

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Environmental Cost Recovery Clause

Docket No. 20240007-EI

Filed: November 22, 2024

**FLORIDA POWER & LIGHT COMPANY’S SECOND REQUEST
FOR EXTENSION OF CONFIDENTIAL CLASSIFICATION OF
MATERIALS PROVIDED PURSUANT TO AUDIT NO. 2018-036-4-1**

Pursuant to Section 366.093, Florida Statutes (“Fla. Stat.”) and Rule 25-22.006, Florida Administrative Code, Florida Power & Light Company (“FPL”) hereby submits its Second Request for Extension of Confidential Classification of Materials Provided Pursuant to Audit No. 2018-036-4-1 (the “Confidential Information”). In support of this request, FPL states as follows:

1. On June 20, 2018, FPL filed a Request for Confidential Classification of the Confidential Information, which included Exhibits A, B, C, and D (“June 20, 2018 Request”). By Order No. PSC-2018-0525-CFO-EI, dated November 2, 2018 (“Order 0525”), the Commission granted FPL’s June 20, 2018 Request. FPL adopts and incorporates by reference the June 20, 2018 Request and Order 0525.

2. On October 29, 2021, FPL filed its First Request for Extension of Confidential Classification of the Confidential Information, which included First Revised Exhibits A, B, C, and D (“October 29, 2021 Request”). By Order No. PSC-2021-0439, dated November 23, 2021 (“Order 0439”), the Commission granted FPL’s October 29, 2021 Request. FPL adopts and incorporates by reference the October 29, 2021 Request and Order 0439.

3. The period of confidential treatment granted by Order 0439 will soon expire. The Confidential Information that was the subject of FPL’s October 29, 2021 Request and Order 0439 warrants continued treatment as proprietary and confidential business information within

the meaning of Section 366.093(3), Fla. Stat. Accordingly, FPL hereby submits its Second Request for Extension of Confidential Classification.

4. All the information designated in the October 29, 2021 Request remains confidential. Accordingly, Exhibits A, B and C will not be reproduced or reattached herein.

5. Also included as Second Revised Exhibit D is the declaration of Charles Rote in support of this request.

6. 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.

7. As explained more fully in the declaration included as Second Revised Exhibit D, certain documents contain 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. This information is protected by Section 366.093(3)(d), Fla. Stat.

8. Additionally, certain documents contain competitively sensitive information related to employees' compensation. Public disclosure of compensation information would enable competing employers to meet or beat the compensation offered by FPL, resulting in the loss of talented employees, or conversely, the need to increase the level of compensation already paid in order to retain these employees and attract new talent. The quality of service and the

cost-of-service implications would be detrimental to FPL and its customers. This information is protected by Section 366.093(3)(e), Fla. Stat.

9. Nothing has changed since the Commission entered Order 0439 to render the Confidential Information identified in First Revised Exhibit C stale or public, such that continued confidential treatment would not be appropriate.

10. Upon a finding by the Commission that the Confidential Information remains 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* Section 366.093(4), Fla. Stat.

WHEREFORE, for the above and foregoing reasons, as more fully set forth in the supporting materials included with or incorporated in this Request, Florida Power & Light Company respectfully requests that its Second Request for Extension of Confidential Classification be granted.

Respectfully submitted,

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By: /s/ Joel T. Baker

Joel T. Baker
Florida Bar No. 0108202

CERTIFICATE OF SERVICE
Docket No. 20240007-EI

I **HEREBY CERTIFY** that a true and correct copy of the foregoing has been furnished
by electronic service on this 22nd day of November 2024 to the following:

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EXHIBIT D

SECOND REVISED EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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DECLARATION OF CHARLES R. ROTE

1. My name is Charles R. Rote. I am currently employed by Florida Power & Light Company ("FPL") as Director of Business Services, Power Generation. I have personal knowledge of the matters stated in this written declaration.

2. I have reviewed First Revised Exhibit C, and the documents that were included in First Revised Exhibit A to FPL's First Request for Extension of Confidential Classification of Materials Provided Pursuant to Audit No. 2018-036-4-1 for which I was and continue to be designated as the declarant. The documents or materials that I reviewed are confidential business information containing or constituting information relating to competitive interests, the disclosure of which would impair FPL's efforts to contract for goods or services on favorable terms in the future and would impair the competitive interests of the goods provider. Specifically, the information provided by FPL contains negotiated pricing information for solar projects. In addition, some documents contain competitively sensitive information related to certain employees' compensation. Public disclosure of compensation information for particular positions would enable competing employers to meet or beat the compensation offered by FPL, resulting in the loss of talented employees, or conversely, the need to increase the level of compensation already paid in order to retain these employees and attract new talent. The quality of service and the cost of service implications would be detrimental to FPL and its customers. To the best of my knowledge, FPL has maintained the confidentiality of this information.

3. Nothing has occurred since the issuance of Order No. PSC-2021-0439-CFO-EI to render the information stale or public, such that continued confidential treatment would not be appropriate. Therefore, the information should remain confidential for a period of not less than 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.

Charles R. Rote

Charles R. Rote

Date: 11/20/2024