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July 26, 2019

-VIA HAND DELIVERY-

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

REDACTED

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2019 JUL 26 AM 2:50
COMMISSION
CLERK

RE: Docket 20190015-EG

Dear Mr. Teitzman:

I enclose for filing in the above docket Florida Power & Light Company's ("FPL") Request for Confidential Classification of Information Provided in Response to Staff's Tenth Request Set of Interrogatories (No. 100). 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) 304-5662.

Sincerely,

William P. Cox
Senior Attorney
Fla. Bar No. 0093531

- COM _____
 - AFD _____
 - APA _____
 - ECO _____
 - ENG** 1 Exh 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 26, 2019

**FLORIDA POWER & LIGHT COMPANY'S REQUEST FOR
CONFIDENTIAL CLASSIFICATION OF INFORMATION PROVIDED
IN RESPONSE TO STAFF OF THE FLORIDA PUBLIC SERVICE
COMMISSION'S TENTH SET OF INTERROGATORIES (NO. 100)**

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") Tenth Set of Interrogatories (No. 100) ("Confidential Discovery Responses"). In support of its Request, FPL states as follows:

1. On July 19, 2019, Staff served its Tenth Set of Interrogatories (Nos. 97-108) and Fourth Request for Production of Documents (Nos. 17-18) on FPL. FPL's Response to Staff's Tenth Set of Interrogatories (No. 100) contains information of a confidential nature within the meaning of Section 366.093(3), Florida Statutes.

2. FPL served its responses to Staff's Tenth Set of Interrogatories (Nos. 97-108) and Fourth Request for Production of Documents (Nos. 17-18) on July 26, 2019. This request is being filed contemporaneously 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 Thomas R. Koch 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 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. This information is protected by Section 366.093(3)(d), Fla. Stat.

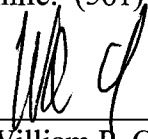
6. Additionally, this information relates to the competitive interests of FPL's outside vendor. Disclosure of such information would impair the vendor's competitive interests and would be a contractual breach on the part of FPL. This information is protected by Section 366.093(3)(e), Fla. Stat.

7. 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,

William P. Cox
Senior Attorney
Florida Power & Light Company
700 Universe Boulevard
Juno Beach, FL 33408
Telephone: (561) 304-5662
Facsimile: (561) 691-7135

By: 
William P. Cox
Fla. Bar No. 0093531

**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 26th 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>

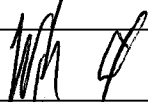
By: 
William F. Cox
Fla. Bar No. 0093531

EXHIBIT B

REDACTED

1 QUESTION:

2 Regarding the Company's expenses for participation in the FEECA Goalsetting proceeding,
3 please answer the following questions.

- 4 a. What are the Company's actual expenses as of the filing of the Rebuttal Testimony, in
5 total and by category, such as consultant fees, legal expenses, and salaries?
- 6 b. What are the Company's estimated expenses for the full FEECA Goalsetting proceeding,
7 in total and by category, such as consultant fees, legal expenses, and salaries?
- 8 c. Does the Utility intend to recover expenses associated with the FEECA Goalsetting
9 proceeding? If so, explain how. If not, explain why not.

10 RESPONSE:

- 11 a. FPL does not possess the amount of its internal expenses related to the FEECA Goalsetting
12 proceeding because it does not track such costs for individual projects of this nature.
13 External expenses incurred through the filing of rebuttal testimony are: Consultant Fees of
14 [REDACTED]; Legal Fees of [REDACTED]
A B
- 15 b. Please see FPL's response to subpart (a) of this interrogatory regarding internal expenses.
16 Estimated external expenses for the full proceeding are: Consultant Fees of [REDACTED]; Legal
17 Fees of [REDACTED] A
- 18 c. Yes, FPL intends to recover the FEECA Goalsetting proceeding's expenses discussed in
19 subpart (a) and (b) of this interrogatory in its Energy Conservation Cost Recovery (ECCR)
20 clause filings.

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	Florida Statute 366.093(3) Subsection	Declarant
Staff's 10 th Interrogatory No. 100	FPL 004480	Y	Lines 14A & 14B Line 16A Line 17A	(d), (e)	Thomas R. Koch

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 THOMAS R. KOCH

1. My name is Thomas R. Koch. I am currently employed by Florida Power & Light Company ("FPL") as Senior Manager of Demand-Side Management Strategy, Cost & Performance of FPL's Customer Service Business Unit. I have personal knowledge of the matters stated in this written declaration.

2. I have reviewed the document 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 document that FPL seeks to have protected contains pricing information for work performed for FPL by outside consultants and attorneys, specifically Nexant, Inc. and the Radey and Gunster law firms. Disclosure of this pricing information would impair FPL's ability to contract for such services on favorable terms in the future and would be harmful to these vendors' competitive interests. FPL treats these documents as confidential and proprietary.

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.



Thomas R. Koch

Date: 7/24/2019