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February 15, 2024

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COMMISSION CLERK

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

REDACTED

**Re: Docket No. 20240000-OT
Florida Power & Light Company Earnings Surveillance Reports for
December 2023 – Request for Confidential Classification**

Dear Mr. Teitzman:

I enclose for filing in the above docket Florida Power & Light Company's ("FPL") Request for Confidential Classification of information contained in its Earnings Surveillance Reports for December 2023 ("December 2023 ESR"). This request includes Exhibits A, B (two copies), C, and D.

Exhibit A consists of the December 2023 ESR on which all the information that FPL asserts is entitled to confidential treatment has been highlighted. Exhibit B is an edited version of Exhibit A on which the information FPL asserts is confidential has been redacted. Exhibit C is a justification table in support of FPL's Request for Confidential Classification. Exhibit D contains a declaration in support of FPL's request.

Please do not hesitate to contact me if you or your Staff has any questions regarding this filing.

Sincerely,

Maria Jose Moncada
Attorney for Florida Power & Light Company
Fla. Bar No. 0773301

- COM _____
- AFD _____
- APA _____
- ECO** 1 Exh "B" - redacted
- ENG _____
- GCL _____
- IDM _____
- CLK _____

Enclosure

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Florida Power & Light Company's Earnings
Surveillance Report for December 2023

Docket No. 20240000-OT

Filed: February 15, 2024

**FLORIDA POWER AND LIGHT COMPANY'S
REQUEST FOR CONFIDENTIAL CLASSIFICATION**

Pursuant to Section 366.093, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, Florida Power & Light Company ("FPL") hereby requests confidential classification of certain information ("Confidential Information") contained in its December 2023 Earnings Surveillance Report ("December 2023 ESR"). In support of this request, FPL states as follows:

1. On February 15, 2024, FPL filed the December 2023 ESR. Portions of Schedule "D" to the December 2023 ESR contain confidential information. Accordingly, FPL files this Request for Confidential Classification.

2. The following exhibits are included with this Request:

- a. Exhibit A is a copy of Schedule D to FPL's December 2023 ESR on which all the information FPL asserts is entitled to confidential treatment has been highlighted.
- b. Exhibit B is a copy of Schedule D to FPL's December 2023 ESR on which all the information FPL asserts is entitled to confidential treatment has been redacted.
- c. Exhibit C is a table that identifies the information for which confidential treatment is sought and references the specific statutory basis for the claim of confidentiality.

d. Exhibit D is the declaration of Tiffany Cohen in support of this Request.

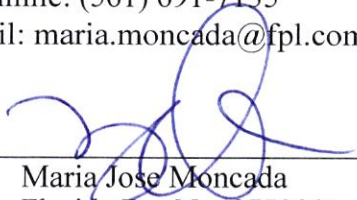
3. The Confidential Information is intended to be and has been treated by FPL as private, its confidentiality has been maintained, and its disclosure would cause harm to FPL and its customers. Pursuant to Section 366.093, Fla. Stat., such materials are entitled to confidential treatment and are exempt 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.

4. As described in the declaration attached as Exhibit D, the Confidential Information contains contractual data, the disclosure of which would impair the efforts of FPL or its vendors to enter transactions for services on favorable terms. This information is protected by Section 366.093(3)(d), Fla. Stat.

5. 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* § 366.093(4), Fla. Stat.

WHEREFORE, for the reasons set forth above, 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.
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By: 

Maria Jose Moncada
Florida Bar No. 0773301

EXHIBIT B

REDACTED

REDACTED

FLORIDA POWER & LIGHT COMPANY
AND SUBSIDIARIES
SUPPLEMENTAL EARNINGS SURVEILLANCE INFORMATION
COMMERCIAL/INDUSTRIAL SERVICE RIDER
DECEMBER, 2023

SCHEDULE D: PAGE 1 OF 1

- A
- 1 CSA
 - 2 The information below is presented to comply with Order No. PSC-14-0197-PAA-EI, Docket No. 140048-EI.
 - 3 This supplemental information is to be treated as confidential. The total difference for all executed Contract
 - 4 Service Arrangements (CSAs) between the calendar year 2023 revenues that would have been received under
 - 5 the otherwise applicable tariff rate(s) and the CISR rate is [REDACTED]

Footnotes:

- (1) Please note that, but for the Commercial Industrial Service Rider, FPL would not serve this load and would receive no revenues for it.

EXHIBIT C

JUSTIFICATION TABLE

EXHIBIT C

COMPANY: Florida Power & Light Company
TITLE: Florida Power & Light Company's Earnings Surveillance Report for December 2023
DOCKET NO.: 20240000-OT
DATE: February 15, 2024

Description	Line/Column	Florida Statute 366.093(3) Subsection	Declarant
FPL Earnings Surveillance Reports (Schedule D)	Line: 5 Column: A	(d)	Tiffany Cohen

EXHIBIT D

DECLARATIONS

EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Florida Power & Light Company's Earnings
Surveillance Report for December 2023

Docket No. 20240000-OT

DECLARATION OF TIFFANY COHEN

1. My name is Tiffany Cohen. I am currently employed by Florida Power & Light Company ("FPL") as Vice President, Financial Planning and Rate Strategy. I have personal knowledge of the matters stated in this declaration.

2. I have reviewed the documents and information included in FPL's Request for Confidential Classification filed this date, for which I am listed as the Declarant. The documents 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 enter transactions for services on favorable terms. Specifically, the documents contain negotiated contractual data between FPL and a customer.

3. To the best of my knowledge, FPL has maintained the confidentiality of this information.

4. Consistent with the provisions of the Florida Administrative Code, such materials should remain confidential for a period of at least 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.

5. 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.

Tiffany Cohen

Tiffany Cohen

Date: 2/14/24