

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition by Florida Power & Light Company
for Base Rate Increase and Rate Unification

Docket No. 20210015-EI

Filed: January 30, 2023

**FLORIDA POWER & LIGHT COMPANY'S FIRST REQUEST FOR
EXTENSION OF CONFIDENTIAL CLASSIFICATION OF CERTAIN
INFORMATION CONTAINED IN MFR SCHEDULES D-2, C-26 AND C-28.**

Pursuant to Section 366.093, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, Florida Power & Light Company ("FPL") hereby submits its First Request for Extension of Confidential Classification of certain information provided in Schedules D-2, C-26 and C-28 of the Minimum Filing Requirements ("MFR") filed in this proceeding (referred to herein as the "Confidential Information"). In support of its Request, FPL states as follows:

1. On March 12, 2021, FPL filed a request for Confidential Classification of Portions of Minimum Filing Requirements ("MFRs") Schedules D-2, C-26 and C-28 ("March 12, 2021 Request"). Document No. 02840-2021. By Order No. PSC-2021-0282-CFO-EI, dated July 29, 2021 ("Order 0282"), the Commission granted FPL's March 12, 2021 Request. FPL adopts and incorporates by reference the March 12, 2021 Request and Order 0282.

2. The period of confidential treatment granted by Order 0282 will soon expire. The Confidential Information that was the subject of FPL's March 12, 2021 Request and Order 0282 warrant continued treatment as proprietary and confidential business information within the meaning of Section 366.093(3). Accordingly, FPL hereby submits its First Request for Extension of Confidential Information.

3. All of the information designated in Exhibits A and B to the March 12, 2021 Request remain confidential. Accordingly, those exhibits will not be reproduced or reattached here. Regarding First Revised Exhibit C, all of the information listed in the March 12, 2021

Request remains confidential; the Exhibit is revised only to identify Scott Bores as a new declarant who is sponsoring information previously sponsored by Robert Barrett.

4. Also included is First Revised Exhibit D, which consists of the declarations of Liz Fuentes and Scott Bores in support of this Request.

5. 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, 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.

6. As described in the declarations included as First Revised Exhibit D, the Confidential Information consists of information relating to competitive interests, the disclosure of which would impair the competitive interests of the party providing the information. Specifically, some of the Confidential Information describes the projected capital structures and financial forecasts of affiliated companies. If publicly disclosed, this information would harm the competitive interests of the provider of the information and would trigger Securities and Exchange Commission reporting obligations. This information is protected by Section 366.093(3)(e), Fla. Stat.

7. Some of the Confidential Information consists of competitive business information regarding corporate income taxes. Specifically, the material contains tax returns and schedules, including pro forma tax documentation incorporated into Nextera Energy's tax return, which is confidential pursuant to 26 U.S.C. § 6103.

8. Upon a finding by the Commission that the Confidential Information remains 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 § 399.093(4), Fla. Stat.

WHEREFORE, for the above and foregoing reasons, as more fully set forth in the supporting materials and declarations, Florida Power & Light Company respectfully requests that its First Request for Extension of 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 30th day of January 2023 to the following parties:

Suzanne Brownless
Bianca Lherisson
Shaw Stiller
Florida Public Service Commission
Office of the General Counsel
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850
sbrownle@psc.state.fl.us
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By: s/ *Maria Jose Moncada*
Maria Jose Moncada
Florida Bar No. 0773301

Docket No. 20210015-EI

FIRST REVISED EXHIBIT “C”

FIRST REVISED EXHIBIT C

COMPANY: Florida Power & Light Company
TITLE: Petition by Florida Power & Light Company for Base Rate Increase and Rate Unification Company
DOCKET NO.: 20210015-EI
DATE: January 30, 2023

