

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Nuclear Cost )  
Recovery Clause )

Docket No. 20190009-EI  
Filed: January 31, 2019

**FLORIDA POWER & LIGHT COMPANY'S  
SECOND REQUEST FOR EXTENSION OF CONFIDENTIAL  
CLASSIFICATION OF AUDIT PA-15-01-002 WORK PAPERS**

Pursuant to Section 366.093, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, Florida Power & Light Company ("FPL") requests continued confidential classification of certain information provided to the Staff of the Florida Public Service Commission ("Staff") pursuant to Audit Control Number PA-15-01-002 ("the Audit") and reflected in Staff's work papers. In support of its request, FPL states as follows:

1. On October 7, 2015, in Docket No. 150009-EI, FPL filed a Request for Confidential Classification of portions of the Audit work papers (Confidential Document No. 06309-15). FPL's request was granted by Order No. PSC-15-0579-CFO-EI, issued December 21, 2015.

2. On June 16, 2017, FPL filed its First Request for Extension of Confidential Classification, which include Revised Exhibit C. By Order No. PSC-2017-0301-CFO-EI, dated August 2, 2017, the Commission granted FPL's request.

3. The period of confidential treatment granted by Order No. PSC-2017-0301-CFO-EI will soon expire. FPL has reviewed the confidential documents and determined that all the information that was the subject of Order No. PSC-2017-0301-CFO-EI warrants continued treatment as proprietary and confidential business information within the meaning of Section 366.093(3), Florida Statutes. Accordingly, FPL hereby submits its Second Request for Extension of Confidential Classification. Exhibits A, B and C from FPL's October 7, 2015 filing are incorporated herein by reference. Included herewith is Second Revised Exhibit C and

Second Revised Exhibit D, containing the declarations Lisa Fuca and Antonio Maceo in support of FPL's request. Regarding Second Revised Exhibit C, all of the information listed in the June 16, 2017 Request remains confidential; the exhibit is revised only to identify Lisa Fuca as a new declarant.

4. The information that was granted confidential treatment by Order No. PSC-2017-0301-CFO-EI continues to be 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 in that the disclosure of the information would cause harm to customers or FPL's business operations, and its confidentiality has been maintained. Pursuant to Section 366.093, such information is entitled to confidential treatment and it 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.

5. As the declarations in Second Revised Exhibit D indicate, some of the information in the Audit work papers is proprietary, confidential business information. The Audit work papers contain information related to reports of internal auditors. This information is protected from public disclosure by Section 366.093(3)(b), Florida Statutes. The work papers also contain information related to contractual data, such as pricing terms, the public disclosure of which would violate nondisclosure provisions of FPL's contracts with certain vendors and impair FPL's ability to contract for goods or services on favorable terms in the future. Such information is protected from public disclosure by Section 366.093(3)(d), Florida Statutes. The work papers also include competitively sensitive information which, if disclosed, could impair

the competitive interests of the provider of the information. Such information is protected from public disclosure by Section 366.093(3)(e), Florida Statutes.

7. Nothing has changed since the issuance of Order No. PSC-2017-0301-CFO-EI to render the confidential information stale or public, such that continued confidential treatment would not be appropriate.

8. Upon a finding by the Commission that the confidential information continues to be proprietary confidential business information, the information should not be declassified for a period of at least an additional 18 months 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 supported by the materials and declarations included herewith, Florida Power & Light Company respectfully requests that its Second Request for Extension of Confidential Classification be granted.

Respectfully submitted,

Kevin I.C. Donaldson  
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Florida Power & Light Company  
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By: /s/ Kevin I.C. Donaldson  
Kevin I.C. Donaldson  
Fla. Bar No. 833401

**CERTIFICATE OF SERVICE**  
**DOCKET NO. 20190009-EI**

I HEREBY CERTIFY that a true and correct copy of FPL's Second Request for Extension of Confidential Classification was served electronically this 31<sup>st</sup> day of January, 2019, to the following:

Johana Nieves, Esq.  
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*Attorney for Fla. Industrial Power Users  
Group*

By: s/ Kevin I.C. Donaldson  
Kevin I.C. Donaldson  
Fla. Bar No. 833401

**Second Revised Exhibit C**  
**Florida Power and Light Company**  
**Staff Audit Work Papers for Audit Report PA-15-01-002**  
**Docket No. 20190009-EI**

