

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Nuclear Cost Recovery Clause

Docket No: 20210009-EI

Date: June 18, 2021

**FLORIDA POWER AND LIGHT COMPANY'S
FOURTH REQUEST FOR EXTENSION OF CONFIDENTIAL
CLASSIFICATION OF AUDIT REPORT PA-2014-01-002**

Pursuant to Section 366.093, Florida Statutes (“Section 366.093”), and Rule 25-22.006, Florida Administrative Code, Florida Power & Light Company (“FPL”) requests continued confidential classification of Audit Report PA-2014-01-002 (the “Audit Report”). In support of its request, FPL states as follows:

1. On January 8, 2016, in Docket No. 20160009-EI, FPL filed its First Request for Extension of Confidential Classification of Audit Report PA-2014-01-002 (Confidential Document No. 03067-14). FPL’s request was granted by Order No. PSC-2016-0222-CFO-EI, issued June 6, 2016.

2. On December 6, 2017 FPL filed its Second Request for Confidential Classification which included Second Revised Exhibits C and D (“December 6, 2017 Request”). By Order No. PSC-2018-0306-CFO-EI dated June 8, 2018 (“Order 0306”) the Commission granted FPL’s December 6, 2017 Request.

3. On December 9, 2019 FPL filed its Third Request for Confidential Classification which included Third Revised Exhibits C and D (“December 9, 2019 Request”). By Order No. PSC-2019-0534-CFO-EI dated December 20, 2019 (“Order 0534”) the Commission granted FPL’s December 9, 2019 Request. FPL adopts and incorporates by reference the December 9, 2019 Request and Order 0534.

4. The period of confidential treatment granted by Order 0534 will soon expire. The Confidential Information that was the subject of FPL's December 9, 2019 Request and Order 0534 warrants continued treatment as proprietary and confidential business information within the meaning of Section 366.093(3).

5. FPL hereby submits its Fourth Request for Extension of Confidential Classification. All of the information designated in Exhibits A, B and C to the December 9, 2019 Request remains confidential. Accordingly, those exhibits will not be reproduced or reattached here.

6. The declarations of Lisa Fuca and Antonio Maceo in support of this Request are included as Fourth Revised Exhibit D.

7. The information that was granted confidential treatment by Order No. 0534 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.

8. As the declarations included in Fourth Revised Exhibit D indicate, certain information contained in the Audit Report is information related to reports of FPL's internal auditors. This information is protected from public disclosure by Section 366.093(3)(b), Florida Statutes. The Audit Report also contains information related to bids or contractual data, such as pricing or other 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 Audit Report also contains 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.

9. Nothing has changed since the Commission entered Order 0534 to render the Confidential Information stale or public, such that continued confidential treatment would not be appropriate.

10. Pursuant to Section 366.093(4), F.S., the information for which confidential classification is granted remains protected from disclosure up to 18 months unless good cause is shown to grant protection from disclosure for a longer period. Currently, the Commission retains audit reports for period of seven years at which time the audit materials are returned to FPL unless Commission staff or another affected person requests that these audit materials continue to be retained. The nature of these materials will not change in the next three years. Therefore, to promote administrative efficiency, FPL requests confidential classification for a period of thirty-six (36) months. 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 thirty-six (36) 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 included with or incorporated in this Request, Florida Power & Light Company respectfully requests that its Fourth Request for Extension of Confidential Classification be granted.

Respectfully submitted,

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By: /s/ David M. Lee
David M. Lee
Florida Bar No. 103152

CERTIFICATE OF SERVICE
Docket No. 20210009-EI

I **HEREBY CERTIFY** that a true and correct copy of the foregoing has been furnished
by electronic service on this 18th day of June 2021 to the following:

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David M. Lee
Florida Bar No. 103152

FOURTH REVISED EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Nuclear Cost Recovery Clause

Docket No: 20210009-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 Fourth Request for Extension of Confidential Classification of Information Obtained in Connection with Audit No. PA-14-01-002 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. No significant changes have occurred since the issuance of Order No. PSC-2019-0534-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 36 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: 6/8/2021

FOURTH REVISED EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Nuclear Cost Recovery Clause

Docket No: 20210009-EI

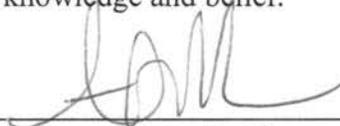
DECLARATION OF ANTONIO MACEO

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

2. I have reviewed the documents referenced and incorporated in FPL's Fourth Request for Extension of Confidential Classification of Information Obtained in Connection with Audit No. PA-14-01-002 for which I am identified as the declarant. The documents 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. No significant changes have occurred since the issuance of Order No. PSC-2019-0534-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 36 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:

6/8/21