FILED MAY 18, 2017 DOCUMENT NO. 04918-17 FPSC - COMMISSION CLERK

RECEIVED-FPSC

MAY 18 PM 2:



Maria J. Moncada Senior Attorney Florida Power & Light Company 700 Universe Boulevard Juno Beach, FL 33408-0420 (561) 304-5795 (561) 691-7135 (Facsimile) E-mail: maria.moncada@fpl.com

May 18, 2017

VIA HAND DELIVERY

Re:

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

## Docket No. 170001-EI

Dear Ms. Stauffer:

I enclose for filing in the above docket Florida Power & Light Company's ("FPL") Request for Confidential Classification of Materials Provided Pursuant to Audit No. 17-023-4-2. The request includes Exhibits A, B (two copies), C and D.

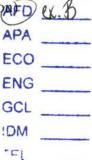
Exhibit A consists of the confidential documents, and all the information that FPL asserts is entitled to confidential treatment has been highlighted. Exhibit B is an edited version of Exhibit A, in which the information FPL asserts is confidential has been redacted. Exhibit C is a justification table in support of FPL's Request for Confidential Classification. Exhibit D contains the declarations in support of FPL's Request for Confidential Classification.

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

Maria J. Moncada

Enclosure

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



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### **BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Fuel and purchase power cost recovery clause with generating performance incentive factor Docket No: 170001-EI

Date: May 18, 2017

### FLORIDA POWER & LIGHT COMPANY'S REQUEST FOR CONFIDENTIAL CLASSIFICATION OF MATERIALS PROVIDED PURSUANT TO AUDIT NO. 17-023-4-2

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 material provided to the Staff of the Florida Public Service Commission ("Staff") pursuant to Audit Control No. 17-023-4-2 ("the Audit"). In support of this request, FPL states as follows:

1. During the Audit, FPL provided Staff with various confidential documents. By letter dated April 27, 2017, Staff indicated its intent to retain certain audit work papers. Pursuant to Rule 25-22.006(3)(a), FPL was given 21 days from the date of the letter to file a formal request for confidential classification with respect to the work papers. Accordingly, FPL files this Request for Confidential Classification to maintain continued confidential handling of the confidential work papers.

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

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

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. For the documents that are confidential in their entirety, FPL has included only identifying cover pages in Exhibit B. c. Exhibit C is a table containing an identification of the information highlighted in Exhibit A by page and line 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 of the requested classification.

d. Exhibit D contains the declarations of Gerard J. Yupp and Lisa Fuca 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. 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 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. As described more fully in the declarations included as 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.

5. Also, certain information in these documents concern FPL's competitive interests, the disclosure of which would impair the competitive business of FPL and its vendors. This information is protected by Section 366.093(3)(e), Fla. Stat.

6. Upon a finding by the Commission that the information highlighted in Exhibit A, and referenced in Exhibit C, is proprietary confidential business information, the information

2

should not be declassified for a period of at least three (3) years and should be returned to FPL as soon as the information 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,

John T. Butler Assistant General Counsel - Regulatory Maria J. Moncada Senior Attorney Florida Power & Light Company 700 Universe Boulevard Juno Beach, FL 33408 Telephone: (561) 304-5795 Facsimile: (561) 691-7135 Email: maria.moncada@fpl.com

By; Maria J. Moncada

Maria J. Moncada
 Florida Bar No. 0773301

### CERTIFICATE OF SERVICE Docket No. 170001-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 18th day of May

2017 to the following:

Suzanne Brownless, Esq. Danijela Janjic, Esq. Division of Legal Services Florida Public Service Commission 2540 Shumard Oak Blvd. Tallahassee, Florida 32399-0850 sbrownle@psc.state.fl.us djanjic@psc.state.fl.us

Beth Keating, Esq. Gunster Law Firm Attorneys for Florida Public Utilities Corp. 215 South Monroe St., Suite 601 Tallahassee, Florida 32301-1804 bkeating@gunster.com

James D. Beasley, Esq. J. Jeffrey Wahlen, Esq. Ausley & McMullen Attorneys for Tampa Electric Company P.O. Box 391 Tallahassee, Florida 32302 jbeasley@ausley.com jwahlen@ausley.com