**Bold denotes revision to reduce the amount of confidential classification previously requested or a new declarant**

<b>Document</b>	<b>Description</b>	<b>Page Number(s)</b>	<b>Conf. Y/N</b>	<b>Line No./Col. No.</b>	<b>Florida Statute 366.093 (3) Subsection</b>	<b>Declarant</b>
Staff Audit Work Papers	Review of Florida Power and Light Company's Project Management Internal Controls for Turkey Point 6 & 7 Construction	1-64, 66-91, 93-94, 96, 100-103, 107-108, 111-115, 117-119, 121-154	N			
	3.1.2 DR 2	Pg. 65	Y	Line 1-10	(d)(e)	<b>Lisa Fuca</b>
	3.3.1 DR 1 Document Summary & Control Log	Pg. 92	Y	Line 1-4	(e)	<b>Lisa Fuca</b>
		Pg. 95	Y	Lines 1-2	(d)(e)	<b>Lisa Fuca</b>
		Pg. 97	Y	Lines 1-7	(d)(e)	<b>Lisa Fuca</b>
		Pg. 98	Y	Lines 1-8	(d)(e)	<b>Lisa Fuca</b>
		Pg. 99	Y	Lines 1-2	(d)(e)	<b>Lisa Fuca</b>
	3.3.2 DR 2 Document Summary & Control Log	Pg. 104	Y	Lines 1-5	(d)(e)	<b>Lisa Fuca</b>
		Pg. 105	Y	Lines 1-9	(d)(e)	<b>Lisa Fuca</b>
		Pg. 106	Y	Lines 1-8	(d)(e)	<b>Lisa Fuca</b>
	3.3.3 DR 3 Document Summary & Control Log	Pg. 109	Y	Line 1-8	(b)	Antonio Maceo
		Pg. 110	Y	Lines 1-6	(b)	Antonio Maceo
	3.3.4 DR 4 Document Summary & Control Log	Pg. 116	Y	Line 1	(d)(e)	<b>Lisa Fuca</b>
	3.3.5 Document Summary & Control Log	Pg. 120	Y	Lines 1-12	(d)(e)	<b>Lisa Fuca</b>

SECOND REVISED EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Nuclear Cost Recovery Clause

Docket No: 20190009-EI

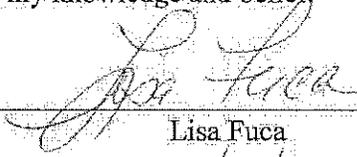
DECLARATION OF LISA FUCA

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

2. I have reviewed the documents referenced and incorporated in FPL's Second Request for Extension of Confidential Classification of Information Obtained in Connection with Audit No. 15-01-002 for which I am identified as the declarant. The documents and materials that I have reviewed contain proprietary confidential business information, including information concerning bids or contractual data and competitively sensitive data. Disclosure of this information would violate FPL's contracts with its vendors, work to the detriment of FPL's competitive interests, impair the competitive interests of its vendors and/or impair FPL's efforts to enter into contracts on commercially favorable terms. To the best of my knowledge, FPL has maintained the confidentiality of these documents and materials.

3. Nothing has occurred since the issuance of Order No. PSC-2017-0301-CFO-EI to render the information stale or public, such that continued confidential treatment would not be appropriate. Therefore, the information should remain confidential for a period of not less than 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. 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.

  
\_\_\_\_\_  
Lisa Fuca

Date: 1/29/19

**SECOND REVISED EXHIBIT D**

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Nuclear Cost Recovery Clause

Docket No: 20190009-EI

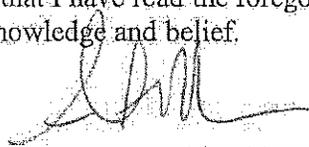
**DECLARATION OF ANTONIO MACEO**

1. My name is Antonio Maceo. I am currently employed by Florida Power & Light Company ("FPL") as Manager of Internal Auditing. I have personal knowledge of the matters stated in this written declaration.

2. I have reviewed the documents referenced and incorporated in FPL's Second Request for Extension of Confidential Classification of Information Obtained in Connection with Audit No. 15-01-002 for which I am identified as the declarant. The documents or materials that I have reviewed contain information related to reports of internal auditors. Full and frank disclosure of information to the Internal Auditing department is essential for the department to fulfill its role, and the confidential status of internal auditing scope, process, findings, and reports supports such disclosure. The release of information related to reports of internal auditors would be harmful to FPL and its customers because it may affect the effectiveness of the Internal Auditing department itself. To the best of my knowledge, FPL has maintained the confidentiality of these documents and materials.

3. Nothing has occurred since the issuance of Order No. PSC-2017-0301-CFO-EI to render the information stale or public, such that continued confidential treatment would not be appropriate. Therefore, the information should remain confidential for a period of not less than 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. 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.

  
\_\_\_\_\_  
Antonio Maceo

Date: \_\_\_\_\_

11/30/19