



REDACTED

Jessica Cano
Principal Attorney
Florida Power & Light Company
700 Universe Boulevard
Juno Beach, FL 33408-0420
(561) 304-5226
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May 22, 2012

VIA HAND DELIVERY

Ms. Ann Cole
Division of the Commission Clerk and
Administrative Services
Florida Public Service Commission
Betty Easley Conference Center
2540 Shumard Oak Boulevard, Room 110
Tallahassee, FL 32399-0850

claim of confidentiality
 notice of intent
 request for confidentiality
 filed by OPC

For DN 03262-12, which
is in locked storage. You must be
authorized to view this DN.-CLK

COMMISSION
CLERK

12 MAY 22 PM 4: 20

RECEIVED-FPSC

Re: FPL's 2012 Ten Year Power Plant Site Plan

Dear Ms. Cole:

Enclosed for filing on behalf of Florida Power & Light Company ("FPL") is a Request for Confidential Classification of its response to Staff's First Set of Data Requests, Question No. 43. Seven copies of FPL's request, including Exhibits B, C, and D, are included. Also included is one copy of Exhibit A.

Exhibit A consists of the confidential document, and all 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 consists of FPL's justification table supporting its Request for Confidential Classification. Exhibit D contains one affidavit in support of FPL's Request for Confidential Classification. Also included in this filing is a compact disc containing FPL's Request for Confidential Classification and Exhibit C only in Microsoft Word format.

Please contact me if you or your Staff has any questions regarding this filing.

Sincerely,
Jessica Cano
Jessica A. Cano

Enclosures
cc: Charles Murphy

COM _____
APA _____
ECR _____
GCL 1
RAD 5+CD
SRC _____
ADM _____
OPC _____
CLK 1

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Florida Power & Light Company's)
2012 Ten Year Power Plant Site Plan)

Docket No. 120000
Filed: May 22, 2012

**FLORIDA POWER & LIGHT COMPANY'S
REQUEST FOR CONFIDENTIAL CLASSIFICATION
OF RESPONSE TO STAFF'S FIRST SET OF DATA REQUESTS, NO. 43**

Pursuant to Section 366.093, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, Florida Power & Light Company ("FPL") requests confidential classification of a portion of its response to Staff's First Set of Data Requests, Question No. 43.

In support of its request, FPL states:

1. On May 1, 2012, FPL filed a Notice of Intent to Request Confidential Classification of FPL's response. Pursuant to Rule 25-22.006(3)(a), Florida Administrative Code, FPL has 21 days from the date of the Notice of Intent to file a formal request for confidential classification. Accordingly, FPL is filing this Request for Confidential Classification to maintain continued confidential handling of the information contained in FPL's response to Data Request No. 43.

2. The following exhibits are included with and made a part of this request:

a. Exhibit A consists of a copy of the confidential document on which all information that FPL asserts is entitled to confidential treatment has been highlighted.

b. Exhibit B consists of a copy of the confidential document on which all information that FPL asserts is entitled to confidential treatment has been redacted.

c. Exhibit C is a table containing an identification of the information highlighted in Exhibit A, together with references to the specific statutory basis or bases for the claim of confidentiality and to the affidavit in support of the requested classification.

d. Exhibit D includes the affidavits of Scott Brown in support of this request.

3. FPL submits that the highlighted information in Exhibit A is proprietary confidential business information within the meaning of Section 366.093(3), Florida Statutes. Section 366.093, Florida Statutes, defines confidential information as information that is intended to be and is treated by the company as private in that disclosure of the information would cause harm to the company's business operations or its customers, and has not been disclosed publicly. 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 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

4. As the affidavit included in Exhibit D indicates, the information provided by FPL contains competitively sensitive data, the public disclosure of which would violate nondisclosure provisions of FPL's contract with Georgia Power Company. Disclosure of this information could impair the competitive business of the provider of the information. Such information is protected by Section 366.093(3)(e), Florida Statutes.

5. Upon a finding by the Commission that the information highlighted in Exhibit A, and referenced in Exhibit C, is proprietary confidential business information, the information should not be declassified for a period of at least eighteen (18) months and should be returned to FPL as soon as the information is no longer necessary for the Commission to conduct its business. *See* § 366.093(4), Fla. Stat.

WHEREFORE, FPL respectfully requests confidential classification of the material described herein.

