



Joel T. Baker
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October 31, 2023

REDACTED

- VIA HAND DELIVERY -

Mr. Adam Teitzman
Division of the Commission Clerk and Administrative Services
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

RECEIVED - FPSC
2023 OCT 31 PM 3:41
COMMISSION CLERK

Re: Florida Power & Light Company's Request for Confidential Classification Associated with Tropical Storm Alex Informational Filing – 20230000-OT

Dear Mr. Teitzman:

I enclose for filing Florida Power & Light Company's ("FPL") Request for Confidential Classification of information provided with FPL's informational filing associated with Tropical Storm Alex, which is being filed contemporaneously in Docket No. 20230000-OT.

The enclosed filing includes Exhibits A, B, C, and D. Exhibit A consists of a copy of the Confidential Documents which, because the information is voluminous and stored electronically, is being provided in electronic format on a compact disk. Exhibit B is an edited version of Exhibit A, containing identifying cover pages that correspond to the confidential electronic files. Exhibit C is a justification table in support of FPL's Request for Confidential Classification. Exhibit D contains declarations in support of FPL's filing.

Please contact me if you or your Staff has any questions regarding this filing at (561) 691-7255 or joel.baker@fpl.com.

Sincerely,

/s/ Joel T. Baker
Joel T. Baker
Fla. Bar No. 0108202

- COM _____
- AFD _____
- APA _____
- ECO _____
- ENG 1 EKH "B"
- GCL _____
- IDM _____
- CLK _____

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Florida Power & Light Company's
Request for Confidential Classification
Associated with Tropical Storm Alex
Informational Filing

Docket No: 20230000-OT

Date: October 31, 2023

**FLORIDA POWER & LIGHT COMPANY'S REQUEST FOR
CONFIDENTIAL CLASSIFICATION OF INFORMATION ASSOCIATED
WITH TROPICAL STORM ALEX INFORMATIONAL FILING**

Pursuant to Section 366.093, Florida Statutes ("F.S."), and Rule 25-22.006, Florida Administrative Code ("F.A.C."), Florida Power & Light Company ("FPL") hereby requests confidential classification of certain documents and information specified in FPL's informational filing associated with Tropical Storm Alex, which is being filed contemporaneously with this Request in Docket No. 20230000-OT:

1. This Request is being filed in accordance with Rule 25-22.006, F.A.C., to request confidential classification of certain information related to FPL's restoration costs associated with Tropical Storm Alex. Specifically, FPL seeks confidential classification of: (i) searchable spreadsheets that provide data documenting the receipt, review, adjustment where appropriate, and payment of FPL's Tropical Storm Alex costs; and (ii) Tropical Storm Alex contractor travel logs (together, the "Confidential Documents").

2. The following exhibits are attached to and made a part of this Request:

a. Exhibit A consists of a copy of the Confidential Documents, provided in electronic format on CDs, wherein all the information contained is entitled to confidential treatment. Because the confidential materials are being provided in electronic format and are voluminous, and therefore cannot be readily highlighted, FPL has not highlighted the entirety of the information contained on the CDs.

- b. Exhibit B consists of summary page that identifies the Confidential Documents, which are entitled to confidential treatment in their entirety.
- c. Exhibit C is a table that identifies the information in Exhibit A and references the specific statutory basis for the claim of confidentiality and identifies the Declarant who supports the requested classification.
- d. Exhibit D consists of the declarations of Amber De Lucenay and Keith Ferguson in support of this Request.

3. FPL submits that the information in Exhibit A is proprietary and confidential business information, and its disclosure would cause harm to FPL and its customers. Pursuant to Section 366.093, F.S., 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.

4. As described in the declarations in Exhibit D, the confidential business information includes information relating to 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. This information is protected by Section 366.093(3)(d), F.S. The confidential business information further includes information relating to competitive interests, the disclosure of which would impair the competitive business of the provider of the information. This information is protected by Section 366.093(3)(e), F.S.

5. Upon a finding by the Commission that the information contained in the Confidential Documents is proprietary and confidential business information, the information

should not be declassified for at least eighteen (18) month period and should be returned to FPL as soon as it is no longer necessary for the Commission to conduct its business. *See* Section 366.093(4), F.S.

WHEREFORE, for the above and foregoing reasons, as more fully set forth in the supporting materials, Florida Power & Light Company respectfully requests that its Request for Confidential Classification be granted.

Respectfully submitted this 31st day of October 2023.

