

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:** January 10, 2018

**TO:** Division of Engineering, Office of Primary Responsibility

**FROM:** OFFICE OF COMMISSION CLERK

**RE:** CONFIDENTIALITY OF CERTAIN INFORMATION  
 DOCKET NO(s): 20170225-EI DOCUMENT NO(s): 00099-2018  
 DESCRIPTION: Sierra Club (Kaplan) – (CONFIDENTIAL) Information provided in supplemental response to FPL’s 2<sup>nd</sup> request for PODs and subpoena duces tecum of Dr. Ezra Hausman.  
 SOURCE: Sierra Club

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 2018 JAN 12 AM 11:20  
 COMMISSION CLERK

The above confidential material was filed with a request of 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 Laura King on 1/12/18, 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:** January 12, 2018

**TO:** Stephanie A. Cuello, Attorney, Office of the General Counsel

**FROM:** Laura V. King, Chief of Reliability & Resource Planning, Division of Engineering

**RE:** CONFIDENTIALITY OF CERTAIN INFORMATION

DOCKET NO: 20170225-EI DOCUMENT NO: 00099-2018

DESCRIPTION: Sierra Club (Kaplan) – (CONFIDENTIAL) Information provided in supplemental response to FPL’s 2<sup>nd</sup> request for PODs and subpoena duces tecum of Dr. Ezra Hausman.

SOURCE: Sierra Club

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Handwritten signature and initials in blue ink, appearing to be "JK" and "DS".

Pursuant to Section 366.093, (F.S.), and Rule 25-22.006, Florida Administrative Code, Sierra Club requests confidential classification of supplemental information filed in response to FPL’s 2<sup>nd</sup> request for PODs and subpoena duces tecum of Dr. Ezra Hausman.

Sierra Club is claiming confidentiality of the supplemental information provided in response to FPL’s 2<sup>nd</sup> request for PODs and subpoena duces tecum of Dr. Ezra Hausman under Section 366.093(3)(d), F.S. Section 366.093(3)(d), Florida Statutes, states “[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.” Staff believes the information provided is confidential. However, confidentiality should be granted under Section 366.093(3)(e), F.S. which states, “[i]nformation relating to competitive interests, the disclosure of which would impair the competitive business of the provider of the information.”

The supplemental information filed in response to FPL’s 2<sup>nd</sup> request for PODs and subpoena duces tecum of Dr. Ezra Hausman for which confidential treatment is being sought, can be described as a task order outlining the services to be provided by Dr. Hausman. Staff has reviewed the information filed as well as its confidentiality request and believes the information that is the subject of the request meets the criteria for confidentiality contained in Section 366.093(3)(e), F.S.