Respectfully submitted,

Jessica A. Cano
Principal Attorney
Florida Power & Light Company
700 Universe Boulevard
Juno Beach, FL 33408
Telephone: (561) 304-5226
Facsimile: (561) 691-7135

By: Jessica Cano
Jessica A. Cano
Fla. Bar No. 0037372

**CERTIFICATE OF SERVICE
DOCKET NO. 120009-EI**

I HEREBY CERTIFY that a true and correct copy of FPL's Request for Confidential Classification (without exhibits*) was served by hand delivery this 22nd day of May, 2012 to the following:

Charles Murphey, Esq.
Division of Legal Services
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850

By: Jessica Cano
Jessica A. Cano
Fla. Bar No. 0037372

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

EXHIBIT A

CONFIDENTIAL

FILED UNDER SEPARATE COVER

EXHIBIT B

REDACTED COPIES

	A	B	C	D	E	F	G	H	I
1				Net	Estimated Cost of New or Proposed EPA Rules Impacts (\$ million)				
2				Summer				<u>CCR</u>	<u>CCR</u>
3	Unit	Unit Type	Fuel Type	Capacity	MATS	CSAPR	CWIS	Non-Hazardous	Special
4				(MW)				Waste	Waste
5	Cape Canaveral 3	CC	NG, ULSD	1219	N/A	0	16-255	N/A	N/A
6	Cutler 5	ST	NG	64	N/A	0	N/A	N/A	N/A
7	Cutler 6	ST	NG	137	N/A	0	N/A	N/A	N/A
8	Fort Myers Gas Turbines 1-12	GT	DFO	552	N/A	0	N/A	N/A	N/A
9	Fort Myers 2	CC	NG	1349	N/A	0	17-220	N/A	N/A
10	Fort Myers CT's	GT	NG, ULSD	296	N/A	0	N/A	N/A	N/A
11	Lauderdale 4	CC	NG	438	N/A	0	7-59	N/A	N/A
12	Lauderdale 5	CC	NG	438	N/A	0	7-59	N/A	N/A
13	Lauderdale Gas Turbines 1-12	GT	NG, DFO	342	N/A	0	N/A	N/A	N/A
14	Lauderdale Gas Turbines 13-24	GT	NG, DFO	342	N/A	0	N/A	N/A	N/A
15	Port Everglades Gas Turbines 1-12	GT	NG, DFO	342	N/A	0	N/A	N/A	N/A
16	Port Everglades 1	ST	NG, RFO	203	N/A	0	N/A	N/A	N/A
17	Port Everglades 2	ST	NG, RFO	203	N/A	0	N/A	N/A	N/A
18	Port Everglades 3	ST	NG, RFO	370	N/A	0	N/A	N/A	N/A

	A	B	C	D	E	F	G	H	I
19	Port Everglades 4	ST	NG, RFO	370	N/A	0	N/A	N/A	N/A
20	Port Everglades 5	CC	NG, ULSD	1219	N/A	0	18-255	N/A	N/A
21	Riviera 5	CC	NG, ULSD	1219	N/A	0	14-205	N/A	N/A
22	Sanford 3	ST	NG, RFO	138	N/A	0	N/A	N/A	N/A
23	Sanford 4	CC	NG	910	N/A	0	0.5	N/A	N/A
24	Sanford 5	CC	NG, DFO	896	N/A	0	0.5	N/A	N/A
25	Turkey Point 1	ST	NG, RFO	385	N/A	0	N/A	N/A	N/A
26	Turkey Point 2	ST	NG, RFO	0	N/A	0	N/A	N/A	N/A
27	Turkey Point 3	PWR	NUC	693	N/A	N/A	N/A	N/A	N/A
28	Turkey Point 4	PWR	NUC	693	N/A	N/A	N/A	N/A	N/A
29	Turkey Point 5	CC	NG, ULSD	1049	N/A	0	N/A	N/A	N/A
30	Manatee 1	ST	NG, RFO	792	55.6	0	0.03	N/A	N/A
31	Manatee 2	ST	NG, RFO	792	55.6	0	0.03	N/A	N/A
32	Manatee 3	CC	NG	1054	N/A	0	0.03	N/A	N/A
33	Martin 1	ST	NG, RFO	795	55.6	0	0.02	N/A	N/A