Robert Scheffel Wright, Esq. John T. LaVia, III, Esq. Gardner, Bist, Wiener, et al Attorneys for Florida Retail Federation 1300 Thomaswood Drive Tallahassee, Florida 32308 schef@gbwlegal.com jlavia@gbwlegal.com Andrew Maurey Michael Barrett Division of Accounting and Finance Florida Public Service Commission 2540 Shumard Oak Blvd. Tallahassee, Florida 32399-0850 amaurey@psc.state.fl.us mbarrett@psc.state.fl.us

Dianne M. Triplett, Esq. Attorneys for Duke Energy Florida 299 First Avenue North St. Petersburg, Florida 33701 dianne.triplett@duke-energy.com

Jeffrey A. Stone, Esq. Russell A. Badders, Esq. Steven R. Griffin, Esq. Beggs & Lane Attorneys for Gulf Power Company P.O. Box 12950 Pensacola, Florida 32591-2950 jas@beggslane.com rab@beggslane.com srg@beggslane.com

James W. Brew, Esq. Laura A. Wynn, Esq. Attorneys for PCS Phosphate - White Springs Stone Mattheis Xenopoulos & Brew, PC 1025 Thomas Jefferson Street, NW Eighth Floor, West Tower Washington, DC 20007-5201 jbrew@smxblaw.com laura.wynn@smxblaw.com Robert L. McGee, Jr. Gulf Power Company One Energy Place Pensacola, Florida 32520 rlmcgee@southernco.com

Matthew R. Bernier, Esq. Duke Energy Florida 106 East College Avenue, Suite 800 Tallahassee, Florida 32301 matthew.bernier@duke-energy.com

J. R. Kelly, Esq. Patricia Christensen, Esq. Charles Rehwinkel, Esq. Office of Public Counsel c/o The Florida Legislature 111 West Madison Street, Room 812 Tallahassee, Florida 32399 kelly.jr@leg.state.fl.us christensen.patty@leg.state.fl.us rehwinkel.charles@leg.state.fl.us Mike Cassel Director/Regulatory and Governmental Affairs Florida Public Utilities Company 911 South 8th Street Fernandina Beach, Florida 32034 mcassel@fpuc.com

Paula K. Brown, Manager Tampa Electric Company Regulatory Coordinator Post Office Box 111 Tampa, Florida 33601-0111 regdept@tecoenergy.com

Jon C. Moyle, Esq. Moyle Law Firm, P.A. Attorneys for Florida Industrial Power Users Group 118 N. Gadsden St. Tallahassee, Florida 32301 jmoyle@moylelaw.com

By Maria J. Moncada

Maria J. Moncada Florida Bar No. 0773301

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

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## **EXHIBIT A**

# CONFIDENTIAL FILED UNDER SEPARATE COVER

## **EXHIBIT B**

## **REDACTED COPIES**

### Florida Power & Light Capacity Cost Recovery Clause DKT# 170001-EI, ACN 17-023-4-2 TYE 12/31/2016

#### Title

### /4115006765036800000617180011853640085740620

4,1,1500,676503,6800000617,1800118536,4,0085740620

1800118536 1 of 1

TAMPA ELECTRIC COMPANY PO BOX 111 TAMPA FL 33601

Cust. No.:6800000617	Inv. No.:1800118536
This Month's Charges	Amount Due
Past Due After	This Invoice
09/20/2016	1

Make Wire or ACH Payment to FPL In USD using banking information below:

Account Name (Wire & ACH): Florida Power & Light Co. Bank Name (Wire & ACH): Bank of America Account Number (Wire & ACH): International WIRES ONLY - City/State: New York, NY 10001 ABA No.: 026009593 ACH ONLY - City/State: Dallas, TX ABA No.: (11000012

Florida Power & Light Company Invoice Customer Name and Address

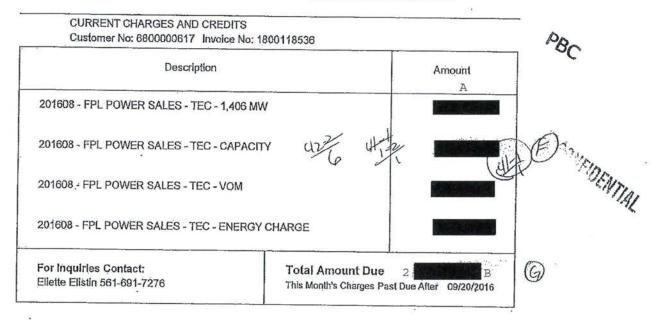
TAMPA ELECTRIC COMPANY PO BOX 111 TAMPA FL 33601 
 Federal Tax Id.#, 59-0247775

