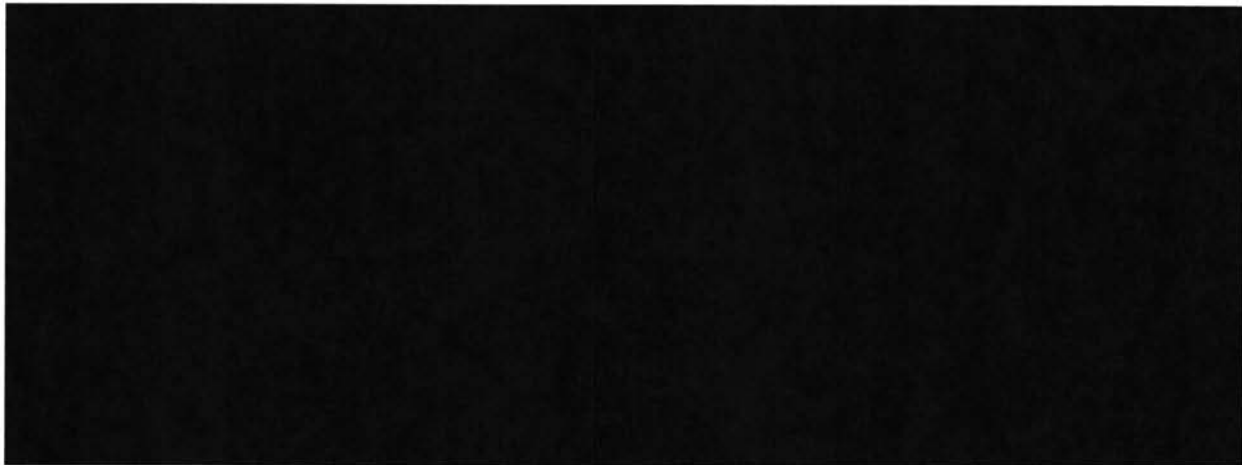
QUESTION:

Isaias and Eta - Cost Reconciliations.

Please refer to the summary cost support Excel file included with the Confidential files attached to the November 12, 2021 petition for Tropical Storm Eta storm cost recovery entitled "DH-2 Eta Final Costs as of July 2021." Refer further to worksheet tab GL to AP Reconciliation which shows amongst other things the identified reconciled amounts between the storm costs recorded in the general ledger and those reflected in the accounts payable detail as of July 31, 2021. Finally, refer to the Excel cells A31 through C37, which shows the individual reconciling items related to POs summing to \$379,996.

- a. For each individual cost variance identified, please indicate whether the amount was included in the costs summarized in Exhibit DH-2(Eta).
- b. For each individual cost variance identified, please describe in detail the cost variance observed.
- c. For each individual cost variance identified, please indicate whether there has been any change to the status of the costs since July 31, 2021. If there has been a change to the status for any such item, describe each change in detail and whether that change has had an effect on the total costs summarized in Exhibit DH-2(Eta).

RESPONSE:



- b. See subpart a.
- c. See subpart a. FPL will file a revised Exhibit DH-2(Eta) to reflect these changes at a later date.

QUESTION:

Isaias and Eta - Cost Reconciliations.

Please refer to the summary cost support Excel file included with the Confidential files attached to the November 12, 2021 petition for Tropical Storm Eta storm cost recovery entitled "DH-2 Eta Final Costs as of July 2021." Refer further to worksheet tab GL to AP Reconciliation which shows amongst other things the identified reconciled amounts between the storm costs recorded in the general ledger and those reflected in the accounts payable detail as of October 2021. Finally, refer to the Excel cells A47 through C50, which shows the individual reconciling items related to non-POs summing to \$2,969,450.

- a. For each individual cost variance identified, please indicate whether the amount was included in the costs summarized in Exhibit DH-2(Eta).
- b. For each individual cost variance identified, please describe in detail the cost variance observed.
- c. For each individual cost variance identified, please indicate whether there has been any change to the status of the costs since July 31, 2021. If there has been a change to the status for any such item, describe each change in detail and whether that change has had an effect on the total costs summarized in Exhibit DH-2(Eta).

RESPONSE:



- b. See subpart a.
- c. See subpart a. FPL will file a revised Exhibit DH-2(Eta) to reflect these changes at a later date.

QUESTION:

Zeta - Cost Reconciliations.

Please refer to the summary cost support Excel file included with the Confidential files attached to the November 12, 2021 petition for Hurricane Zeta storm cost recovery entitled "DH-1 Zeta 10.2021." Refer further to worksheet tab GL to AP Reconciliation which shows amongst other things the identified reconciled amounts between the storm costs recorded in the general ledger and those reflected in the accounts payable detail as of October 31, 2021. Finally, refer to the Excel cells A30 through D30, which shows a reconciling item related to Purchase Orders (POs) of \$4,551.

