



**REDACTED**

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May 6, 2022

**-VIA HAND DELIVERY-**

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

**RE: Docket 20220000-OT (Undocketed filings for 2022)  
Florida Power & Light Company 2022-2031 Ten-Year Power Plant Site Plan**

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 First Data Request (No. 77). 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,

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

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Enclosure

cc: Donald Phillips, Division of Engineering

Florida Power & Light Company

700 Universe Boulevard, Juno Beach, FL 33408

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Florida Power & Light Company's  
2022-2031 Ten Year Power Plant Site Plan

Docket No. 20220000-OT

Filed: May 6, 2022

**FLORIDA POWER & LIGHT COMPANY'S  
REQUEST FOR CONFIDENTIAL CLASSIFICATION  
OF INFORMATION PROVIDED IN RESPONSE TO  
STAFF OF THE FLORIDA PUBLIC SERVICE COMMISSION'S  
FIRST DATA REQUEST (NO. 77)**

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") First Data Request (No. 77) ("Confidential Discovery Response"). In support of its Request, FPL states as follows:

1. On March 7, 2022, Staff served its First Data Request (Nos. 1-95) on FPL. FPL's Response to Staff's First Data Request (No. 77) contains information of a confidential nature within the meaning of Section 366.093(3), Florida Statutes.

2. FPL served its responses to Staff's First Data Request (Nos. 1-95) on May 6, 2022. 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 John Hampp 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 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.

5. As the description included in Exhibit C and the declarations included in Exhibit D indicate, the Confidential Discovery Response provided by FPL contains information concerning bids or other contractual data, the disclosure of which would impair the efforts of FPL to contract for goods and services on favorable terms. This information is protected by Sections 366.093(3)(d), Fla. Stat.

6. Additionally, certain information relates to the competitive interests of FPL and its vendors, the disclosure of which would impair their competitive interests. 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, Esq.  
Senior Attorney  
Florida Power & Light Company  
700 Universe Boulevard  
Juno Beach, FL 33408  
Telephone: (561) 304-5662  
Facsimile: (561) 691-7135

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

**CERTIFICATE OF SERVICE**  
**Docket No. 20220000-OT**

I **HEREBY CERTIFY** that a true and correct copy of the foregoing Request for Confidential Classification\* has been furnished by electronic service this 6<sup>th</sup> day of May 2022 to the following:

Donald Phillips  
Division of Engineering  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399

By: /s/ William P. Cox  
William P. Cox  
Florida Bar No. 0093531

\* The exhibits to this Request are not included with the service copies, but copies of Exhibits B, C, and D are available upon request.