 Customer Number:
 6800000617

 Invoice Number:
 1800118536

 Invoice Date:
 09/13/2016

4,1,1500,676503,6800000617,1800118536,4,0085740620 Please retain this invoice for your records



SOURCE Reg 19

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Invoice Florida Power & Light Comp. Tax ID # 59-0247775 ARMS Processing (PPC/GO General Mail Facility Miami, FL 33188-001	PHONE: 661)691-7897 COMPANY CODE	\$250	Florida Power & Light Capacity Cost Recovery Clause DKT# 170001-EI, ACN 17-023-4-2 TYE 12/31/2016 Title
Invoice To Tampa Electric Company Attn: Settlements Administrator PO Box 111 Tampa, FL 33601-0111 Summary			6 6 6 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7
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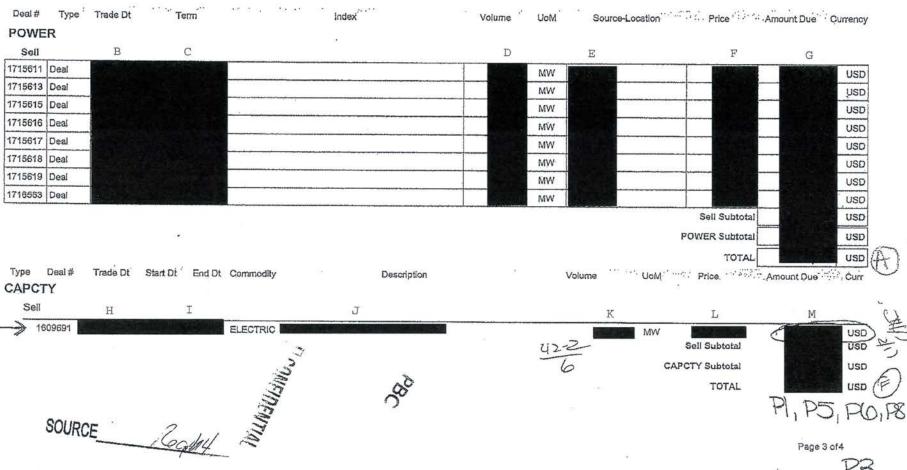
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SOURCE\_ 169 14

Invoice



Florida Power & Light Company Tax ID # 59-0247775 Invoice: 335156 Counterparty: Tampa Electric Company Date: Sep 13, 2016 . Period: Aug 01, 2016 - Aug 31, 2016 Amount: Therefore USD Due Date: Sep 20, 2016



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Title

Florida Power & Light Capacity Cost Recovery Clause DKT# 170001-EI, ACN 17-023-4-2 TYE 12/31/2016 1 Counterparty

12

CONTRACT DESCRIPTION

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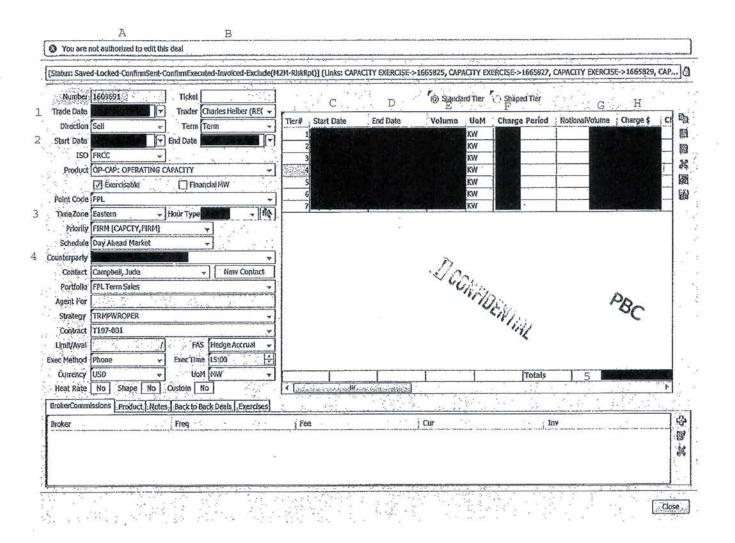
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SOURCE Regular 14 follow up

