



Christopher T. Wright
Senior Attorney
Florida Power & Light Company
700 Universe Boulevard
Juno Beach, Florida 33408-0420
(561) 691-7144
(561) 691-7135 (Facsimile)
Email: Christopher.Wright@fpl.com

July 23, 2019

-VIA HAND DELIVERY-

Adam Teitzman
Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

REDACTED

RECEIVED-FPSC
2019 JUL 23 AM 2:48
COMMISSION
CLERK

RE: Docket 20190015-EG


Dear Mr. Teitzman:

Enclosed for filing in the above referenced docket, please find Florida Power & Light Company's ("FPL") Request for Confidential Classification of Information Provided in Response to Staff's Ninth Set of Interrogatories No. 94. 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 declaration in support of FPL's request.

If there are any questions regarding this transmittal, please contact me at (561) 691-7144.

Sincerely,


Christopher T. Wright
Senior Attorney
Fla. Auth. House Counsel No. 1007055

COM _____
AFD _____
APA _____
ECO _____
ENG 1 & B
GCL _____
IDM _____
CLK _____

Enclosure
cc: Parties of Record

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Commission Review of numeric
conservation goals of (Florida Power & Light
Company)

Docket No. 20190015-EG

Filed: July 23, 2019

**FLORIDA POWER & LIGHT COMPANY'S REQUEST FOR
CONFIDENTIAL CLASSIFICATION OF INFORMATION PROVIDED
IN RESPONSE TO STAFF OF THE FLORIDA PUBLIC SERVICE
COMMISSION'S NINTH SET OF INTERROGATORIES (NO. 94)**

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 information provided in response to the Staff of the Florida Public Service Commission's ("Staff") Ninth Set of Interrogatories (No. 94) ("Confidential Discovery Responses"). In support of its Request, FPL states as follows:

1. On July 3, 2019, Staff served its Ninth Set of Interrogatories (Nos. 91-96) on FPL. FPL's Responses to Staff's Ninth Set of Interrogatories (No. 94) contain information of a confidential nature within the meaning of Section 366.093(3), Florida Statutes.

2. FPL served its responses to Staff's Ninth Set of Interrogatories (Nos. 91-96) on July 23, 2019. This request is being filed concurrently with the service of the responses to Staff's discovery in order to request confidential classification of the Confidential Discovery Responses consistent with Rule 25-22.006, Florida Administrative Code.

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

a. Exhibit A consists of a copy of the Confidential Discovery Responses on which all information that FPL asserts is entitled to confidential treatment is highlighted.

b. Exhibit B consists of an edited version of the Confidential Discovery Responses on which all information that FPL asserts is entitled to confidential treatment is redacted.

c. Exhibit C is a table containing a page-and-line identification of the information highlighted in Exhibit A 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 the requested classification.

d. Exhibit D contains the declaration of Andrew Whitley in support of this Request.

4. 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 determined 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 description included in Exhibit C and the declarations included in Exhibit D indicate, the Confidential Discovery Responses provided by FPL contain information relating to competitive interests of FPL or its vendors, the disclosure of which would impair the competitive business of the provider of the information. This information is protected by Section 366.093(3)(e), Fla. Stat.

6. Upon a finding by the Commission that the Confidential Information remains proprietary and confidential business information, the information should not be declassified for at least an additional eighteen (18) month period and should be returned to FPL as soon as it 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,

Christopher T. Wright
Senior Attorney
Florida Power & Light Company
700 Universe Boulevard
Juno Beach, FL 33408
Telephone: (561) 691-7144
Facsimile: (561) 691-7135
Email: Christopher.Wright@fpl.com

By:  _____
Christopher T. Wright
Fla. Auth. House Counsel No. 1007055

**CERTIFICATE OF SERVICE
DOCKET NO. 20190015-EG**

I HEREBY CERTIFY that a true and correct copy of the foregoing was served by electronic delivery this 23rd day of July, 2019 to the following:

<p>Margo A. DuVal, Esq. Ashley Weisenfeld, Esq. Division of Legal Services Florida Public Service Commission 2540 Shumard Oak Blvd. Tallahassee, Florida 32399-0850 Mduval@psc.state.fl.us Aweisenf@psc.state.fl.us</p>	<p>J.R. Kelly, Esq. Patricia Christensen, Esq. Office of the Public Counsel c/o The Florida Legislature 111 W. Madison Street, Rm 812 Tallahassee FL 32399 christensen.patty@leg.state.fl.us kelly.jr@leg.state.fl.us</p>
<p>George Cavros, Esq. Southern Alliance for Clean Energy 120 E. Oakland Park Blvd., Suite 105 Fort Lauderdale, FL 33334 george@cavros-law.com Attorney for SACE</p>	<p>Bradley Marshall, Esq. Bonnie Malloy, Esq. Earthjustice 111 S. Martin Luther King Jr. Blvd. Tallahassee, FL 32301 bmarshall@earthjustice.org bmalloy@earthjustice.org Attorneys for SACE Attorneys for LULAC</p>
<p>Joan T. Matthews, Esq. / Allan J. Charles, Esq. / Kelley F. Corbari, Esq. Florida Department of Agriculture & Consumer Services Office of General Counsel The Mayo Building 407 S. Calhoun Street, Suite 520 Tallahassee, FL 32399-0800 joan.matthews@freshfromflorida.com allan.charles@freshfromflorida.com kelley.corbari@freshfromflorida.com</p>	<p>Jon C. Moyle, Jr./Karen A. Putnal/Ian E. Waldick c/o Moyle Law Firm, PA 118 North Gadsden Street Tallahassee FL 32301 iwaldick@moylelaw.com jmoyle@moylelaw.com kputnal@moylelaw.com mqualls@moylelaw.com Attorneys for FIPUG</p>
<p>Stephanie U. Eaton 110 Oakwood Drive, Suite 500 Winston-Salem NC 27103 seaton@spilmanlaw.com Attorneys for Walmart Inc.</p>	<p>Derrick Price Williamson/Barry A. Naum 1100 Bent Creek Boulevard, Suite 101 Mechanicsburg PA 17050 dwilliamson@spilmanlaw.com bnaum@spilmanlaw.com Attorneys for Walmart Inc.</p>

By: s/ Christopher T. Wright
Christopher T. Wright
Bar Fla. Auth. House Counsel No.
1007055

EXHIBIT B

REDACTED

	A	B	C	D	E	F
1	Florida Power & Light Company					FPL 004291
2	Docket No. 20190015-EG					20190015-EG
3	Staff's Ninth Set of Interrogatories					
4	Interrogatory No. 94					
5	Attachment No. 1-Redacted					
6	Tab 1 of 1					
7						
8						
9	Combined Measures Utility Impact					
10	Achievable Potential					
11	RIM			TRC		
12	Year	Lost Revenue	Basis Points	Lost Revenue	Basis Points	
13		(\$)	(-)	(\$)	(-)	
14						
15	2020	2,597		793,153		
16	2021	7,854		2,532,508		
17	2022	13,006		4,493,333		
18	2023	19,653		6,721,270		
19	2024	25,564		9,886,783		
20	2025	31,898		12,512,256		
21	2026	35,816	N/A	15,046,389	N/A	
22	2027	42,654	N/A	17,680,237	N/A	
23	2028	50,057	N/A	20,398,323	N/A	
24	2029	57,633	N/A	23,321,385	N/A	
25						
26	Forecasts of revenue are only available through 2025					

EXHIBIT C

JUSTIFICATION TABLE

EXHIBIT C

COMPANY: Florida Power & Light Company
TITLE: List of Confidential Documents
DOCKET TITLE: Commission review of numeric conservation goals (Florida Power & Light Company)
DOCKET NO.: 20190015-EG

Set	Bates No.	Conf. Y/N	Line / Column	Florida Statute 366.093(3) Subsection	Declarant
Staff's 9 th Interrogatory No. 94	FPL 004291	Y	Lines 15-20, Columns D & F	(e)	Andrew W. Whitley

EXHIBIT D

DECLARATIONS

EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Commission review of numeric
conservation goals (Florida Power & Light
Company)

Docket No. 20190015-EG

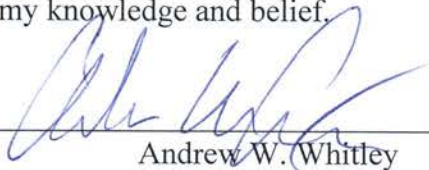
DECLARATION OF ANDREW W. WHITLEY

1. My name is Andrew W. Whitley. I am currently employed by Florida Power & Light Company ("FPL") as Engineering Supervisor in the Integrated Resource Planning department of FPL's Finance Business Unit. I have personal knowledge of the matters stated in this written declaration.

2. I have reviewed the documents and information included in Exhibit A to FPL's Request for Confidential Classification filed this date, for which I am listed as the declarant on Exhibit C. The documents that FPL seeks to have protected contain proprietary information on FPL's financial forecasts that have not been made public at this time. Release of this information would have an adverse effect on FPL's competitive interests.

3. Consistent with the provisions of the Florida Administrative Code, such materials should remain confidential for a period of eighteen (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.



Andrew W. Whitley

Date: 7/19/2019