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July 5, 2022

VIA ELECTRONIC FILING

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

Re: Docket No. 20220001-EI

Dear Mr. Teitzman:

I attach for filing in the above docket Florida Power & Light Company's Third Request for Extension of Confidential Classification of certain material provided to the Staff of the Florida Public Service Commission pursuant to Audit Control No. 2017-023-1-1. The filing includes Exhibit D, which consists of the Declarations in support of the request.

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

Sincerely,

s/ David M. Lee

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 Purchased Power Cost Recovery Clause with Generating Performance Incentive Factor	Docket No: 20220001-EI Date: July 5, 2022
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**FLORIDA POWER & LIGHT COMPANY’S THIRD
REQUEST FOR EXTENSION OF CONFIDENTIAL CLASSIFICATION OF
MATERIALS PROVIDED PURSUANT TO AUDIT NO. 2017-023-1-1**

Pursuant to Section 366.093, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, Florida Power & Light Company (“FPL”)¹ hereby submits its Third Request for Extension of Confidential Classification of certain material provided to the Staff of the Florida Public Service Commission (“Staff”) pursuant to the Commission’s review of pre-consolidated Gulf’s 2017 fuel and purchased power expenditures, Audit No. 2017-023-1-1 (“Confidential Information”). In support of this Request, FPL states as follows:

1. On June 1, 2017, Gulf filed a request for confidential classification of the Confidential Information (Document No. 05146-17, Docket No. 20170001-EI) (“June 1, 2017 Request”). By Order No. PSC-2017-0252-CFO-EI, dated June 29, 2017 (“Order 0252”), the Commission granted Gulf’s June 1, 2017 Request. FPL adopts and incorporates by reference the June 1, 2017 Request and Order 0252.

2. On December 20, 2018, Gulf filed a Request for Extension of Confidential Classification (“December 20, 2018 Request”). By Order No. PSC-2019-0148-CFO-EI, dated April 24, 2019 (“Order 148”), the Commission granted Gulf’s December 20, 2018 Request. FPL adopts and incorporates by reference the December 20, 2018 Request and Order 0148.

¹ As of January 1, 2022, Gulf Power Company (“Gulf”) no longer exists as a separate utility. FPL and the former Gulf Power Company are one consolidated ratemaking entity. The original Request for Confidential Classification and the underlying data submitted with that filing pertains to pre-consolidation operations of Gulf.

3. On October 23, 2020, Gulf filed a Second Request for Extension of Confidential Classification (“October 23, 2020 Request”). By Order No. PSC-2021-011-CFO-EI, dated January 4, 2021 (“Order 011”), the Commission granted Gulf’s October 23, 2020 Request. FPL adopts and incorporates by reference the October 23, 2020 Request and Order 011.

4. The period of confidential treatment granted by Order 011 will soon expire. The Confidential Information that was the subject of Gulf’s October 23, 2020 Request and Order 011 warrants continued treatment as proprietary and confidential business information within the meaning of Section 366.093(3), Fla. Stat. Accordingly, FPL hereby submits its Third Request for Extension of Confidential Classification.

5. All the information designated in the October 23, 2020 Request remains confidential. Accordingly, Exhibits A, B and C will not be reproduced or reattached herein. Included as Exhibit D are the declarations of Richard Hume and Antonio Maceo in support of this request.

6. The Confidential Information is intended to be and has been treated by pre-consolidation Gulf and FPL as private, its confidentiality has been maintained, and its disclosure would cause harm to FPL and its customers. Pursuant to Section 366.093, Fla. Stat., such information is entitled to confidential treatment and is 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.

5. The Confidential Information is entitled to continued confidential classification

for the same reasons that it was initially classified. As stated in Gulf's Original Request, a portion of the information submitted by Gulf Power in connection with the Review constitutes proprietary confidential business information concerning pricing information and other contractual data, the disclosure of which would impair the efforts of FPL to contract for goods and services on favorable terms. Specifically, this Confidential Information includes pricing data for negotiated purchase power agreements and coal, oil and natural gas transportation and storage. Disclosure of this information would also impair the competitive interests of FPL and its counterparties. The information is entitled to confidential classification pursuant to section 366.093(3)(d) and (e), Florida Statutes. The Confidential Information also includes a listing of internal audits performed by Gulf Power and affiliated companies during 2016. Public disclosure of this information would reveal specific areas of focus for internal controls, compliance and security monitoring. This information continues to be entitled to confidential classification pursuant to section 366.093(3)(b) and (c), Florida Statutes.

7. 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, Florida Power & Light Company respectfully requests that its Third Request for Extension of Confidential Classification be granted.

Respectfully submitted,

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By: /s/ David M. Lee
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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 5th day of July 2022 to the following:

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By: /s/ David M. Lee
David M. Lee
Florida Bar No. 103152

EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Fuel and Purchased Power Cost
Recovery Clause with Generating
Performance Incentive Factor by Florida
Power & Light Company

Docket No: 20220001-EI

DECLARATION OF RICHARD HUME

1. My name is Richard Hume. I am currently employed by Florida Power & Light Company (“FPL”) as Regulatory Issues Manager. 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 Materials Provided Pursuant to Audit No. 2017-023-1-1 for which I am identified as a declarant. The documents which are asserted by FPL to be proprietary confidential business information contain or constitute information relating to competitive interests. Specifically, the information contains details concerning pre-consolidated Gulf Power’s fuel and purchased power transactions, coal, oil and natural gas transportation and storage. This information is subject to non-disclosure obligations. Furthermore, disclosure of the pricing terms may result in counterparties refusing to conduct business with FPL, or they may charge higher prices. To the best of my knowledge, FPL has maintained the confidentiality of this information.

3. Nothing has occurred since the issuance of Order No. PSC-2021-0011-CFO-EI to render the designated information stale or public, such that continued confidential treatment would not be appropriate. Therefore, consistent with the provisions of the Florida Administrative Code, such materials should remain confidential for a period of thirty-six (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.


Richard Hume

Date: July 5, 2022

EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Fuel and Purchased Power Cost
Recovery Clause with Generating
Performance Incentive Factor by Florida
Power & Light Company

Docket No: 20220001-EI

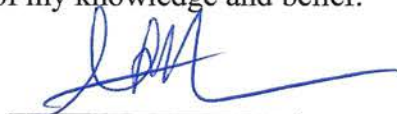
DECLARATION OF ANTONIO MACEO

1. My name is Antonio Maceo. I am currently employed by Florida Power & Light Company ("FPL") as Senior Manager, Internal Audit. 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 Materials Provided Pursuant to Audit No. 2017-023-1-1 for which I am identified as a declarant. The documents which are asserted by FPL to be proprietary confidential business information contain or constitute information relating to internal auditing and the reports of internal auditors of pre-consolidated Gulf. To the best of my knowledge, FPL has maintained the confidentiality of this information.

3. Nothing has occurred since the issuance of Order No. PSC-2021-0011-CFO-EI to render the designated information stale or public, such that continued confidential treatment would not be appropriate. Therefore, consistent with the provisions of the Florida Administrative Code, such materials should remain confidential for a period of thirty-six (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.



Antonio Maceo

Date: July 5, 2022