#### Florida Power & Light Capacity Cost Recovery Clause DKT# 170001-EI, ACN 17-023-4-2 TYE 12/31/2016

Title



Request 14 follow up SOURCE

422 02

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<b>CONTRACTOR</b>	us File ID	ID	FPLIO Account Description	Transaction Description	Payee	Invoice Date Invoice No	Due Date	Amount Due
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9 10 11 12 13 <b>25095</b> Grand	2509537 2509537 2509537 2509537 2509537 37 Total Total	32059 32059 32059 32059 32059 32059	6030000052 Household Goods Shipment 6030000052 Household Goods Shipment 6030000052 Household Goods Shipment 6030000052 Household Goods Shipment 6030000052 Household Goods Shipment	Dest Loc - Juno Beach, FL, USA Shuttle Service Third Party Services 400N-Full Pack Appliance Service - Third Party	A, UNITED VAN LINES##141216 UNITED VAN LINES##141216 UNITED VAN LINES##141216 UNITED VAN LINES##141216 UNITED VAN LINES##141216	7/5/2016 1006416083 7/5/2016 1006416083 7/5/2016 1006416083 7/5/2016 1006416083 7/5/2016 1006416083	8/4/2016 8/4/2016 8/4/2016 8/4/2016 8/4/2016	\$7,520.00 \$954.45 \$666.00 \$4,777.06 \$215.50 <b>\$17,386.81</b> <b>\$17,386.81</b>
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SOURCE\_ Regular 16

3/4

Florida Power & Light Capacity Cost Recovery Clause DKT# 170001-EI, ACN 17-023-4-2 TYE 12/31/2016

Title

### Qualifying Facility Monthly Billing Statement

		A	
	Facility Name:	INDIANTOWN	
	Region:	Southeast	
	Billing Month:	September, 2016	
	Number of Hours in Month:	720	
	Number of Peak Hours in Month:	270	\$
	Number of Available Run Hours:	720	
	Number of Available Run On-Peak Hours:	270	
	Number of Dispatch Hours:	693	
$\subset$	Committed Capacity: 46-2/2-1 pi	330.000 MW	
1	Excess Energy, All Hours:	MWH	
2	Excess Energy, All Peak Hours:	MWH	PBC
	Energy Received, All Hours:	85,114.944 MWH PIR31830	
3	Energy Received, All Peak Hours:	MWH	
4	Maximum Hourly Energy:		Glitter
5 🤇	Capacity Billing Factor: 1 976 pt		CONFIDENTIAL
6	Annual Capacity Factor:	P37	
7	Annual Peak Capacity Factor:	fog Poz	
8	Unit Energy Cost:	PH DOG	
	Monthly Energy Payment:	\$5,075,919.31 00, 91, 12, 139	
	Monthly Capacity Payment:	\$7,742,071.26 80,84.462	
9	ICL Fuel Cost for Month:		
10	ICL Fuel Cost for Year:		

Execution Date/Time: 10/18/16 at 09:50:45 Invoice ID: 2215

.18 SOURCE

46.2

### **REDACTED VERSION OF CONFIDENTIAL DOCUMENTS**

Capacity Audit Workpaper Number 46-2/2-1

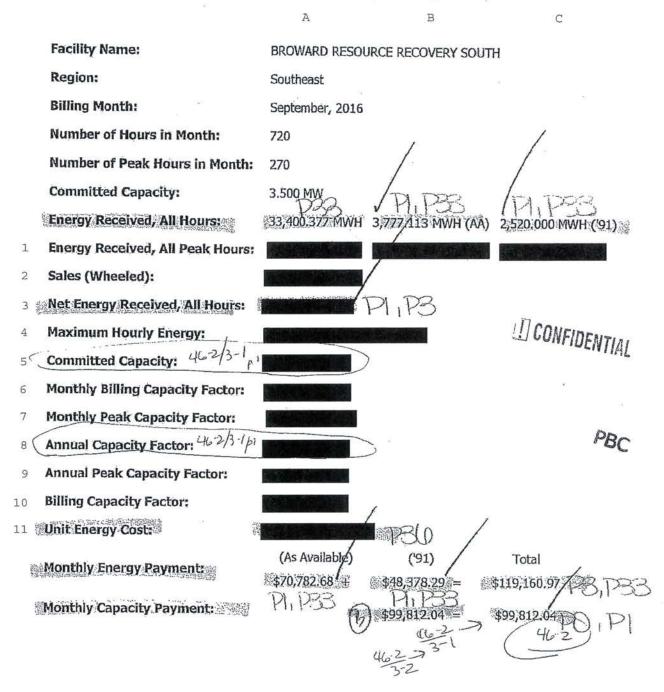
[Pages 1 through 4]

