

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-**

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**DATE:** July 20, 2017  
**TO:** Danijela Janjic, Senior Attorney, Office of the General Counsel  
**FROM:** Devlin Higgins, Public Utility Analyst IV, Division of Economics  
Nicholas Stratis, Public Utility Analyst I, Division of Economics  
**RE:** CONFIDENTIALITY OF CERTAIN INFORMATION  
DOCKET NO: 20170123-EI DOCUMENT NO: 05809-2017  
DESCRIPTION: FPL (Rubin) - (CONFIDENTIAL) Information provided in response to staff's 1st request for PODs (Nos. 1 and 11).  
SOURCE: Florida Power & Light Company

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COMMISSION  
CLERK

Pursuant to Section 366.093, (F.S.), and Rule 25-22.006, Florida Administrative Code, Florida Power & Light Company (FPL) requests confidential classification of certain information filed in response to staff discovery, in the above referenced docket, dated 7/11/17. This recommendation specifically addresses FPL's response to Staff's 1<sup>st</sup> request for Production of Documents (POD), Nos. 1 and 11.

The Company is claiming confidentiality of its response to Staff's 1<sup>st</sup> request for Production of Documents, No. 1, under Section 366.093(3)(d), F.S., and No. 11 under Section 366.093(3)(e), F.S. Per the Statute, propriety of confidential business information includes, but is not limited to; Subsection (d) "[i]nformation 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," and Subsection (e) "[i]nformation relating to competitive interests, the disclosure of which would impair the competitive business of the provider of the information."

The information provided in response to Staff POD Nos. 1 and 11 for which confidential treatment is being sought can be described as actual (2010-2015) and forecasted (2016 – 2040) photovoltaic installation data by customer segment, obtained from a third-party provider (POD No. 1), and the separated fuel commodity and fuel transportation costs of the Company's coal purchases (POD No. 11) covering the period of 2012-2016.

Staff has reviewed the information FPL filed in response to Staff POD Nos. 1 and 11, as well as the Company's confidentiality request. It is staff's opinion that the information that is the subject of this request meets the criteria for confidentiality contained in Section 366.093(3)(d), F.S., and Section 366.093(3)(e), F.S.



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**DATE:** July 13, 2017

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

**FROM:** OFFICE OF COMMISSION CLERK

**RE:** CONFIDENTIALITY OF CERTAIN INFORMATION  
DOCKET NO: 20170123-EI DOCUMENT NO: 05809-2017  
DESCRIPTION: FPL (Rubin) - (CONFIDENTIAL) Information provided in response to staff's 1st request for PODs (Nos. 1 and 11).  
SOURCE: Florida Power & Light Company

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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 Devlin Higgins  on 7/20/2017, a copy of which has been sent to the Office of Commission Clerk and the Office of General Counsel.