	A	B	C	D	E	F	G	H	I
34	Martin 2	ST	NG, RFO	799	55.6	0	0.02	N/A	N/A
35	Martin 3	CC	NG, RFO	423	N/A	0	0.02	N/A	N/A
36	Martin 4	CC	NG	423	N/A	0	0.02	N/A	N/A
37	Martin 8	CC	NG, ULSD	1070	N/A	0	0.02	N/A	N/A
38	Martin 9	ST	SUN	75*	N/A	N/A	0.02	N/A	N/A
39	St. Lucie 1	PWR	NUC	839	N/A	N/A	17-231	N/A	N/A
40	St. Lucie 2	PWR	NUC	745*	N/A	N/A	17-231	N/A	N/A
41	Putnam 1	CC	NG, DFO	239	N/A	0	0	N/A	N/A
42	Putnam 2	CC	NG, DFO	239	N/A	0	0	N/A	N/A
43	West County Energy Center 1	CC	NG, ULSD	1219	N/A	0	N/A	N/A	N/A
44	West County Energy Center 2	CC	NG, ULSD	1219	N/A	0	N/A	N/A	N/A
45	West County Energy Center 3	CC	NG, ULSD	1219	N/A	0	N/A	N/A	N/A
46	SJRPP 1	ST	BIT	127**	Study Underway	0	0.1	Estimate Not Available from operator	Estimate Not Available from operator
47	SJRPP 2	ST	BIT	127**	Study Underway	0	0.1	Estimate Not Available from operator	Estimate Not Available from operator
48	Schrer 4	ST	SUB	648**	N/A	0	1.05 - 5.9		

	A	B	C	D	E	F	G	H	I
49	Space Coast Solar Energy	PV	SUN	10	N/A	N/A	N/A	N/A	N/A
50	Desoto Solar Energy	PV	SUN	25	N/A	N/A	N/A	N/A	N/A
51	Unit Type: ST = Steam Turbine, GT = Gas Turbine, CC = Combined Cycle, PV = Photovoltaic Fuel Type: NG = Natural Gas, DFO = Distillate Fuel Oil, RFO = Residual Fuel Oil, ULSD = Ultra-Low Sulfur Distillate, BIT = Bituminous Coal, SUB = Sub-Bituminous Coal, SUN = Solar (PV & thermal), NUC = Nuclear Notes: * Unit capability also included in Martin Unit 8 Net Summer Capability ** FPL Ownership Share only								
52									
53									
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EXHIBIT C

JUSTIFICATION TABLE

EXHIBIT C

Florida Power & Light Company

In Re: Florida Power & Light Company's 2012 Ten Year Power Plant Site Plan

Document	Conf. Y/N	Line No./Col. No.	Florida Statute 366.093(3) Subsection	Affiant
2012 Interrog 43.xlsx	Y	Ln. 48 / Col. H	(e)	Scott Brown
2012 Interrog 43.xlsx	Y	Ln. 48 / Col. I	(e)	Scott Brown
2012 Interrog 43.xlsx	N	Column A	None	
2012 Interrog 43.xlsx	N	Column B	None	
2012 Interrog 43.xlsx	N	Column C	None	
2012 Interrog 43.xlsx	N	Column D	None	
2012 Interrog 43.xlsx	N	Column E	None	
2012 Interrog 43.xlsx	N	Column F	None	
2012 Interrog 43.xlsx	N	Column G	None	

EXHIBIT D

AFFIDAVIT

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Florida Power & Light Company's)
2012 Ten Year Power Plant Site Plan)

DOCKET NO. 120000

STATE OF FLORIDA)
Duval COUNTY)

AFFIDAVIT OF SCOTT BROWN

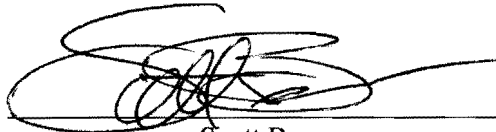
BEFORE ME, the undersigned authority, personally appeared Scott Brown who, being first duly sworn, deposes and says:

1. My name is Scott Brown. I am currently employed by Florida Power & Light Company ("FPL") as Production Manager for St. John's River Power Park and Scherer. I have personal knowledge of the matters stated in this affidavit.

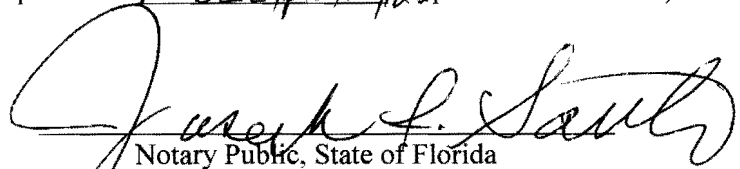
2. I have reviewed Exhibit C and the document that is included with FPL's Request for Confidential Classification of Response to Data Request No. 43, for which I am identified on Exhibit C as the affiant. The document that I have reviewed contains proprietary confidential business information related to Scherer Unit 4 which FPL is obligated by contract with Georgia Power Company not to disclose publicly. Disclosure of this information would impair the competitive interests of the provider of this information. To the best of my knowledge, FPL has maintained the confidentiality of this information.

3. 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 this document.

4. Affiant says nothing further.


Scott Brown

SWORN TO AND SUBSCRIBED before me this 17 day of May 2012, by Scott Brown, who is personally known to me or who has produced FL DL Exp. 5/29/12 (type of identification) as identification and who did take an oath.


Notary Public, State of Florida

My Commission Expires:

