

State of Florida



Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

-M-E-M-O-R-A-N-D-U-M-

DATE: February 2, 2023
TO: Division of Accounting and Finance, Office of Primary Responsibility
FROM: OFFICE OF COMMISSION CLERK
RE: CONFIDENTIALITY OF CERTAIN INFORMATION

DOCKET NOS: 20230001-EI DOCUMENT NO: 00733-2023

DESCRIPTION: FPL (Lee) - (CONFIDENTIAL) Highlighted information in Form 423-1(a) for 11/22; and Forms 423-2, 2(a), and 2(b) for Plant Scherer and Plant Daniel for 10/22, 11/22, and 12/22.

SOURCE: Florida Power & Light

The above confidential material was filed along with a request for confidential classification. Please complete the following form by checking all applicable information and forward it to the attorney assigned to the docket, along with a brief memorandum supporting your recommendation.

- The document(s) is (are), in fact, what the utility asserts it (them) to be.
- The utility has provided enough details to perform a reasoned analysis of its request.
- The material has been received incident to an inquiry.
- The material is confidential business information because it includes:
- (a) Trade secrets;
 - (b) Internal auditing controls and reports of internal auditors;
 - (c) Security measures, systems, or procedures;
 - (d) Information concerning bids or other contractual data, the disclosure of which would impair the efforts of the public utility or its affiliates to contract for goods or services on favorable terms;
 - (e) Information relating to competitive interests, the disclosure of which would impair the competitive business of the provider of information;
 - (f) Employee personnel information unrelated to compensation, duties, qualifications, or responsibilities;
- The material appears to be confidential in nature and harm to the company or its ratepayers will result from public disclosure.
- The material appears not to be confidential in nature.
- The material is a periodic or recurring filing and each filing contains confidential information.

This response was prepared by /s/Aaron Zaslow on 2.6.23, a copy of which has been sent to the Office of Commission Clerk and the Office of General Counsel.

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-M-E-M-O-R-A-N-D-U-M-

DATE: February 6, 2023

TO: Suzanne S. Brownless, Special Counsel, Office of the General Counsel

FROM: Aaron Zaslow, Public Utility Analyst I, Division of Accounting & Finance

RE: CONFIDENTIALITY OF CERTAIN INFORMATION
DOCKET NO: 20230001-EI DOCUMENT NO: 00733-2023
DESCRIPTION: FPL (Lee) - (CONFIDENTIAL) Highlighted information in Form 423-1(a) for 11/22; and Forms 423-2, 2(a), and 2(b) for Plant Scherer and Plant Daniel for 10/22, 11/22, and 12/22.

SOURCE: Florida Power & Light Company

Pursuant to Section 366.093, Florida Statutes (F.S.), and Rule 25-22.006, Florida Administrative Code, Florida Power & Light Company (FPL or Company) requests confidential classification of certain information filed in the above-referenced docket dated January 31, 2023.

The Company is claiming confidentiality of its information under Section 366.093(3)(d), F.S. Per the Statute, propriety of confidential business information includes, but is not limited to: Subsection (d) “[i]nformation concerning bids or other contractual data, the disclosure of which would impair the efforts of the public utility or its affiliates to contract for goods or services on favorable terms.” Further, DEF requests that the confidential information contained in the 423 Report be protected from disclosure for a period of 24 months. For the reasons explained in its request, DEF claims this is the minimum time necessary to ensure that purposes for which confidential classification is granted are not contravened and frustrated by a premature subsequent disclosure.

The information at issue relates to claimed proprietary separated fuel commodity cost and fuel transportation cost data, as well as quality-related cost adjustments. This information has historically been treated as confidential.

Staff has reviewed the Company’s information and confidentiality request. It is staff’s opinion that the information subject to this request meets the criteria for confidentiality contained in Section 366.093(3)(d), F.S.