Joel T. Baker
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700 Universe Boulevard
Juno Beach, FL 33408
Telephone: (561) 691-7255
Facsimile: (561) 691-7135

/s/ Joel T. Baker _____

Joel T. Baker
Fla. Bar No. 0108202

EXHIBIT B

REDACTED

**Tropical Storm Alex
Accounting Support
Files are Confidential in
Their Entirety**

**Tropical Storm Alex
Flat Files are
Confidential in Their
Entirety**

**Tropical Storm Alex
Travel Orders are
Confidential in Their
Entirety**

EXHIBIT C

JUSTIFICATION TABLE

EXHIBIT C

COMPANY: Florida Power & Light Company
TITLE: Tropical Storm Alex Informational Filing
DOCKET NO.: 20230000-OT
DATE: October 31, 2023

| Document Description | No. of Pages | Conf. Y/N | Line / Column | Florida Statute 366.093(3) Subsection | Declarant(s) |
|-------------------------------|---------------------|------------------|----------------------|--|---------------------|
| Alex Accounting Support Files | 17 | Y | All | (d), (e) | Keith Ferguson |
| Alex Flat Files | 23 | Y | All | (d), (e) | Amber De Lucenay |
| Alex Travel Orders | 1 | Y | All | (d), (e) | Amber De Lucenay |

EXHIBIT D

DECLARATIONS

EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Florida Power & Light Company's
Request for Confidential Classification
Associated with Tropical Storm Alex
Informational Filing

Docket No: 20230000-OT

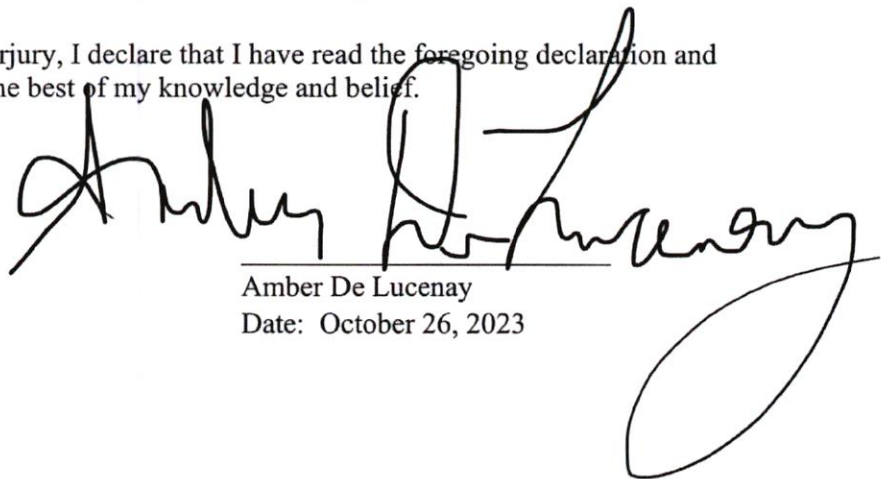
DECLARATION OF AMBER DE LUCENAY

1. My name is Amber De Lucenay. I am currently employed by Florida Power & Light Company ("FPL") as Director of Business Services Power Delivery. I have personal knowledge of the matters stated in this declaration.

2. I have reviewed the documents and information included in Exhibit A to FPL's Request for Confidential Classification, for which I am listed as the declarant on Exhibit C. The documents and files that I have reviewed and which are asserted by FPL to be proprietary confidential business information contain or constitute information concerning bids or other contractual data, the disclosure of which would impair the efforts of FPL to contract for goods or services on favorable terms. Specifically, the confidential information includes support files, which include competitive pricing and contractual information related to FPL's vendors. Additionally, the documents and files that I have reviewed, and which are asserted by FPL to be proprietary confidential business information contain or constitute information relating to competitive interests, the disclosure of which would impair the competitive business of the provider of the information. To the best of my knowledge, FPL has maintained the confidentiality of this information.

3. Consistent with the provisions of the Florida Administrative Code, such materials should remain confidential for a period of 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 to 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.



Amber De Lucenay
Date: October 26, 2023

EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Florida Power & Light Company's
Request for Confidential Classification
Associated with Tropical Storm Alex
Informational Filing

Docket No: 20230000-OT


DECLARATION OF KEITH FERGUSON

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

2. I have reviewed the documents and information included in Exhibit A to FPL's Request for Confidential Classification, for which I am listed as the declarant on Exhibit C. The documents and files that I have reviewed and which are asserted by FPL to be proprietary confidential business information contain or constitute information concerning bids or other contractual data, the disclosure of which would impair the efforts of FPL to contract for goods or services on favorable terms. Specifically, the confidential information includes accounting support files, which include competitive pricing and contractual information related to FPL's vendors. Additionally, the documents and files that I have reviewed, and which are asserted by FPL to be proprietary confidential business information contain or constitute information relating to competitive interests, the disclosure of which would impair the competitive business of the provider of the information. To the best of my knowledge, FPL has maintained the confidentiality of this information.

3. Consistent with the provisions of the Florida Administrative Code, such materials should remain confidential for a period of 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 to 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.



Keith Ferguson

Date: October 30, 2023