**Purchased Power** 

Florida Power & Light Capacity Cost Recovery Clause DKT# 170001-EI, ACN 17-023-4-2 TYE 12/31/2016

Title

### Qualifying Facility Monthly Billing Statement



Execution Date/Time: 10/24/16 at 11:08:20 Invoice ID: 2231

SOURCE

### **REDACTED VERSION OF CONFIDENTIAL DOCUMENTS**

Capacity Audit Workpaper Number 46-2/3-1

[Pages 1 through 6]

**Purchased Power** 

Florida Power & Light Capacity Cost Recovery Clause DKT# 170001-EI, ACN 17-023-4-2 TYE 12/31/2016

Title

FLORIDA POWER & LIGHT COMPANY Billing Statement For Purchased Power From WHEELABRATOR SOUTH BROWARD For Transaction Period: SEPTEMBER 1, 2016 through SEPTEMBER 30, 2016 DUNT GENERATION A В Pa, 1933 120, 7533,777.113 MWH ('09 AA) 1 Variable O & M 12 2 3 BIPE PQ 1752,520.000 MWH ('91 CONTRACT) 4 119,565.12P Monthly Energy Payment 6,297.113 Total MWH P3-PO 1 PB Amount Due for Capacity Payment ('91 CONTRACT) 99,812.04 Monthly Capacity Payment 99,812.04 (1,620.94)D), PR FPL Customer Charge ^1 217,756.22 P() \$ TOTAL <sup>1</sup> GSLDT-3 Rate Schedule effective 1/01/2016 Rag 18 SUIDUE **INVOICE NO: 2231** 416

## **EXHIBIT C**

## **JUSTIFICATION TABLE**

### EXHIBIT C

COMPANY:Florida Power & Light CompanyTITLE:List of Confidential WorkpapersAUDIT:FPL, Capacity AuditAUDIT CONTROL NO:17-023-4-2DOCKET NO:170001-EIDATE:May 18, 2017

Workpaper No.	Description	No. of Pages	Conf Y/N	Column No./Line No.	Florida Statute 366.093 (3) Subsection	Declarant
16-2/2	Capital Sample	1	N			
16-2/2-1	Capital Sample	1	N			
42-1	Transmission Revenues	1	N			
42-1/1	Transmission Revenues	1	N			
42-1/1-1	Transmission Revenues	1	N			
42-1/1-1/1	Transmission Revenues	4	N			
42-1/1-2	Transmission Revenues	1	Y	Line 1 Col. A Line 2B (Bank Acct Number redacted on Exhibits A and B)	(d), (e)	G. Yupp
42-1/1-2/1	Transmission Revenues	4	Y	Pg. 1, Line 1A Cols. B-I Pg. 2, Line 1A Cols. B-G Pg. 3, Line 1A Cols. B-M Pg. 4, Cols. A-D, except line 1	(d)	G. Yupp
42-1/2	Transmission Revenues	1	N			
42-2	Transmission Revenues	2	N			
42-2/1	Transmission Revenues	1	N			
42-2/2	Transmission Revenues	1	N			
42-2/3	Transmission Revenues	1	N			
42-2/4	Transmission Revenues	1	N			
42-2/5	Transmission Revenues	1	N			
42-2/6	Transmission Revenues	2	Y	Pg. 1, Col. A, Lns. 1, 2, 4 Col. B, Lns. 2, 3 Cols. C-I Lns. 5 and 6 Pg. 2, Col. A, Lns. 1, 2, 4 Col. B, Lns. 2, 3 Cols. C-H Line 5	(d)	G. Yupp
44-1	Security Fees	4	N			
44-1/3	Security Fees	1	N			
44-1/3-1	Security Fees	1	Y	Col. A, Lns. 1-14	(e)	L. Fuca
44-1/4	Security Fees	1	N			

