

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: September 03, 2021

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

FROM: OFFICE OF COMMISSION CLERK

RE: CONFIDENTIALITY OF CERTAIN INFORMATION

DOCKET NOS: 20210001-EI DOCUMENT NO: 10077-2021

DESCRIPTION: FPL (Lee) - (CONFIDENTIAL) Capacity payments to non-cogenerators identified in schedule E12.

SOURCE: Florida Power & Light

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 /s/Devlin Higgins on 9.7.21, a copy of which has been sent to the Office of Commission Clerk and the Office of General Counsel.



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

DATE: September 7, 2021
TO: Suzanne Brownless, Special Counsel, Office of the General Counsel
FROM: Devlin Higgins, Public Utility Analyst IV, Division of Accounting & Finance
RE: CONFIDENTIALITY OF CERTAIN INFORMATION
DOCKET NO: 20210001-EI DOCUMENT NO: 10077-2021
DESCRIPTION: FPL (Lee) - (CONFIDENTIAL) Capacity payments to non-cogenerators identified in schedule E12.
SOURCE: Florida Power & Light

Pursuant to Section 366.093, Florida Statutes (F.S.), and Rule 25-22.006, Florida Administrative Code, Florida Power & Light (FPL or Company) requests confidential classification of certain information filed in the above referenced docket, dated September 3, 2021.

The Company is claiming confidentiality of its filing under Section 366.093(3)(d), F.S., and Section 366.093(3)(e), F.S. Per the Statute, propriety of confidential business information includes, but is not limited to: Subsection (d) “[i]nformation 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,” and 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 which FPL is claiming as confidential consists of pricing information for capacity purchases between FPL and various counterparties. The pricing information is regarded by both FPL and the counterparties as confidential. The negotiated pricing between FPL and the counterparties, is specific to the individual contracts and is not publicly known. FPL claims that disclosure of this information would negatively impact FPL’s ability to negotiate pricing favorable to its customers in future capacity contracts.

Staff has reviewed the Company’s confidentiality request. In staff’s opinion, the information that is the subject of FPL’s request meets the criteria for confidentiality contained in 366.093(3)(d), F.S., and 366.093(3)(e), F.S.