# Exhibit B

	A	B	C	D	E	F	G	H	I	J	K
1	Florida Power & Light Company					FPL & GULF 000001					
2	Docket No. 20220000-OT					20220000-OT					
3	Ten-Year Site Plan										
4	Staff's First Data Request										
5	Request No. 77										
6	Attachment No. 1 of 1										
7	Tab 1 of 1										
8											
9											
10	TYSP Year		2022								
11	Staff's Data Request #		1								
12	Question No		77								
13											
14		Unit	Fuel	Net Summer	Estimated EPA Rule Impacts: Cost Effects						
15		Type	Type	Capacity	(CPYER \$ millions)						
16				(MW)	ELGS	ACE or replacement	MATS	CSAPR/CAIR	CWIS	CCR	
17										Non-Hazardous Waste	Special Waste
18		Cape Canaveral 3	CC NG, ULSD	1290	N/A	N/A	N/A	N/A	0.83	N/A	N/A
19		Fort Myers Gas Turbines 1 & 9	GT DFO	108	N/A	N/A	N/A	N/A	N/A	N/A	N/A
20		Fort Myers 2	CC NG	1812	N/A	N/A	N/A	N/A	7.83	N/A	N/A
21		Fort Myers 3 A-D	GT NG, ULSD	852	N/A	N/A	N/A	N/A	N/A	N/A	N/A
22		Dania Beach 7	CC NG, ULSD	1,163	N/A	N/A	N/A	N/A	7.83	N/A	N/A
23		Lauderdale Gas Turbines 3 & 5	GT NG, DFO	69	N/A	N/A	N/A	N/A	N/A	N/A	N/A
24		Lauderdale 6 A-F	GT NG, ULSD	1155	N/A	N/A	N/A	N/A	N/A	N/A	N/A
25		Port Everglades 5	CC NG, ULSD	1237	N/A	N/A	N/A	N/A	0.83	N/A	N/A
26		Riviera 5	CC NG, ULSD	1290	N/A	N/A	N/A	N/A	0.83	N/A	N/A
27		Sanford 4	CC NG	1176	N/A	N/A	N/A	N/A	0	N/A	N/A
28		Sanford 5	CC NG, ULSD	1176	N/A	N/A	N/A	N/A	0	N/A	N/A
29		Turkey Point 3	PWR NUC	837	N/A	N/A	N/A	N/A	N/A	N/A	N/A
30		Turkey Point 4	PWR NUC	841	N/A	N/A	N/A	N/A	N/A	N/A	N/A
31		Turkey Point 5	CC NG, ULSD	1270	N/A	N/A	N/A	N/A	N/A	N/A	N/A
32		Manatee 1	ST NG, RFO	813	N/A	N/A	ESP Project Complete 2013	800 MW Cycling Project Complete	0	N/A	N/A
33		Manatee 2	ST NG, RFO	813	N/A	N/A	ESP Project Complete 2012	800 MW Cycling Project Complete	0	N/A	N/A
34		Manatee 3	CC NG	1249	N/A	N/A	N/A	N/A	0	N/A	N/A
35		Martin 3	CC NG	487	N/A	N/A	N/A	N/A	0	N/A	N/A
36		Martin 4	CC NG	487	N/A	N/A	N/A	N/A	0	N/A	N/A
37		Martin 8	CC NG, ULSD	1235	N/A	N/A	N/A	N/A	0	N/A	N/A
38		Martin SOLAR	ST SUN	75 <sup>2</sup>	N/A	N/A	N/A	N/A	N/A	N/A	N/A
39		St. Lucie 1	PWR NUC	981	N/A	N/A	N/A	N/A	0	N/A	N/A
40		St. Lucie 2	PWR NUC	840 <sup>1</sup>	N/A	N/A	N/A	N/A	0	N/A	N/A
41		West County Energy Center 1	CC NG, ULSD	1259	N/A	N/A	N/A	N/A	N/A	N/A	N/A
42		West County Energy Center 2	CC NG, ULSD	1259	N/A	N/A	N/A	N/A	N/A	N/A	N/A
43		West County Energy Center 3	CC NG, ULSD	1259	N/A	N/A	N/A	N/A	N/A	N/A	N/A
44		Okeechobee Clean Energy Center 1	CC NG, ULSD	1720	N/A	N/A	N/A	N/A	N/A	N/A	N/A
45		Scherer 3	ST SUB	215 <sup>1</sup>	■	No additional Heat Rate Improvements anticipated	Completed 2010	Completed 2012	■	■	N/A
46		Indiantown Cogeneration	Unit retired December 2020		N/A	N/A	N/A	N/A	N/A	N/A	N/A
47		Gulf Clean Energy Center (formerly Plant Crist)	ST NG	967	No additional controls anticipated due to gas conversion projects	N/A	No Impacts Anticipated	No Impacts Anticipated	No Impacts Anticipated	6.5	N/A
48		Gulf Clean Energy Center Unit 8	CT NG, ULSD	940	N/A	N/A	N/A	N/A	N/A	N/A	N/A
49		Pen Ridge	ST NG	12	N/A	N/A	N/A	N/A	N/A	N/A	N/A
50		Perdido	IC LFG	3	N/A	N/A	N/A	N/A	N/A	N/A	N/A
51		Smith	CC,CT NG,ULSD	692	No additional controls anticipated	N/A	N/A	No Impacts Anticipated	No Impacts Anticipated	42.8	N/A
52		Daniel	ST Coal	502 <sup>1</sup>	No Impacts Anticipated	None. Unit will be retired in 2024	No Impacts Anticipated	No Impacts Anticipated	No Impacts Anticipated	9.6	N/A
53		<b>Notes</b>									
54		(Include Notes Here)									
55		Units included above only reflect current operating units or projects that are under construction or expected to become operational this year									
56		Unit Type ST = Steam Turbine, GT = Gas Turbine, CC = Combined Cycle, PV = Photovoltaic, IC = Internal Combustion, BS = Battery Storage									
57		Fuel Type NG = Natural Gas, DFO = Distillate Fuel Oil, RFO = Residual Fuel Oil, ULSD = Ultra-Low Sulfur Distillate, BIT = Bituminous Coal,									
58		SUB = Sub-Bituminous Coal, SUN = Solar (PV & thermal), NUC = Nuclear, No = None									
59		Notes <sup>1</sup> FPL Ownership Share only									
60		<sup>2</sup> Unit capability also included in Martin Unit 8 Net Summer Capability									
61		<sup>3</sup> If additional controls are required for CWIS, most work would be done without any unit impacts and tie-in to existing systems would occur									
62		FPL's solar and battery storage sites have not been affected by any current federal or state environmental rules and FPL is actively monitoring EPA and FDEP									

# Exhibit C

EXHIBIT C

**COMPANY:** Florida Power & Light Company  
**TITLE:** List of Confidential Documents  
**DOCKET NO:** 20220000-EI  
**DOCKET TITLE:** 2022-2031 Ten-Year Site Plan  
**DATE:** May 6, 2022

Set	Data Request	Conf. Y/N	Line/Column	Florida Statute 366.093(3) Subsection	Declarant
Staff's 1 <sup>st</sup> Set of Data Requests	77 (Attachment No. 1)	Y	Line 45, Columns E, I, and J	(d) (e)	John Hampp

# Exhibit D

**EXHIBIT D**

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Florida Power & Light Company's 2022-  
2031 Ten- Year Site Plan.

Docket No: 20220000-EI

**DECLARATION OF JOHN HAMPP**

1. My name is John Hampp. I am currently employed by Florida Power & Light Company ("FPL") as Environmental Services Manager. I have personal knowledge of the matters stated in this written declaration.

2. I have reviewed the documents referenced and incorporated in FPL's Request for Confidential Classification for which I am identified as a declarant. The documents or materials that I have reviewed and which are asserted by FPL to contain information concerning bids or other contractual data, the disclosure of which would impair the efforts of the FPL or its affiliates to contract for goods and services on favorable terms (Section 366.093(3)(d), F.S.). The information also relates to competitive interests, the disclosure of which would impair the competitive business of the provider of the information (Section 366.093(3)(e), F.S.). Specifically, the documents contain information related to FPL's contract with a particular vendor. Release of this information would put FPL at a competitive disadvantage because it would negatively impact FPL's ability to negotiate with vendors in the future, to the detriment of FPL customers. To the best of my knowledge, FPL has maintained the confidentiality of these documents and materials.

3. Consistent with the provisions of the Florida Administrative Code, such materials should remain confidential for a period of not less than 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.

  
\_\_\_\_\_  
John Hampp

Date: May 6, 2022