



Kevin I.C. Donaldson
Senior Attorney
Florida Power & Light Company
700 Universe Boulevard
Juno Beach, FL 33408-0420
561-304-5170
(561) 691-7135 (Facsimile)
E-mail: Kevin.Donaldson@fpl.com

July 8, 2015

VIA HAND DELIVERY

Ms. Carlotta S. Stauffer
Division of the Commission Clerk and Administrative Services
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

15 JUL - 8 PM 4:12
RECEIVED-FPSC
COMMISSION CLERK

Re: Docket No. 150075-EI

REDACTED

Dear Ms. Stauffer:

I enclose for filing in the above docket an original and seven (7) copies of Florida Power & Light Company's ("FPL's") Request for Confidential Classification of Certain Responses to Staff of the Florida Public Service Commission's Third Request for Production of Documents (Nos. 9-10). The original includes Exhibits A, B (two copies), Exhibit C and Exhibit D. The seven copies do not include copies of the Exhibits.

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 two affidavit in support of FPL's Request for Confidential Classification. Also included in this filing is a compact disc containing FPL's Request for Confidential Classification and Exhibit C, in Microsoft Word format.

Please contact me if you or your Staff has any questions regarding this filing.

Sincerely,

Kevin I.C. Donaldson

- COM _____
- AFD 2
- APA _____
- ECO 2 Enclosure
- cc: Counsel for Parties of Record (w/ copy of FPL's Request for Confidential Classification)
- ENG 2+CD+Redacted
- GCL 1
- IDM _____
- TEL _____ 2451178
- CLK _____

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for approval of arrangement to mitigate impact of unfavorable Cedar Bay power purchase obligation, by Florida Power & Light Company.

Docket No: 150075-EI

Date: July 8, 2015

**FLORIDA POWER & LIGHT COMPANY'S REQUEST FOR
CONFIDENTIAL CLASSIFICATION OF RESPONSES TO
STAFF OF THE FLORIDA PUBLIC SERVICE COMMISSION'S
THIRD REQUEST FOR PRODUCTION OF DOCUMENTS**

Pursuant to Section 366.093, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, Florida Power & Light Company ("FPL") requests confidential classification of its response to Staff of the Florida Public Service Commission's ("Staff") Third Request for Production of Documents (Nos. 9-10). In support of its request, FPL states:

1. On July 8, 2015, FPL served its response to Staff's Third Request for Production of Documents. FPL's responses to Staff's Third Request for Production of Documents (Nos. 9-10) contain information of a confidential nature that comprises proprietary confidential business information within the meaning of Section 366.093(3), Florida Statutes (hereinafter referred to as the "Confidential Discovery Responses").

2. FPL files this request to Staff's Third Request for Production of Documents (No. 10), in order 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 the original request and this request:

a. Exhibit A consists of the Confidential Discovery Responses produced in response to Third Request for Production of Documents (Nos. 9-10).

b. Exhibit B consists of a copy of the confidential documents, on which all the information that is entitled to confidential treatment under Florida law has been redacted.

c. Exhibit C is a table containing an identification of the information highlighted in Exhibit A, together with a brief description of the documents designated confidential. Exhibit C also sets forth references to the specific statutory bases for the claim of confidentiality and to the affiant who supports the requested classification.

d. Exhibit D consists of the affidavits of David Herr and Thomas L. Hartman.

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 hard of disclosure against the public interest in access to the information.

5. As the affidavit of Thomas L. Hartman included as Exhibit D indicates, the Confidential Discovery Responses provided by FPL contain information related to competitive interests, the disclosure of which would impair the competitive business of FPL or its suppliers. Additionally, the Confidential Discovery Responses provided by FPL information contains information related to contractual data, the disclosure of which would impair FPL's ability to contract for goods or services on favorable terms. This information is protected by Sections 366.093(3)(d) and (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 affidavit included herewith, Florida Power & Light Company respectfully requests that its Request for Confidential Classification be granted.

Respectfully submitted,

John T. Butler
Assistant General Counsel - Regulatory
Kevin I.C. Donaldson
Senior Attorney
Maria J. Moncada
Principal Attorney
Florida Power & Light Company
700 Universe Boulevard
Juno Beach, FL 33408
Telephone: (561) 304-5170
Facsimile: (561) 691-7135
Email: kevin.donaldson@fpl.com

By: _____

Kevin I.C. Donaldson
Florida Bar No. 0833401

CERTIFICATE OF SERVICE
Docket No. 150075-EI

I HEREBY CERTIFY that a true and correct copy of the foregoing Request for Confidential Classification* has been furnished by electronic mail on this 8th, day of July, 2015 to the following:

Martha F. Barrera, Esq.
Division of Legal Services
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850
mbarrera@psc.state.fl.us
Office of the General Counsel

J.R. Kelly, Public Counsel
John J. Truitt, Associate Public Counsel
Office of Public Counsel
The Florida Legislature
111 West Madison Street, Room 812 Tallahassee,
Florida 32399
kelly.jr@leg.state.fl.us
truitt.john@leg.state.fl.us
Attorney for the Citizens of the State of Fla.