Bold denotes revision to reflect a new declarant

MFR No.	Description	No. of Pages	Conf. Y/N	Line / Column	Florida Statute 366.093(3) Subsection	Declarants
D-2	Cost of Capital – 5 Year History for FPL Test Year	1	Y	Lines 19-44, Cols 9-12	(e)	Scott Bores
D-2	Cost of Capital – 5 Year History for Consolidated Companies Test Year with RSAM	2	Y Y	Page 1, Lines 19-44, Cols 11-12 Page 2, Lines 19-44, Cols 9-10	(e)	Scott Bores
D-2	Cost of Capital – 5 Year History for Consolidated Companies Test Year without RSAM	2	Y Y	Page 1, Lines 19-44, Cols 11-12 Page 2, Lines 19-44, Cols 9-10	(e)	Scott Bores
D-2	Cost of Capital – 5 Year History for FPL Subsequent Year Adjustment	1	Y	Lines 19-44, Cols 7-12	(e)	Scott Bores
D-2	Cost of Capital – 5 Year History for Consolidated Companies Subsequent Year Adjustment with RSAM	2	Y Y	Page 1, Lines 19-44, Cols 9-12 Page 2, Lines 19-44, Cols 7-8	(e)	Scott Bores

MFR No.	Description	No. of Pages	Conf. Y/N	Line / Column	Florida Statute 366.093(3) Subsection	Declarants
D-2	Cost of Capital – 5 Year History for Consolidated Companies Subsequent Year Adjustment without RSAM	2	Y Y	Page 1, Lines 19-44, Cols 9-12 Page 2, Lines 19-44, Cols 7-8	(e)	Scott Bores
C-26 – attachment 1	FPL 2019 Federal Proforma return (on disc)	938	Y	All	(e)	Liz Fuentes
C-26 – attachment 2	FPL 2019 Florida Proforma return (on disc)	461	Y	All	(e)	Liz Fuentes
C-26 – attachment 3	Gulf 2019 Federal Proforma return	34	Y	All	(e)	Liz Fuentes
C-26 – attachment 4	Gulf 2019 Florida Proforma return	10	Y	All	(e)	Liz Fuentes
C-28	Miscellaneous Tax Information –FPL Historic	1	Y	Line 6, Cols. 5-7	(e)	Liz Fuentes
C-28	Miscellaneous Tax Information –Gulf Historic	1	Y	Line 6, Cols. 5-7	(e)	Liz Fuentes

Docket No. 20210015-EI

FIRST REVISED EXHIBIT “D”

FIRST REVISED EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition by Florida Power & Light Company
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DECLARATION OF SCOTT BORES

1. My name is Scott Bores. I am currently employed by Florida Power & Light Company ("FPL") as Vice-President, Finance. I have personal knowledge of the matters stated in this declaration.

2. I have reviewed the documents referenced and incorporated in FPL's Request for Confidential Classification. The documents or materials that I have reviewed and which are asserted by FPL to be proprietary confidential business information contain competitive business information regarding financial forecasts. The release of this information could impair our competitive interests and would violate Securities and Exchange Commission rules regarding the disclosure of material non-public information. To the best of my knowledge, FPL has maintained the confidentiality of these documents and materials.

3. Nothing has occurred since the issuance of Order No. PSC-2021-0282-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 at least an additional 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 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.



Scott Bores

Date: 01/30/2023

FIRST REVISED EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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DECLARATION OF LIZ FUENTES

1. My name is Liz Fuentes. I am currently employed by Florida Power & Light Company (“FPL”) as Senior Director, Regulatory Accounting. 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. The documents or materials that I have reviewed and which are asserted by FPL to be proprietary confidential business information contain competitive business information regarding corporate income taxes. Specifically, the material contains tax returns and schedules, including pro forma tax documentation incorporated into Nextera Energy’s tax return, which is confidential pursuant to 26 U.S.C. § 6103. The disclosure of this information would impair the competitive business of the company. To the best of my knowledge, FPL has maintained the confidentiality of these documents and materials.

3. Nothing has occurred since the issuance of Order No. PSC-2021-0282-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 at least an additional 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 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.

Liz Fuentes

Liz Fuentes

Date: _____ 1/27/2023