

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Energy Conservation Cost Recovery  
Clause

Docket No: 20180002-EG  
Date: April 16, 2018

**FLORIDA POWER & LIGHT COMPANY'S FIRST REQUEST  
FOR EXTENSION OF CONFIDENTIAL CLASSIFICATION OF  
MATERIALS PROVIDED PURSUANT TO AUDIT NO. 16-019-4-1**

Pursuant to Section 366.093, Florida Statutes ("Section 366.093") and Rule 25-22.006, Florida Administrative Code, Florida Power & Light Company ("FPL") hereby submits its First Request for Extension of Confidential Classification of Information Provided Pursuant to Audit No. 16-019-4-1 ("Confidential Information"). In support of this request, FPL states as follows:

1. On July 11, 2016 FPL filed a Request for Confidential Classification of the Confidential Information, which included Exhibits A, B, C and D ("July 11, 2016 Request"). On August 18, 2016, FPL filed a corrected Exhibit C. By Order No. PSC-16-0464-CFO-EG, dated October 14, 2016 ("Order 0464"), the Commission granted FPL's July 11, 2016 Request. FPL adopts and incorporates by reference the July 11, 2016 Request and Order 0464.

2. The period of confidential treatment granted by Order 0464 will soon expire. The Confidential Information that was the subject of FPL's July 11, 2016 Request and Order 0464 warrants continued treatment as proprietary and confidential business information within the meaning of Section 366.093(3). Accordingly, FPL hereby submits its First Request for Extension of Confidential Classification.

3. All of the information designated in Exhibits A, B and C to the July 11, 2016 Request remains confidential. Accordingly, those exhibits will not be reproduced or reattached here.

4. The declaration of Anita Sharma in support of this request is included as First Revised Exhibit D.

5. The Confidential Information is intended to be and has been treated by FPL as private, its confidentiality has been maintained, and its disclosure would cause harm to FPL and its customers. Pursuant to Section 366.093, such materials are entitled to confidential treatment and are 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.

6. As explained more fully in the declaration included as First Revised Exhibit D, certain documents contain information concerning bids or other contractual data, the disclosure of which would impair the efforts of FPL to contract for goods or services on favorable terms. This information is protected by Section 366.093(3)(d), Fla. Stat.

7. Also, certain documents contain information relating to competitive interests, the disclosure of which would impair the competitive business of FPL or its vendors. This information is protected by Section 366.093(3)(e), Fla. Stat.

8. Nothing has changed since the Commission entered Order 0464 to render the Confidential Information stale or public, such that continued confidential treatment would not be appropriate.

9. 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) months 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. (2017).

**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 First Request for Extension of Confidential Classification be granted.

Respectfully submitted,

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By: s/ Maria J. Moncada  
Maria J. Moncada  
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**CERTIFICATE OF SERVICE**  
**Docket No. 20180002-EG**

I HEREBY CERTIFY that a true and correct copy of the foregoing was served by electronic mail this 16th day of April 2018 to the following:

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*s/ Maria J. Moncada*

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Maria J. Moncada

# **EXHIBIT D**

# **DECLARATION**

**FIRST REVISED EXHIBIT D**

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Energy Conservation Cost Recovery Clause

Docket No: 20180002-EG

**DECLARATION OF ANITA SHARMA**

1. My name is Anita Sharma. I am currently employed by Florida Power & Light Company ("FPL") as Manager, Demand Side Management Cost and Performance. I have personal knowledge of the matters stated in this declaration.

2. I have reviewed Exhibit C and the documents that are included in Exhibit A to FPL's First Request for Confidential Classification of Information Obtained in Connection with Audit No. 16-019-4-1 for which I am identified as the declarant. The documents or materials that I have reviewed, and which are asserted by FPL to be proprietary confidential business information contain or constitute information concerning bids or other contractual data, the disclosure of which would impair the efforts of the FPL or third parties to contract for goods or services on favorable terms. Specifically, the documents or materials contain information regarding negotiated terms with vendors for services related to FPL's demand side management programs, including paid advertisement expenses and incentive pay-out to qualified customers. Additionally, the documents or materials that I have reviewed, and which are asserted by FPL to be proprietary confidential business information contain or constitute information concerning customer-specific account information. It is FPL's corporate policy not to disclose customer-specific information. This policy includes, but is not limited to: customer names, addresses, telephone numbers, account numbers, rates, billing determinants (kW and kWh usage), conservation savings in kW, kWh and bills. FPL treats such information as confidential and does not disclose it, except as required by law, to entities or persons other than the customer absent the customer's consent. FPL's policy is premised upon customers' right to privacy and the potential that the disclosure of customer specific information may harm some customers' competitive interests. To the best of my knowledge, FPL has maintained the confidentiality of this information.

3. Nothing has occurred since the issuance of Order No. PSC-16-0464-CFO-EG 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.



Anita Sharma

Date: 4/9/2018