

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 23, 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: 02219-2022

DESCRIPTION: FPL (Lee) - (CONFIDENTIAL) Information provided in response to OPC's 1st request for PODs (Nos. 5, 6, 11, and 12).

SOURCE: Florida Power & Light Company

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The above confidential material was filed along with a first request for extension of 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/Devlin Higgins on 10.23.23, 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-**

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**DATE:** October 23, 2023

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

**FROM:** Devlin Higgins, Public Utility Supervisor, Division of Accounting & Finance

**RE:** CONFIDENTIALITY OF CERTAIN INFORMATION  
DOCKET NO: 20230001-EI DOCUMENT NO: 02219-2022  
DESCRIPTION: FPL (Lee) - (CONFIDENTIAL) Information provided in response to OPC's 1st request for PODs (Nos. 5, 6, 11, and 12).

SOURCE: Florida Power & Light Company

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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 an extension of confidential classification of certain information filed in the above-referenced docket, dated April 1, 2022. The initial confidential classification was granted pursuant to Order No. PSC-2022-0150-CFO-EI.<sup>1</sup>

The Company is claiming continued confidentiality of its filing under Section 366.093(3)(c), F.S. Per the Statute, propriety of confidential business information includes, but is not limited to: Subsection (c) “[s]ecurity measures, systems, or procedures.”

More specifically, the information at issue pertains to the security systems or personnel procedures for nuclear power plants, transmission facilities or other security-sensitive facilities. Disclosure of this information would impair the security of the power plants.

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

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<sup>1</sup>Order No. PSC-2022-0150-CFO-EI, issued April 22, 2022, in Docket No. 20220001-EI, *In re: Fuel and purchased power cost recovery clause with generating performance incentive factor.*