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May 18, 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

REDACTED

RECEIVED-FPSC
2022 MAY 18 PM 3:03
COMMISSION
CLERK

**Re: Docket No. 20220051-EI
Florida Power & Light Company Request for Confidential Classification**

Dear Mr. Teitzman:

Enclosed for filing in the above docket is Florida Power & Light Company's ("FPL's") Request for Confidential Classification of certain information provided in response to the Office of Public Counsel's ("OPC") Fourth Request for Production of Documents Nos. 25-27. 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. 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 declarations in support of FPL's request.

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

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

Sincerely,

s/Christopher T. Wright
Christopher T. Wright
Authorized House Counsel No. 1007055

Enclosures

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

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Review of Storm Protection Plan,
pursuant to Rule 25-6.030, F.A.C., Florida
Power & Light Company

Docket No. 20220051-EI

Filed: May 18, 2022

**FLORIDA POWER & LIGHT COMPANY'S REQUEST
FOR CONFIDENTIAL CLASSIFICATION OF INFORMATION
PROVIDED IN RESPONSE TO THE OFFICE OF PUBLIC COUNSEL'S FOURTH
REQUEST FOR PRODUCTION OF DOCUMENTS NOS. 25-27**

Pursuant to Section 366.093, Florida Statutes ("Section 366.093"), and Rule 25-22.006, Florida Administrative Code, Florida Power & Light Company ("FPL") hereby requests confidential classification of certain information provided in response to the Office of Public Counsel's ("OPC") Fourth Request for Production of Documents Nos. 25-27, (the "Confidential Documents"). In support of this Request, FPL states as follows:

1. This Request is being filed to request confidential classification of certain information contained in the Confidential Documents, consistent with Rule 25-22.006, Florida Administrative Code.
2. The following exhibits are attached to and made a part of this Request:
 - a. Exhibit A consists of a copy of the Confidential Documents on which all information that FPL asserts is entitled to confidential treatment is highlighted.
 - b. Exhibit B consists of an edited version of the Confidential Documents on which all information that FPL asserts is entitled to confidential treatment is redacted.

- c. Exhibit C is a table that identifies the information highlighted in Exhibit A and references the specific statutory basis for the claim of confidentiality and identifies the Declarant who supports the requested classification.
- d. Exhibit D consists of the declaration of Thomas Allain in support of this Request.

3. FPL submits 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, Florida Statutes (“F.S.”) 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 in Exhibit D, the confidential business information includes information related to competitive interests, the disclosure of which would impair the competitive business of FPL. This information is protected by Sections 366.093(3)(c), F.S.

5. Upon a finding by the Commission that the information contained in the Confidential Documents is proprietary and confidential business information, the information should not be declassified for at least 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* Section 366.093(4), F.S.

WHEREFORE, for the above and foregoing reasons, as more fully set forth in the supporting materials, Florida Power & Light Company respectfully requests that its Request for Confidential Classification be granted.

Respectfully submitted this 18th day of May 2022

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By: s/Christopher T. Wright
Christopher T. Wright
Florida Auth. House Counsel No. 1007055

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing¹ has been furnished by Electronic Mail to the following parties of record this 18th day of May 2022 to the following:

<p>Walter Trierweiler, Esquire Theresa Lee Eng Tan, Esquire Jacob Imig, Esquire Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, FL 32399 wtrierwe@psc.state.fl.us jimig@psc.state.fl.us ltan@psc.state.fl.us <i>For Commission Staff</i></p>	<p>Office of Public Counsel c/o The Florida Legislature 111 West Madison Street, Room 812 Tallahassee, FL 32399-1400 Gentry.richard@leg.state.fl.us rehwinkel.charles@leg.state.fl.us morse.stephanie@leg.state.fl.us wessling.mary@leg.state.fl.us christensen.patty@leg.state.fl.us <i>For Office of Public Counsel</i></p>
<p>J. Jeffrey Wahlen Malcolm M. Means Ausley McMullen Post Office Box 391 Tallahassee, Florida 32302 jwahlen@ausley.com mmeans@ausley.com</p> <p>Ms. Paula K. Brown Regulatory Affairs P. O. Box 111 Tampa FL 33601-0111 regdept@tecoenergy.com <i>For Tampa Electric Company</i></p>	<p>Dianne M. Triplett Deputy General Counsel Duke Energy Florida, LLC 299 First Avenue North St. Petersburg, FL 33701 Dianne.Triplett@Duke-Energy.com</p> <p>Matthew R. Bernier Robert L. Pickels Stephanie A. Cuello 106 E. College Avenue, Suite 800 Tallahassee FL 32301 FLRegulatoryLegal@duke-energy.com matthew.bernier@duke-energy.com robert.pickels@duke-energy.com stephanie.cuello@duke-energy.com <i>For Duke Energy Florida, LLC</i></p>
<p>Beth Keating Gunster, Yoakley & Stewart, P.A. 215 South Monroe St., Suite 601 Tallahassee, FL 32301 BKeating@gunster.com</p> <p>Mr. Mike Cassel 208 Wildlight Ave. Yulee FL 32097 (904) 491-4361 mcassel@fpuc.com <i>For Florida Public Utilities Company</i></p>	<p>James W. Brew/Laura Wynn Baker Stone Law Firm 1025 Thomas Jefferson St., NW, Eighth Floor, West Tower Washington DC 20007 (202) 342-0800 (202) 342-0807 jbrew@smxblaw.com lwb@smxblaw.com <i>For PCS Phosphate – White Springs</i></p>

¹ The exhibits to this Request are not included with the service copies, but copies of Exhibits B, C and D are available upon request.

<p>Jon C. Moyle, Jr. Karen A. Putnal Moyle Law Firm, P.A. 118 North Gadsden Street Tallahassee, Florida 32301 jmoyle@moylelaw.com kputnal@moylelaw.com mqualls@moylelaw.com <i>For Florida Industrial Power Users Group</i></p>	
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By: *s/ Christopher T. Wright*
Christopher T. Wright
Fla. Auth. House Counsel No. 1007055

EXHIBIT B

REDACTED

The confidential documents responsive to OPC's Fourth Request for Production of Documents No. 25, Bates No. 000334-000338, are confidential in their entirety.

The confidential documents responsive to OPC's Fourth Request for Production of Documents No. 26, Bates No. 000340-000367, are confidential in their entirety.

The confidential documents responsive to OPC's Fourth Request for Production of Documents No. 27, Bates No. 000368, are confidential in their entirety.

EXHIBIT C

JUSTIFICATION TABLE

EXHIBIT C

COMPANY: Florida Power & Light Company
TITLE: List of Confidential Documents
DOCKET NO.: 20220051-EI
DOCKET TITLE: In Re: Review of Storm Protection Plan, pursuant to Rule 25-6.030, F.A.C., Florida Power & Light Company.
SUBJECT: Florida Power & Light Company's Request for Confidential Classification of Information Contained in Its Response to Office of Public Counsel's Fourth Request for Production of Documents, Nos. 25-27
DATE: May 18, 2022

Document	Bates Number Start	Bates Number End	Description	Line No. / Col. No.	Florida Statute 366.093(3) Subsection	Declarant
Response to OPC 4 th POD 25	000334	000338	Feeder Maps	All	(c)	Thomas Allain
Response to OPC 4 th POD 26	000340	000367	Construction Plans	All	(c)	Thomas Allain
Response to OPC 4 th POD 27	000368	000368	Substation Maps	All	(c)	Thomas Allain

EXHIBIT D

DECLARATIONS

EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Review of Storm Protection
Plan, pursuant to Rule 25-6.030,
F.A.C., Florida Power & Light
Company

Docket No. 20220051-EI

WRITTEN DECLARATION OF THOMAS ALLAIN

1. My name is Thomas Allain. I am currently employed by Florida Power & Light Company ("FPL") as Director, Compliance and Regulatory, Power Delivery. I have personal knowledge of the matters stated in this written declaration.

2. I have reviewed the documents and information included in Exhibit A FPL's Request for Confidential Classification, 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 information relating to competitive interests, the disclosure of which would impair the competitive business of FPL. 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.



Thomas Allain

Date: _____

5/17/22