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July 9, 2019

-VIA ELECTRONIC FILING -

Adam Teitzman  
Commission Clerk  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850

REDACTED

RECEIVED-FPSC  
2019 JUL -9 PM 2:16  
COMMISSION  
CLERK

Re: Docket No. 20190007-EI

Dear Mr. Teitzman:

I enclose for filing in the above docket Florida Power & Light Company's ("FPL") Request for Confidential Classification of Materials Provided Pursuant to Audit No. 2019-018-4-1. 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 is the declaration in support of FPL's Request for Confidential Classification.

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

Sincerely,

Maria J. Moncada

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AFD \_\_\_\_\_  
APA 1 ENB  
ECO \_\_\_\_\_  
ENG \_\_\_\_\_  
GCL \_\_\_\_\_  
IDM \_\_\_\_\_  
CLK \_\_\_\_\_  
Enclosure

cc: Counsel for Parties of Record (w/ copy of FPL's Request for Confidential Classification)

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Environmental cost recovery clause

Docket No: 20190007-EI

Date: July 9, 2019

**FLORIDA POWER & LIGHT COMPANY'S  
REQUEST FOR CONFIDENTIAL CLASSIFICATION OF  
MATERIALS PROVIDED PURSUANT TO AUDIT NO. 2019-018-4-1**

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 material provided to the Staff of the Florida Public Service Commission ("Staff") pursuant to Audit Control No. 2019-018-4-1 ("the Audit"). In support of this request, FPL states as follows:

1. During the Audit, FPL provided Staff with various confidential documents. By letter dated June 18, 2019 Staff indicated its intent to retain certain audit work papers. Pursuant to Rule 25-22.006(3)(a), FPL was given 21 days from the date of the letter to file a formal request for confidential classification with respect to the work papers. Accordingly, FPL files this Request for Confidential Classification to maintain continued confidential handling of the confidential work papers.

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

a. Exhibit A consists of a copy the confidential documents, on which all information that is entitled to confidential treatment under Florida law has been highlighted.

b. Exhibit B consists of a copy of the confidential documents, on which all the information that is entitled to confidential treatment under Florida law has been redacted. For the documents that are confidential in their entirety, FPL has included only identifying cover pages in Exhibit B.

c. Exhibit C is a table containing an identification of the information highlighted in Exhibit A by page and line and a brief description of the confidential information. Exhibit C also references the specific statutory bases for the claim of confidentiality and identifies the declarant who supports the requested classification.

d. Exhibit D contains the declaration of Scott E. 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. 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.

4. As described more fully in the declaration included as 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.

5. Also, certain information in these documents concern FPL's competitive interests, the disclosure of which would impair the competitive business of FPL and its vendors. This information is protected by Section 366.093(3)(e), Fla. Stat.

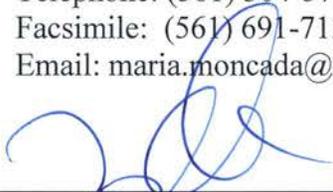
6. Upon a finding by the Commission that the information highlighted in Exhibit A, and referenced in Exhibit C, is proprietary confidential business information, the information

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**, 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,

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By: 

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Maria J. Moncada  
Florida Bar No. 0773301

**CERTIFICATE OF SERVICE**

**Docket No. 20190007-EI**

I **HEREBY CERTIFY** that a true and correct copy of the foregoing Request for Confidential Classification\* has been furnished by electronic mail on this 9th day of July 2019 to the following:

Ashley Weisenfield  
Charles Murphy  
**Office of General Counsel**  
Florida Public Service Commission  
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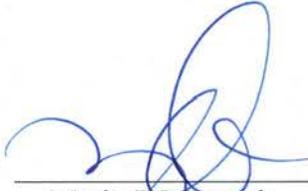
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Users Group**

By: 

