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Florida Authorized House Counsel;  
Admitted in Pennsylvania

March 15, 2023

*VIA ELECTRONIC FILING*

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

**Re: Docket No. 20210015-EI**  
**In re: Petition by Florida Power & Light Company for**  
**Rate Unification and for Base Rate Increase**

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Dear Mr. Teitzman:

Enclosed for filing in the above-referenced docket, please find Florida Power & Light Company's First Request for Extension of Confidential Classification of Document Nos. 04223-2021 and 04819-2021.

If you or your staff have any question regarding this filing, please contact me at (561) 691-7144.

Respectfully submitted,

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

Enclosures

cc: Certificate of Service

**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: March 15, 2023

**FLORIDA POWER & LIGHT COMPANY'S  
FIRST REQUEST FOR EXTENSION OF CONFIDENTIAL CLASSIFICATION OF  
CERTAIN INFORMATION PROVIDED IN ITS SECOND AND FOURTH  
SUPPLEMENTAL RESPONSES TO OFFICE OF PUBLIC COUNSEL'S FIRST  
REQUEST FOR PRODUCTION OF DOCUMENTS NO. 36**

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 for certain information provided in its Second and Fourth Supplemental responses to Office of Public Counsel's ("OPC") First Request for Production of Documents No. 36 (the "Confidential Information"). In support of its Request, FPL states as follows:

1. On May 24, 2021, FPL filed a Request for Confidential Classification of its Second Supplemental Response to OPC's First Request for Production of Documents No. 36 (Document No. 04223-2021). On June 14, 2021, FPL filed a Request for Confidential Classification of its Fourth Supplemental Response to OPC's First Request for Production of Documents, No. 36 (Document No. 04819-2021). By Order No. PSC-2021-0354-CFO-EI issued September 15, 2021, the Commission granted FPL's May 24 and June 14, 2021 Requests for Confidential Classification. FPL herein adopts and incorporates by reference the May 24 and June 14, 2021 Requests and Commission Order No. PSC-2021-0354-CFO-EI.

2. The period of confidential treatment granted by Order No. PSC-2021-0354-CFO-EI will expire on March 15, 2023. The Confidential Information that was the subject of FPL's May 24 and June 14, 2021 Requests and Order No. PSC-2021-0354-CFO-EI warrants continued treatment as proprietary and confidential business information within the meaning of Section

366.903(3). Accordingly, FPL hereby submits this First Request for Extension of Confidential Classification.

3. All of the information designated in Exhibits A, and B to the May 24 and June 14, 2021 Requests remain confidential. Accordingly, those exhibits will not be reproduced or reattached here.

4. Regarding First Revised Exhibits C, all of the information listed in the May 24 and June 14, 2021 Requests remains confidential; the Exhibits are revised only to identify Andrew Whitley as a new declarant, who is sponsoring information that was previously sponsored by Steven Sim

5. Also included is First Revised Exhibit D, which consists of the declaration of Andrew Whitley.

6. 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, Fla. Stat., 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.

7. As stated in FPL's the May 24 and June 14, 2021 Requests and as described in the declaration included as First Revised Exhibit D, the Confidential Information contains information relating to competitive interests, the disclosure of which would impair the competitive business of the provider of the information. Specifically, the information contains software that is proprietary

to a third-party vendor who provides it to FPL as part of a subscription service. This information is protected by Section 366.093(3)(e), Fla. Stat.

8. Upon a finding by the Commission that the Confidential Information is 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, FPL respectfully requests that its First Request for Extension of Confidential Classification be granted.

Respectfully submitted,

FLORIDA POWER & LIGHT COMPANY

By: *s/ Christopher T. Wright*

Christopher T. Wright

Senior Counsel

Fla. Auth. House Counsel No. 1007055

Florida Power & Light Company

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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 15th day of March 2021 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  
blheriss@psc.state.fl.us  
sstiller@psc.state.fl.us

By: *s/Christopher T. Wright* \_\_\_\_\_

Christopher T. Wright  
Fla. Auth. House Counsel No. 1007055

**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:** March 15, 2023

**Bold indicates a new declarant**

Int/POD No.	Begin Bates Number	End Bates Number	Description	No. of Pages	Confidential	Line/Col	Florida Statute 366.093 (3) Subsection	Declarant
Second Supplemental response to OPC'S 1st Request for Production of Documents, No. 36	042976	042976	Integrated Resource Plan Modeling Software	1	Y	All	(e)	<b>Andrew Whitley</b>
Fourth Supplemental response to OPC'S 1st Request for Production of Documents, No. 36	064617	064620	2019 Battery Duration Results	4	Y	All	(e)	<b>Andrew Whitley</b>

**FIRST REVISED EXHIBIT D**

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

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

Docket No: 20210015-EI

**DECLARATION OF ANDREW WHITLEY**

1. My name is Andrew Whitley. I am currently employed by Florida Power & Light Company (“FPL”) as Engineering Manager, Resource Planning. I have personal knowledge of the matters stated in this written declaration.

2. I have reviewed the documents referenced and incorporated in FPL’s First Request for Extension of Confidential Classification for certain information provided its Second and Fourth Supplemental responses OPC’s First Request for Production of Documents No. 36. The documents or materials that I have reviewed and which are proprietary confidential business information contain competitive business information the disclosure of which would impair the competitive business of the provider of the information. Specifically, the information contains software that is proprietary to a third party vendor who provides it to FPL as part of a subscription service. To the best of my knowledge, FPL has maintained the confidentiality of these documents and materials.

3. Confidential treatment of the above-described information was granted by Commission Order No. PSC-2021-0354-CFO-EI issued September 15, 2021. Nothing has occurred since that time to change the confidential nature of this information and, as such, Nothing has occurred since the issuance of Order No. PSC-2021-0354-CFO-EI to render the designated information and, as such, these materials should remain confidential for a period of not less than 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.



Andrew Whitley

Date: 3/13/2023