- a. For this cost variance identified, please indicate whether the amount was included in the costs summarized in Exhibit DH-1(Zeta).
- b. For this cost variance identified, please describe in detail the cost variance observed.
- c. For this cost variance identified, indicate whether there has been any change to the status of the cost since October 31, 2021. If there has been a change to the status for the cost, describe in detail and whether that change has had an effect on the total costs summarized in Exhibit DH-1(Zeta).

RESPONSE:

- a. See table below.



- b. See response to subpart a.
- c. See response to subpart a. FPL will file a revised Exhibit DH-1(Zeta) to reflect these changes at a later date. Note, the removal of costs from the Vehicle & Fuel cost category has no impact on the ICCA adjustment for fuel reflected on line 34 of Exhibit DH-1 (Zeta) since the fuel ICCA adjustment calculation utilizes non-storm fuel costs during the month in which the storm restoration work was performed as described in the testimony of FPL witness Hughes, page 16. .

# **EXHIBIT C**

## **JUSTIFICATION TABLE**



**EXHIBIT C**

**COMPANY:** Florida Power & Light Company  
**TITLE:** List of Confidential Documents  
**DOCKET NO.:** 20200241-EI; 20210178-EI; 202100179  
**DOCKET TITLE:** Petition for limited proceeding for recovery of incremental storm restoration costs related to Hurricane Sally, by Gulf Power Company. Petition for evaluation of Hurricane Isaias and Tropical Storm Eta storm costs, by Florida Power & Light Company. Petition for evaluation of Hurricane Zeta storm costs, by Gulf Power Company  
**SUBJECT:** Responses to Office of Public Counsel’s (“OPC”): Fourth Set of Interrogatories, Nos. 48-49 in Docket 20200241-EI; Fourth Set of Interrogatories, Nos. 49, 51 and 52 in former Docket 20210178-EI; and Third Set of Interrogatories, No. 42 in former Docket 20210179-EI.  
**DATE:** April 25, 2022

Set	Bates Number Start	Bates Number End	Description	Line No. / Col. No.	Florida Statute 3.66.093(3) Subsection	Declarant
Docket 20200241 OPC 4th INT 48	029471	029471	Interrogatory Response	All	(e)	David Hughes
Docket 20200241 OPC 4th INT 49	029472	029472	Interrogatory Response	Lines 1-9	(e)	David Hughes
Docket 20210178 OPC 4th INT 49	036420	036420	Interrogatory Response	Lines 1-7	(e)	David Hughes
Docket 20210178 OPC 4th INT 51	036421	036421	Interrogatory Response	Lines 1-12	(e)	David Hughes
Docket 20210178 OPC 4th INT 52	036422	036422	Interrogatory Response	Lines 1-11	(e)	David Hughes

<b>Set</b>	<b>Bates Number Start</b>	<b>Bates Number End</b>	<b>Description</b>	<b>Line No. / Col. No.</b>	<b>Florida Statute 3.66.093(3) Subsection</b>	<b>Declarant</b>
Docket 20210179 OPC 3rd INT 42	002774	002774	Interrogatory Response	Lines 1-5	(e)	David Hughes



# **EXHIBIT D**

# **DECLARATIONS**

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Petition for limited proceeding for recovery of incremental storm restoration costs related to Hurricanes Sally, by Gulf Power Company.

In re: Petition for evaluation of Hurricane Isaias and Tropical Storm Eta storm costs, by Florida Power & Light Company.

In re: Petition for limited proceeding for recovery of incremental storm restoration costs and associated true-up process related to Hurricane Zeta, by Gulf Power Company.

Docket No. 20200041-EI

Docket No. 20210178-EI

Docket No. 20210179-EI

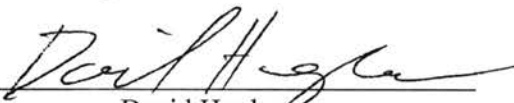
**WRITTEN DECLARATION OF DAVID HUGHES**

1. My name is David Hughes. I am currently employed by Florida Power & Light Company ("FPL") as Assistant Controller. 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, specifically, FPL's responses to OPC's: (1) Fourth Request Set of Interrogatories, Nos. 48-49 in Docket 20200241-EI; (2) Fourth Set of Interrogatories, Nos. 49, 51 and 52 in former Docket 20210178-EI; and (3) Third Set of Interrogatories, No. 42 in former Docket 20210179-EI, for which I am listed as the declarant on Exhibit C. The documents and files that I have reviewed and which are asserted by FPL to be proprietary confidential business information contain or constitute information relating to competitive interests, the disclosure of which would impair the competitive business of the provider of the information. 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.

  
\_\_\_\_\_  
David Hughes

Date: 4/25/2022