Jon C. Moyle, Jr., Esq.
Karen A. Putnal, Esq.
Moyle Law Firm, P.A.
118 North Gadsden Street
Tallahassee, Florida 32301
jmoyle@moylelaw.com
kputnal@molelaw.com
*Attorney for Fla. Industrial Power Users
Group*

By: _____

Kevin I.C. Donaldson
Florida Bar No. 0833401

*The exhibits to this Request are not included with the service copies, but copies of Exhibits B, C and D are available upon request.

EXHIBIT A

CONFIDENTIAL

FILED UNDER SEPARATE COVER

EXHIBIT B

REDACTED COPIES

Documents responsive to Staff's Third Request for Production No. 9 (Bates No. CB-15-012982) are confidential in their entirety.

EXHIBIT C

JUSTIFICATION TABLE

EXHIBIT C

COMPANY: Florida Power & Light Company

DOCKET TITLE: In re: Petition for approval of arrangement to mitigate impact of unfavorable Cedar Bay power purchase obligation, by Florida Power & Light Company.

DOCKET NO: 150075-EI

SUBJECT: FPL's Confidential Responses to Staff's Third Request for Production of Documents (Nos. 9 and 10)

DATE: July 8, 2015

FPL's Responses to Staff's 3rd Request for Production	Bates No. / Page No.	Description	Column No. / Line No.	Florida Statute 366.093(3) Subsection	Affiant
No. 9	Bates No. CB-15-012982	IHS Outlook through 2040	ALL	(d), (e)	D. Herr
No. 10	Bates Nos. CB-15-012983 through CB-15-012992	Analysis of regulatory compliance options and strategies	ALL	(d), (e)	T. Hartman

EXHIBIT D

AFFIDAVITS

EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In RE: Petition for approval of arrangement to mitigate impact of unfavorable Cedar Bay power purchase obligation, by Florida Power & Light Company.

Docket No: 150075-EI

COMMONWEALTH OF PENNSYLVANIA)
)
COUNTY OF PHILADELPHIA)

AFFIDAVIT OF DAVID HERR

BEFORE ME, the undersigned authority, personally appeared David Herr who, being first duly sworn, deposes and says:

1. My name is David Herr. I am currently employed by Duff & Phelps LLC as Managing Director, the Philadelphia City Leader, and the Energy and Mining Industry leader. I have personal knowledge of the matters stated in this affidavit.

2. I have reviewed the documents and information included in Exhibit A to FPL's Request for Confidential Classification. The documents or materials that I have reviewed and which are asserted by FPL to be confidential constitute the proprietary business information of a third party related to the third party's competitive interests. In addition, the confidential information contains data and projections provided by a third party vendor, IHS, which Duff & Phelps is contractually obligated to treat and maintain as confidential. The disclosure of this information would disadvantage FPL customers and would place FPL at a competitive disadvantage when coupled with other information that is publicly available. To the best of my knowledge, FPL has maintained the confidentiality of these documents and materials.

3. To the best of my knowledge, FPL has maintained the confidentiality of these documents and materials.

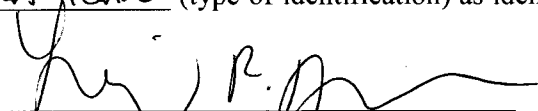
4. Consistent with the provisions of the Florida Administrative Code, such materials should remain confidential for a period of eighteen (18) months. In addition, they should be returned to FPL as soon as the information is no longer necessary for the Commission to conduct its business so that FPL can continue to maintain the confidentiality of these documents.

5. Affiant says nothing further.



David Herr

SWORN TO AND SUBSCRIBED before me this 7th day of July 2015, by David Herr, who is personally known to me or who has produced Driver's license (type of identification) as identification and who did take an oath.



Notary Public, Commonwealth of Pennsylvania

My Commission Expires:

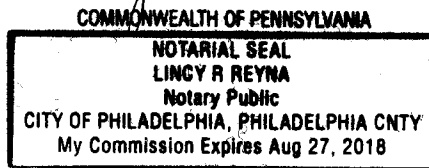


EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In RE: Petition for approval of arrangement to mitigate impact of unfavorable Cedar Bay power purchase obligation, by Florida Power & Light Company.

Docket No: 150075-EI

STATE OF FLORIDA)
COUNTY OF PALM BEACH)

AFFIDAVIT OF THOMAS L. HARTMAN

BEFORE ME, the undersigned authority, personally appeared Thomas L. Hartman who, being first duly sworn, deposes and says:

1. My name is Thomas L. Hartman. I am currently employed by Florida Power & Light Company ("FPL") as Director, Business Development in Energy Marketing and Trading. I have personal knowledge of the matters stated in this affidavit.

2. I have reviewed the documents and information included in Exhibit A to FPL's Request for Confidential Classification. The documents or materials that I have reviewed and which are asserted by FPL to be proprietary confidential business information relate to competitive interests. Specifically, the document contains an analysis of competitive economic options and strategies. The disclosure of this information would disadvantage FPL customers and would place FPL at a competitive disadvantage when coupled with other information that is publicly available. To the best of my knowledge, FPL has maintained the confidentiality of these documents and materials.

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. Affiant says nothing further.

[Handwritten signature of Thomas L. Hartman]
Thomas L. Hartman

SWORN TO AND SUBSCRIBED before me this 14 day of July 2015, by Thomas L. Hartman, who is personally known to me or who has produced [redacted] (type of identification) as identification and who did take an oath.

[Handwritten signature of Maritza Miranda-Wise]
Notary Public, State of Florida

My Commission Expires:

