

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-

DATE: April 1, 2024

TO: Division of Accounting and Finance, Office of Primary Responsibility

FROM: OFFICE OF COMMISSION CLERK

RE: CONFIDENTIALITY OF CERTAIN INFORMATION

DOCKET NOS: 20220133-EI DOCUMENT NO: 01382-2024

DESCRIPTION: FPL (Baker) - (CONFIDENTIAL) Certain material filed in exhibits to the 2023 consummation report.

SOURCE: Florida Power & Light

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 DPB on 4/5/24, 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-

DATE: April 5, 2024

TO: Timothy Sparks, Senior Attorney, Office of the General Counsel

FROM: Dale R. Buys, Public Utilities Supervisor, Division of Accounting & Finance 

RE: CONFIDENTIALITY OF CERTAIN INFORMATION
DOCKET NO: 20220133-EI DOCUMENT NO: 01382-2024
DESCRIPTION: FPL (Baker) - (CONFIDENTIAL) Certain material filed in exhibits attached to FPL's 2023 consummation report.
SOURCE: Florida Power & Light

On March 29, 2024, Florida Power & Light (FPL or Company) filed its 2023 Consummation Report including the required exhibits in the above referenced docket. Pursuant to Section 366.093(3)(d) and (e) of the Florida Statutes (F.S.), and Rule 25-22.006, Florida Administrative Code (F.A.C), FPL requested confidential classification of certain highlighted information contained in Document No. 01382-2024. This memo addresses only the information listed in Exhibit A of the Company's Request for Confidential Classification.¹ The documents that include the confidential information are credit agreements identified as Exhibits 1(g) and 1(q), and Squire Patton Boggs Opinions identified as Exhibits 2(g) and 2(f) attached to FPL's 2023 consummation report.

FPL claims that the information is intended to be and has been treated as private. Staff has reviewed FPL's confidentiality request and the exhibits to FPL's 2023 consummation report. Staff concurs that the exhibits attached to FPL's 2023 consummation report contain proprietary and confidential information concerning contractual data and information relating to competitive business interests, the disclosure of which could harm the competitive interests of the company and impair the competitive business of the provider of information. As such, this information is protected by Section 366.093(3)(d) and (e), F.S.

In staff's opinion, the request meets the criteria for confidentiality set forth in Sections 366.093(3)(d) and (e), F.S. Therefore, staff recommends that FPL's request for confidentiality be approved.

¹Document No. 01381-2024