Workpaper No.	Description	No. of Pages	Conf Y/N	Column No./Line No.	Florida Statute 366.093 (3) Subsection	Declarant
44-1/5	Security Fees	1	Ν			
46-2	Purchased Power	1	N			
46-2/1	Purchased Power	1	N			
46-2/1-1	Purchased Power	1	N			
46-2/2	Purchased Power	1	Y	Col. A, Lns. 1-10	(d), (e)	G. Yupp
46-2/2-1	Purchased Power	4	Y	ALL	(d)	G. Yupp
46-2/2-2	Purchased Power	1	N			
46-2/3	Purchased Power	1	Y	Col. A, Lns. 1-11 Cols. B-C, Line 1	(d), (e)	G. Yupp
46-2/3-1	Purchased Power	6	Y	ALL	(d)	G. Yupp
46-2/3-2	Purchased Power	1	Y	Col. A, Line 2 Col. B, Lns. 1-4	(e)	G. Yupp
46-3	Purchased Power	1	N			
46-3/1	Purchased Power	1	N			
46-3/1-1	Purchased Power	1	N			
46-3/1-1/1	Purchased Power	1	N			
46-3/2	Purchased Power	1	N			
46-3/2-1	Purchased Power	2	N		· · · · · · · · · · · · · · · · · · ·	
46-3/2-2	Purchased Power	1	N			
46-4	Purchased Power	1	N			
46-4/1	Purchased Power	1	N			
46-4/2	Purchased Power	1	N			
46-4/2-1	Purchased Power	4	N			
46-4/3	Purchased Power	1	N			

## **EXHIBIT D**

## DECLARATIONS

### EXHIBIT D

### **BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Fuel and Purchase Power Cost Recovery Clause with Generating Performance Incentive Factor

Docket No. 170001-EI

### **DECLARATION OF GERARD J. YUPP**

1. My name is Gerard J. Yupp. I am currently employed by Florida Power & Light Company ("FPL") as Senior Director of Wholesale Operations in the Energy Marketing and Trading Division. I have personal knowledge of the matters stated in this declaration.

2. I have reviewed Exhibit C, and the documents that are included in Exhibit A to FPL's Request for Confidential Classification of Information Obtained in Connection with Audit No. 17-023-4-2, for which I am listed as the declarant. The documents or materials that I have reviewed and which are asserted by FPL to be proprietary confidential business information contain or constitute contractual data such as pricing formulas and other terms, payment records, and supplier rates for capacity and energy transactions, the disclosure of which would impair the efforts of FPL to contract for capacity and energy on favorable terms for the benefit of its customers, and would impair the competitive interests of FPL and its vendors. Certain information in these documents and materials would also place FPL at a 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 not less than 36 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.

Gerard J. Yupp

Date: 5/15/17

### EXHIBIT D

### BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Fuel and Purchase Power Cost Recovery Clause with Generating Performance Incentive Factor

Docket No. 170001-EI

### **DECLARATION OF LISA FUCA**

My name is Lisa Fuca. I am currently employed by Florida Power & Light 1. Company ("FPL") as Principal Business Analyst, Nuclear Business Operations. I have personal knowledge of the matters stated in this declaration.

I have reviewed Exhibit C, and the documents that are included in Exhibit A to 2. FPL's Request for Confidential Classification of Information Obtained in Connection with Audit No. 17-023-4-2, for which I am listed as the declarant. Such documents and materials that I have reviewed and which are asserted by FPL to be proprietary confidential business information and contain information relating to competitive interests, the disclosure of which would impair the competitive business of the provider of the information. Specifically, the documents contain information concerning employee benefits and compensation. To the best of my knowledge, FPL has maintained the confidentiality of this information.

Consistent with the provisions of the Florida Administrative Code, such materials 3. should remain confidential for a period of not less than 36 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.

Under penalties of perjury, I declare that I have read the foregoing declaration and 4. that the facts stated in it are true to the best of my knowledge and belief.

Date: \_\_\_\_\_\_5/15/17