\_\_\_\_\_  
Maria J. Moncada  
Florida Bar No. 0773301

\* 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”**

05/22/18

REVISED 5/11/2018

Joint Owner Billing Summary  
 Florida Power & Light  
 May 10, 2018

A

Item	Amounts Due Georgia Power Company
Scherer 4 Depository Account Reconciliation (232-3530G)	\$ 1 [REDACTED]
Scherer 892 Costs (232-3530G) (Effluent Guidelines)	2 [REDACTED]
<b>Invoice Total Due GPC on May 31, 2018</b>	<b>\$ 3 [REDACTED]</b>

Item	Amounts Due Florida Power & Light
Scherer 4 Depository Account Reconciliation (232-3530G)	\$ 4 [REDACTED]
Scherer 892 Costs (232-3530G) (Effluent Guidelines)	5 [REDACTED]
Scherer EPA Auction Refund (232-3530G)	6 [REDACTED]
<b>Invoice Total Due FP&amp;L on May 31, 2018</b>	<b>\$ 7 [REDACTED] 44</b>

PIP/PPP Accrual January 2018 through April 2018 (Currently Not Payable)	\$ 8 [REDACTED]
PIP/PPP Payroll Tax Accrual January 2018 through April 2018 (Currently Not Payable)	9 [REDACTED]

Item	Amounts Due Georgia Power Company
Scherer Performance Fee (421-410)	\$ 10 [REDACTED]
<b>Invoice Total Due GPC on June 1, 2018</b>	<b>\$ 11 [REDACTED]</b>

cc: Mike Protsman      Scott Brown (FP&L)  
 David Poroch         Estelle Risher

CONFIDENTIAL

SOURCE PBC DL3

44.2

# **EXHIBIT**

**“C”**

**EXHIBIT C**

**COMPANY:** Florida Power & Light Company  
**TITLE:** List of Confidential Workpapers  
**AUDIT:** FPL, Environmental Audit  
**AUDIT CONTROL NO:** 2019-018-4-1  
**DOCKET NO:** 20190007-EI  
**DATE:** July 9, 2019

Workpaper No.	Description	No. of Pages	Conf Y/N	Column No./Line No.	Florida Statute 366.093 (3) Subsection	Declarant
44	SO2 Allowances	1	N			
44.1	SO2 Allowances	1	N			
44.2	SO2 Allowances	1	Y	Col. A, Lns 1 - 11	(d), (e)	S. Brown
44-1	NOx Allowances	1	N			
44-1.1	NOx Allowances	1	N			
44-1.1	NOx Allowances	1	N			
44-1.1	NOx Allowances	1	N			
44-1.1	NOx Allowances	1	N			
44-1.1	NOx Allowances	1	N			
44-1.1	NOx Allowances	1	N			

# **EXHIBIT**

**“D”**

**EXHIBIT D**

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Environmental Cost Recovery Clause

Docket No: 20190007-EI

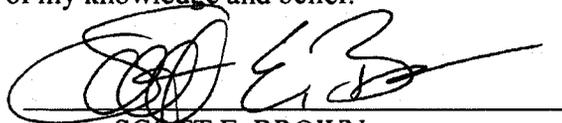
**DECLARATION OF SCOTT E. BROWN**

1. My name is Scott E. Brown. I am currently employed by Florida Power & Light Company ("FPL") as Production Manager, Scherer and St. Johns River Power Park in the Power Generation Division. I have personal knowledge of the matters stated in this written declaration.

2. I have reviewed Exhibit C, and the documents that are included in Exhibit A to FPL's Request for Confidential Classification of Information Obtained in Connection with Audit No. 2019-018-4-1 for which I am designated as the declarant. The documents that I have reviewed and which are asserted by FPL to be proprietary confidential business information contain or constitute information related to competitive interests and contractual data of FPL and Georgia Power, the disclosure of which would impair FPL's and Georgia Power's competitive business and their ability to contract for goods and services on favorable terms. Specifically, this information contains contract payment information including performance dollars with Georgia Power Company. 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 least eighteen (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.

  
\_\_\_\_\_  
SCOTT E. BROWN

Date: 7/2/2019