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By

April 21, 2025

**-VIA HAND DELIVERY-**

Adam Teitzman  
Commission Clerk  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850

**REDACTED**

2025 APR 21 PM 1:51  
COMMISSION  
CLERK

**RE: Docket 20250048-EG – Petition for Approval of Proposed Demand-Side Management Plan by Florida Power & Light Company**

Dear Mr. Teitzman:

I enclose for filing in the above docket Florida Power & Light Company's ("FPL") Request for Confidential Classification of Information Provided in Response to Florida Public Service Commission Staff's First Data Request (No. 9). The request includes Exhibits A, B (two copies), C, and D.

Exhibit A consists of a copy of the confidential material on which all the information that FPL asserts is entitled to confidential treatment has been highlighted. Because the documents in Exhibit A are entirely confidential, FPL has included only identifying cover pages in Exhibit B. Exhibit C is a justification table in support of FPL's Request for Confidential Classification. Exhibit D contains the declarations in support of FPL's request.

If there are any questions regarding this transmittal, please contact me at (561)304-5662.

Sincerely,

A handwritten signature in black ink, appearing to read 'William P. Cox', written over a horizontal line.

William P. Cox  
Senior Counsel  
Fla. Bar No. 0093531

Enclosure  
cc: Parties of Record

Florida Power & Light Company

700 Universe Boulevard, Juno Beach, FL 33408

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Petition for Approval of Proposed Demand-Side Management Plan by Florida Power & Light Company | Docket No. 20250048-EG  
| Filed: April 21, 2025

**FLORIDA POWER & LIGHT COMPANY’S REQUEST FOR  
CONFIDENTIAL CLASSIFICATION OF INFORMATION PROVIDED  
IN RESPONSE TO FLORIDA PUBLIC SERVICE COMMISSION STAFF’S FIRST  
DATA REQUEST (NO. 9)**

Pursuant to Section 366.093, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, Florida Power & Light Company (“FPL”) requests confidential classification of certain information provided in response to Florida Public Service Commission Staff’s (“Staff”) First Data Request (No. 9) (“Confidential Discovery Responses”). In support of its Request, FPL states as follows:

1. On April 21, 2025, Staff served its First Data Request on FPL. FPL’s Response to Staff’s First Data Request (No. 9) contains information of a confidential nature within the meaning of Section 366.093(3), Florida Statutes.

2. FPL served its responses to First Data Request (No. 9) on April 21, 2025. This request is being filed contemporaneously with the service of the responses to Staff’s discovery to request confidential classification of the Confidential Discovery Responses consistent with Rule 25-22.006, Florida Administrative Code.

3. The following exhibits are included with and made a part of this request:

a. Exhibit A consists of a copy of the confidential material on which all the information that FPL asserts is entitled to confidential treatment has been highlighted.

b. As Exhibit A is confidential in its entirety, Exhibit B consists of only identifying cover pages with all confidential information removed.

c. Exhibit C is a table containing a page-and-line identification of the information highlighted in Exhibit A and a brief description of the Confidential Information. Exhibit C also references the specific statutory bases for the claim of confidentiality and identifies the declarants who support the requested classification.

d. Exhibit D contains the declaration of Andrew W. Whitley in support of this Request.

4. FPL submits that the highlighted information in Exhibit A is proprietary confidential business information within the meaning of Section 366.093(3), Florida Statutes. This information is intended to be and is treated by FPL as private, and its confidentiality has been maintained. Pursuant to Section 366.093, such information is entitled to confidential treatment and is exempt from the disclosure provisions of the public records law. Thus, once the Commission determined 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.

5. As the description included in Exhibit C and the declarations included in Exhibit D indicate, the Confidential Discovery Responses provided by FPL contain information concerning information relating to competitive interests of FPL, the disclosure of which would impair the competitive business of FPL. This information is protected by Section 366.093(3)(e), Fla. Stat.

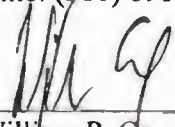
6. Upon a finding by the Commission that the Confidential Information remains proprietary and confidential business information, the information should not be declassified for at least an additional eighteen (18) month period and should be returned to FPL as soon as it is no longer necessary for the Commission to conduct its business. *See* § 366.093(4), Fla. Stat.

