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AFD 1 Exh "B"  
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ECO \_\_\_\_\_  
ENG \_\_\_\_\_  
GCL \_\_\_\_\_  
IDM \_\_\_\_\_  
CLK \_\_\_\_\_

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September 5, 2024

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. 20240001-EI**  
**Florida Power & Light Company Request for Confidential Classification**

Dear Mr. Teitzman:

Enclosed for filing in the above docket is Florida Power & Light Company's ("FPL") Request for Confidential Classification of certain Capacity Payments to Non-Cogenerators identified in Exhibit AM-8, Schedule E12 to the prepared testimony of FPL witness Amin Mohamed filed today in the above referenced docket. The request includes Exhibits A, B (two copies), C and D.

Exhibit A consists of the confidential documents, and all the information that FPL asserts is entitled to confidential treatment has been highlighted. Exhibit B is an edited version of Exhibit A, in 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 contact me if you or your Staff have any questions regarding this filing.

Sincerely,

David M. Lee

Enclosures

cc: Counsel for Parties of Record (w/ copy of FPL's Request for Confidential Classification)

RECEIVED FPSC  
COMMISSION CLERK  
2024 SEP -5 PM 2:02

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Fuel and purchased power cost recovery clause with generating performance incentive factor.

Docket No. 20240001-EI

Filed: September 5, 2024

**FLORIDA POWER & LIGHT COMPANY’S REQUEST  
FOR CONFIDENTIAL CLASSIFICATION OF CAPACITY PAYMENTS  
TO NON-COGENERATORS IDENTIFIED IN SCHEDULE E12 TO AM-8**

Pursuant to Section 366.093, Florida Statutes (“Section 366.093”), and Rule 25-22.006, Florida Administrative Code, Florida Power & Light Company (“FPL”) hereby requests confidential classification of certain information contained in Schedule E12 to Exhibit AM-8 to the prepared testimony of FPL witness Amin Mohamed (the “Confidential Document”). In support of this Request, FPL states as follows:

1. On September 5, 2024, FPL submitted the prepared testimony of witness Amin Mohamed in this docket. Schedule E12 to Exhibit AM-8 to the testimony contains information regarding FPL’s capacity payments to specific non-cogenerator counterparties, which is of a confidential nature. This Request seeks confidential classification of the Confidential Document consistent with Rule 25-22.006.

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

a. Exhibit A consists of Schedule E12 in which all information that FPL asserts is entitled to confidential treatment is highlighted.

b. Exhibit B consist of two copies of Schedule E12, in which the information FPL asserts is confidential has been redacted.

c. Exhibit C is a table that identifies the information highlighted 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 is the declaration of Michael V. Cashman in support of this Request.

3. FPL submits that the highlighted information in Exhibit A is proprietary confidential business information within the meaning of Section 366.093(3), Florida Statutes (“F.S.”). This information is intended to be and is treated by FPL as private, and its confidentiality has been maintained. 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. FPL seeks confidential protection for the highlighted information contained in Schedule E12, which identifies capacity payments to non-cogenerators. The highlighted information consists of contractual data about FPL’s capacity payments to specific counterparties. The disclosure of this contractual information would provide other market participants insight into FPL’s marketing and procurement practices and impair FPL’s ability to contract for capacity on favorable terms, to the detriment of FPL and its customers. Such information is protected by Sections 366.093(3)(d), F.S. This information also relates to the competitive interests of FPL and suppliers from whom FPL purchases capacity. The disclosure of this information would impair their competitive businesses. Such 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) months 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,

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By: 

David M. Lee  
Florida Bar No. 103152

**CERTIFICATE OF SERVICE**  
**Docket 20240001-EI**

I **HEREBY CERTIFY** that a true and correct copy of the foregoing\* has been furnished by electronic delivery on this 5th day of September 2024 to the following:

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By:   
David M. Lee  
Florida Bar No. 103152

\* Copies of Exhibits B, C and D are available upon request.

