

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-**

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**DATE:** October 11, 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: 05607-2023

DESCRIPTION: FPL (Lee) - (CONFIDENTIAL) CD containing certain information provided in corrected response to staff's 4<sup>th</sup> request for PODs (No. 5).

SOURCE: Florida Power & Light

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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/ Garret Kelley on 10/12/2023, a copy of which has been sent to the Office of Commission Clerk and the Office of General Counsel.

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TALLAHASSEE, FLORIDA 32399-0850

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

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**DATE:** October 12, 2023  
**TO:** Suzanne Brownless, Office of the General Counsel  
**FROM:** Garret Kelley, Division of Accounting and Finance  
**RE:** CONFIDENTIALITY OF CERTAIN INFORMATION

DOCKET NOS: 20230001-EI DOCUMENT NO: 05607-2023

DESCRIPTION: FPL (Lee) - (CONFIDENTIAL) CD containing certain information provided in corrected response to staff's 4<sup>th</sup> request for PODs (No. 5).

SOURCE: **Florida Power & Light**

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Pursuant to Section 366.093 of the Florida Statutes (F.S.), and Rule 25-22.006, Florida Administrative Code, Florida Power & Light (FPL or Company) requests confidential classification of certain information filed in the above-referenced docket, dated October 10, 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 and services on favorable terms."

More specifically, the information contains pricing data for real estate lease revenues and for solar power plant development and construction. The disclosure of this information would impair the efforts of FPL to contract for goods or services on favorable terms.

Staff has reviewed the subject information as well as the Company's confidentiality request, and in staff's opinion, the material meets the criteria for confidentiality contained in Section 366.093(3)(d), F.S.