



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 11, 2009  
TO: Jason Arnold, Office of the General Counsel  
FROM: Walter Clemence, Regulatory Analyst II, Office of Strategic Analysis and Governmental Affairs *WJC* *MFRH*  
RE: Florida Power & Light- Docket 080677-EI- Confidentiality Request- Document No. 07403-09

Florida Power and Light (FPL) has requested that certain information concerning cost justification for Advance Metering Infrastructure furnished in response to South Florida Hospital and Healthcare Association's Tenth Set of Production of Documents No. 102 be kept confidential.

FPL requests confidentiality under Subsection 366.093(3)(e), Florida Statutes (F.S.), which states:

(3) Proprietary confidential business information means information, regardless of form or characteristics, which is owned or controlled by the person or company, is intended to be and is treated by the person or company as private in that the disclosure of the information would cause harm to the ratepayers or the person's or company's business operations, and has not been disclosed unless disclosed pursuant to a statutory provision, an order of a court or administrative body, or private agreement that provides that the information will not be released to the public. Proprietary confidential business information includes, but is not limited to:

- COM \_\_\_\_\_
- ECR \_\_\_\_\_
- GCL \_\_\_\_\_
- OPC \_\_\_\_\_
- RCP \_\_\_\_\_
- SSC \_\_\_\_\_
- SGA \_\_\_\_\_
- ADM \_\_\_\_\_
- CLK *Pen*

- (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 the information.
- (f) Employee personnel information unrelated to compensation, duties, qualifications, or responsibilities.

Staff has reviewed FPL's confidentiality request. In staff's opinion, the request does meet the criteria for confidentiality contained in subsection 366.093(3)(e), F.S. Therefore, staff

DOCUMENT NUMBER-DATE

08335 AUG 11 8

FPSC-COMMISSION CLERK

recommends that the request for confidentiality of certain information included in Document No. 07403-09 be approved.

CC: Ryder Rudd  
Bob Trapp  
Mark Futrell  
Clarence Prestwood  
John Slemkewicz  
Office of Commission Clerk

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(850) 413-6770

Public Service Commission

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

DATE: 07/22/09

TO:  X  DIVISION OF ECONOMIC REGULATION  
  DIVISION OF REGULATORY COMPLIANCE  
  DIVISION OF SERVICE, SAFETY & CONSUMER ASSISTANCE  
  DIVISION OF STRATEGIC ANALYSIS & GOVERNMENTAL AFFAIRS  
  OFFICE OF THE GENERAL COUNSEL

FROM: OFFICE OF COMMISSION CLERK

RE: CONFIDENTIALITY OF CERTAIN INFORMATION

DOCUMENT NO(s): 07403-09

RECEIVED  
FLORIDA PUBLIC SERVICE  
COMMISSION  
09 JUL 22 PM 3:04  
DIVISION OF  
ECONOMIC REGULATION

DESCRIPTION: FPL (Goorland) - (CONFIDENTIAL) Responses to SFHHA's 10th request for PODs (No. 102) in Docket 080677. [CLK note: Document provided on CD only.]

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\_\_\_\_\_  
\_\_\_\_\_

SOURCE: Florida Power & Light Company

DOCKET NO(s): 080677-EI

The above material was received with a request for confidential classification. Please prepare a recommendation for the attorney assigned to the case by completing the section below and forwarding a copy of this memorandum, together with a brief memorandum supporting your recommendation, to the attorney. Copies of your recommendation should also be provided to the Division of the Commission Clerk and Administrative Services, Bureau of Records and Hearing Services, and to the Office of General Counsel.

**Please read each of the following and check if applicable.**

- 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 company to contract for services on favorable terms;
  - (e) Employee personnel information unrelated to compensation, duties, qualifications, or responsibilities;
  - (f) Tax returns or tax-related information;
  - (g) Information relating to competitive interests, the disclosure of which would impair the competitive business of the provider of information.
- 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.

Response prepared by: Walter Clemence

Date: 8-11-09

cc:  CLK       RCP  
 ECR       SGA  
 GCL       SSC