**Docket No. 20240001-EI**

**EXHIBIT “B”**

**REDACTED**

**FPL’s SEPTEMBER 5, 2023, TESTIMONY OF  
AMIN MOHAMED (SCHEDULE E12 TO  
EXHIBIT AM-8)**

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	
1	1	Florida Power & Light Company													
2	2	Schedule E12 - Capacity Costs													
3	3	Page 2 of 2													
4	4														
5	5														
6	6														
7	7	2025 Projection													
8	8														
9	9	<b>Contract</b>	<b>Counterparty</b>					<b>Identification</b>	<b>Contract Start Date</b>	<b>Contract End Date</b>					
10	10	1	Solid Waste Authority (40MW)					Other Entity	January 1, 2012	April 1, 2032					
11	11	2	Solid Waste Authority (70MW)					Other Entity	July 16, 2016	May 31, 2034					
12	12	3	Southern Company Services - Santa Rosa					Other Entity	June 1, 2024	April 30, 2025					
13	13	4	Mercuria					Other Entity	January 1, 2025	February 28, 2025					
14	14														
15	15														
16	16	<u>2025 Capacity in MW</u>													
17	17														
18	18	<b>Contract</b>	<b>January</b>	<b>February</b>	<b>March</b>	<b>April</b>	<b>May</b>	<b>June</b>	<b>July</b>	<b>August</b>	<b>September</b>	<b>October</b>	<b>November</b>	<b>December</b>	
19	19	1	40	40	40	40	40	40	40	40	40	40	40	40	
20	20	2	70	70	70	70	70	70	70	70	70	70	70	70	
21	21	3	230	230	230	230									
22	22	4	225	225											
23	23	Total	565	565	340	340	110	110	110	110	110	110	110	110	
24	24														
25	25	<u>2025 Capacity in Dollars</u>													
26	26														
27	27	<b>Contract</b>	<b>January</b>	<b>February</b>	<b>March</b>	<b>April</b>	<b>May</b>	<b>June</b>	<b>July</b>	<b>August</b>	<b>September</b>	<b>October</b>	<b>November</b>	<b>December</b>	
28	28	1													
29	29	2													
30	30	3													
31	31	4													
32	32	Total	3,782,400	3,782,400	3,107,400	3,107,400	1,511,200	1,564,000	1,564,000	1,564,000	1,564,000	1,564,000	1,564,000	1,564,000	
33	33														
34	34	Total Capacity Payments to Non-Cogenerators for 2025 (1)						26,238,800							
35	35														
36	36	(1) Total short-term capacity payments do not include payments for the Solid Waste Authority - 70 MW unit. Capacity costs for this unit were recovered through the Energy Conservation													
37	37	Cost Recovery Clause in 2014, consistent with Commission Order No. PSC-11-0293-FOF-EU issued in Docket No. 110018-EU on July 6, 2011.													
38	38														



**Docket No. 20240001-EI**

**EXHIBIT “C”**

**FPL’s SEPTEMBER 5, 2023, TESTIMONY OF  
AMIN MOHAMED (SCHEDULE E12 TO  
EXHIBIT AM-8)**

**EXHIBIT C**

**COMPANY:** Florida Power & Light Company  
**TITLE:** List of Confidential Documents  
**DOCKET NO.:** 20240001-EI  
**DOCKET TITLE:** Fuel and Purchased Power Cost Recovery Clause with Generating Performance Incentive Factor  
**SUBJECT:** FPL's Projections Filing, Exh. AM-8, Sch. E12.  
**DATE:** September 5, 2024

Description	Page Nos.	Line No./ Col. No.	Florida Statute 366.093(3) Subsection	Declarant
Exhibit AM-8, Schedule E12	2 of 2	Lines 28-31, Cols. C-N	(d) and (e)	Michael V. Cashman

**Docket No. 20240001-EI**

**EXHIBIT “D”**

**FPL’s SEPTEMBER 5, 2023, TESTIMONY OF  
AMIN MOHAMED (SCHEDULE E12 TO  
EXHIBIT AM-8)**

**EXHIBIT D**

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Fuel and purchased power cost recovery  
clause with generating performance incentive  
factor.

Docket No: 20240001-EI


**DECLARATION OF MICHAEL V. CASHMAN**

1. My name is Michael V. Cashman. I am currently employed by Florida Power & Light Company ("FPL") as Executive Director, Wholesale Operations, and Trading, in the Energy, Marketing and Trading Division. I have personal knowledge of the matters stated in this written declaration.

2. I have reviewed Exhibit C and the documents and information included in Exhibit A of FPL's Request for Confidential Classification. The documents and materials in Exhibit A which are asserted by FPL to be proprietary confidential business information contain information concerning bids or other contractual data, the disclosure of which would impair the efforts of FPL or its affiliates to contract for goods or services on favorable terms. The documents also contain information relating to the competitive interests of FPL and its counterparties, the disclosure of which would impair the competitive business of the provider of the information. Specifically, the confidential documents contain information about FPL's capacity payments to specific counterparties. Disclosure of this contractual information would provide other market participants insight into FPL's marketing and procurement practices and impair FPL's ability to contract for capacity on favorable terms. 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.

  
Michael V. Cashman

Date: September 3, 2024