



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: July 24, 2012
TO: Keino Young, Office of General Counsel
FROM: Betty Gardner, ^{BS} Division of Accounting & Finance
RE: Florida Power & Light Company—Docket No. 120015-EI – Confidentiality Request

On July 23, 2012, pursuant to Section 366.093, Florida Statutes (F.S.), Florida Power and Light Company (FPL) filed a request for confidential classification with respect to the highlighted information contained in Document Number 04920-12, FPL's Responses to Staff's 7th Set of Interrogatories No. 242, Attachment 1; Staff's 6th Request for Documents No. 50: Part 1 (only Attachments 22 and 35); and Part 2 (all); OPC's 8th set of Interrogatories (Nos. 144, 146, 148, 149, 151, 157, and 161). FPL states that the information contained in these responses should be classified as proprietary, confidential business information pursuant to Section 366.093(3)(b), (d), (e), and (f), F.S.

FPL requests confidentiality under Subsection 366.093(3)(b), (d), (e), and (f), F.S., which states:

(3) Proprietary confidential business information means information, regardless of form or characteristic, which is owned or controlled by the person or company, is intended to be and 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:

- (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) Employees personnel information unrelated to compensation, duties, qualifications, or responsibilities.

Upon review of the aforementioned documents, staff concurs with FPL that the highlighted information contained in Document No. 4920-12 meet the requirements for confidential classification pursuant to Section 366.093(3)(b), (d), (e) and (f), F.S. Accordingly, this information should be treated as confidential.

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

DATE: 7/24/12
TO: Division of Accounting & Finance, Office of Primary Responsibility
FROM: Office of Commission Clerk
RE: CONFIDENTIALITY OF CERTAIN INFORMATION

Docket No(s): 120015-EI Document No(s): 04920-12

Description: FPL (Moncada) - (CONFIDENTIAL) Certain information included in responses to staff's 7th set of interrogatories No. 242, Attachment 1; staff's 6th request for PODs No. 50: Part 1 (only Attachments 22 and 35); and Part 2 (all); OPC's 8th set of interrogatories (Nos. 144, 146, 148, 149, 151, 157, and 161). [x-ref. DN 04407-12]

Source: Florida Power & Light Company

The above-referenced confidential material was filed along with a request for confidential classification. Please check all applicable information and forward a copy to the attorney assigned to the docket, along with a brief memorandum supporting your recommendation. Copies of your recommendation should also be filed with the Office of Commission Clerk and the Office of General Counsel.

- 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 Betty Gardner on 7/24/12. I have provided one copy of the full recommendation to the Office of General Counsel and two copies to the Office of Commission Clerk for the docket file and processing of the confidential material.