

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: August 29, 2019
TO: Suzanne Brownless, Special Counsel, Office of the General Counsel
FROM: Devlin Higgins, Public Utility Analyst IV, Division of Accounting and Finance
RE: CONFIDENTIALITY OF CERTAIN INFORMATION

DOCKET NO: 20190001-EI DOCUMENT NO: 08426-2019

DESCRIPTION: FPL (Moncada) - (CONFIDENTIAL) Information provided in response [sic] to OPC's 1st request for [PODs] (No. 1).

SOURCE: Florida Power & Light Company

Pursuant to Section 366.093, Florida Statutes, (F.S.) and Rule 25-22.006, Florida Administrative Code, Florida Power & Light Company (FPL or Company) requests confidential classification of certain information filed in response to the Office of Public Counsel's (OPC) First Request for Production of Documents, in the above-referenced docket, dated August 26, 2019. This recommendation specifically addresses FPL's response to OPC's First Request for Production of Documents, No. 1.

The Company is claiming confidentiality of its response to OPC's First Request for Production of Documents, No. 1, under Section 366.093(3)(e), F.S. Per the Statute, propriety of confidential business information includes, but is not limited to: 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 OPC's First Request for Production of Documents, No. 1, for which confidential treatment is being sought can generally be described as a forensic analysis regarding the April 2019 outage of the Plant St. Lucie Unit No. 1 generator. The Company claims the information subject to its request was provided by third parties, which FPL is contractually obligated to keep confidential.

Staff has reviewed the information provided in response to OPC's First Request for Production of Documents, No. 1, as well as FPL'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)(e), F.S.

RECEIVED-FPSC
2019 AUG 29 PM 1:00
COMMISSION CLERK



Public Service Commission

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TALLAHASSEE, FLORIDA 32399-0850

-M-E-M-O-R-A-N-D-U-M-

DATE: August 28, 2019

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

FROM: OFFICE OF COMMISSION CLERK

RE: CONFIDENTIALITY OF CERTAIN INFORMATION

DOCKET NOS: 20190001-EI DOCUMENT NO: 08426-2019

DESCRIPTION: FPL (Moncada) - (CONFIDENTIAL) Information provided in response to OPC's 1st request for [PODs] (No. 1).

SOURCE: Florida Power & Light Company

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 8/29/19, a copy of which has been sent to the Office of Commission Clerk and the Office of General Counsel.