

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:** March 31, 2017

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

**FROM:** OFFICE OF COMMISSION CLERK

**RE:** CONFIDENTIALITY OF CERTAIN INFORMATION  
DOCKET NO: 150190-EI DOCUMENT NO: 03931-17  
DESCRIPTION: FPL (Donaldson) - (CONFIDENTIAL) Certain information provided in exhibits (Term Loan 1-7 and Squire Patton Boggs 1-7) to 2016 consummation report.  
SOURCE: Florida Power & Light Company

COMMISSION  
CLERK

2017 MAY 18 PM 1:38

RECEIVED-FPSC

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 DRBays on May 18, 2017, 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-**

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**DATE:** May 18, 2017

**TO:** Wesley Taylor, Attorney, Office of the General Counsel

**FROM:** Anwar A. Archer, Public Utility Analyst I, Division of Accounting & Finance  
Dale R. Buys, Public Utilities Supervisor, Division of Accounting & Finance

**RE:** CONFIDENTIALITY OF CERTAIN INFORMATION  
DOCKET NO: 150190-EI DOCUMENT NO: 03931-17  
DESCRIPTION: FPL (Donaldson) - (CONFIDENTIAL) Certain information provided in exhibits (Term Loan 1-7 and Squire Patton Boggs 1-7) to 2016 consummation report.  
SOURCE: Florida Power & Light Company

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On March 30, 2017, Florida power and Light (FPL) filed its exhibits to the 2016 consummation report in the above referenced docket. Pursuant to Section 366.093(3)(d)(e) of the Florida Statutes (FS), and Rule 25-22.006, Florida Administrative Code (F.A.C), Florida Power & Light Company requests confidential classification of certain highlighted information on Document No. 03931-17. This memo addresses only the information provided in exhibits (Term Loan 1-7 and Squire Patton Boggs 1-7) to FPL's 2016 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 2016 consummation report. Staff concurs that the exhibits to FPL's 2016 consummation report contain 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)(e), FS.

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