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

Respectfully submitted,

William P. Cox  
Senior Counsel  
Florida Power & Light Company  
700 Universe Boulevard  
Juno Beach, FL 33408  
Telephone: (561) 304-5662  
Facsimile: (561) 691-7135

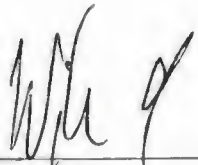
By: \_\_\_\_\_

  
William P. Cox  
Fla. Bar No. 0093531

**CERTIFICATE OF SERVICE  
DOCKET NO. 20240012-EG**

I HEREBY CERTIFY that a true and correct copy of the foregoing was served by electronic delivery this 21<sup>st</sup> day of April, 2025 to the following:

Jacob Imig  
Timothy Sparks  
Office of the General Counsel  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, Florida 32399-0850  
[jimig@psc.state.fl.us](mailto:jimig@psc.state.fl.us)  
[tsparks@psc.state.fl.us](mailto:tsparks@psc.state.fl.us)

By:   
\_\_\_\_\_  
William P. Cox  
Fla. Bar No. 0093531

## **EXHIBIT B**

### **PUBLIC VERSION OF THE DOCUMENTS**

Public Version(s) of the Document(s) attached   X  

Public Version(s) of the Document(s) attached via USB \_\_\_\_\_

The documents responsive to Staff's First Data Request No. 9, Bates Nos. 000001-000198, are confidential in their entirety.

**EXHIBIT C**

**JUSTIFICATION TABLE**



**EXHIBIT C**

**COMPANY:** Florida Power & Light Company  
**TITLE:** Petition for Approval of Proposed Demand-Side Management Plan  
 by Florida Power & Light Company  
**DOCKET NO.:** 20250048-EG  
**DATE:** April 21, 2025

Int/POD No.	Begin Bates Number	End Bates Number	Description	No. of Pages	Confidential	Line/Col	F.S. 366.093(3) Subsection	Declarant
Staff 1st DR, 9	000073	000090	HVAC On-Bill - without CO2-Confidential.xlsx	18	Y	All	(e)	Andrew Whitley
Staff 1st DR, 9	000091	000108	Residential Ceiling Insulation without CO2-Confidential.xlsx	18	Y	All	(e)	Andrew Whitley
Staff 1st DR, 9	000109	000126	Residential Low Income Renter Pilot without CO2-Confidential.xlsx	18	Y	All	(e)	Andrew Whitley
Staff 1st DR, 9	000127	000144	Residential Low Income without CO2-Confidential.xlsx	18	Y	All	(e)	Andrew Whitley
Staff 1st DR, 9	000145	000162	Residential New Construction without CO2-Confidential.xlsx	18	Y	All	(e)	Andrew Whitley
Staff 1st DR, 9	000163	000180	ROC - without CO2-Confidential.xlsx	18	Y	All	(e)	Andrew Whitley
Staff 1st DR, 9	000181	000198	CDR - without CO2-Confidential.xlsx	18	Y	All	(e)	Andrew Whitley
Staff 1st DR, 9	000001	000018	Residential Air Conditioning without CO2-Confidential.xlsx	18	Y	All	(e)	Andrew Whitley
Staff 1st DR, 9	000019	000036	BOC - without CO2-Confidential.xlsx	18	Y	All	(e)	Andrew Whitley
Staff 1st DR, 9	000037	000054	Business HVAC without CO2-Confidential.xlsx	18	Y	All	(e)	Andrew Whitley
Staff 1st DR, 9	000055	000072	Business Lighting without CO2-Confidential.xlsx	18	Y	All	(e)	Andrew Whitley

**EXHIBIT D**  
**DECLARATION(S)**

**EXHIBIT D**

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

Petition by Florida Power & Light Company for  
Approval of Proposed Demand-Side Management  
Plan

Docket No: 20250048-EG

**DECLARATION OF ANDREW WHITLEY**

1. My name is Andrew Whitley. I am currently employed by Florida Power & Light Company ("FPL") as Engineering Manager, 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 filed this date, for which I am listed as the declarant on Exhibit C. The documents that FPL seeks to have protected contain proprietary programs and processes used in FPL's Integrated Resource Planning. FPL developed these programs and processes for its internal use. These programs and processes are not commercially available, but they would have commercial value if they were disclosed, and FPL should be compensated for any such disclosure. FPL has a proprietary, competitive interest in these programs and processes it has developed, and it has chosen not to make them commercially available, but to use them solely internally. The disclosure of these proprietary materials would impair the value of these programs and processes and harm FPL's competitive business interests. To the best of my knowledge, FPL has maintained the confidentiality of these documents and materials.

3. Therefore, consistent with the provisions of the Florida Administrative Code, such materials should remain confidential for a period of at least an additional 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 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.



Andrew Whitley

Date: 04/18/2025