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May 17, 2021

-VIA HAND DELIVERY-

Adam Teitzman
Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

REDACTED

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2021 MAY 17 PM 3:58
COMMISSION CLERK

**RE: Docket 20200000-OT (Undocketed filings for 2021)
Florida Power & Light Company and Gulf Power Company 2021-2030 Ten-Year
Power Plant Site Plan**

Dear Mr. Teitzman:

I enclose for filing in the above docket Florida Power & Light Company and Gulf Power Company's Request for Confidential Classification of Information Provided in Response to Staff's First Data Request (No. 68). 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 contains the declaration in support of FPL's request.

If there are any questions regarding this transmittal, please contact me at (561)304-5662.

Sincerely,

July Stupel for William Cox

William P. Cox
Senior Attorney
Fla. Bar No. 0093531

Enclosure

cc: Douglas Wright / Donald Phillips, Division of Engineering

- COM _____
- AFD _____
- APA _____
- ECO _____
- ENG** 1 Exh B
- GCL _____
- IDM _____
- CLK _____

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Florida Power & Light Company and
Gulf Power Company's 2021-2030 Ten Year
Power Plant Site Plan

Docket No. 20210000-OT

Filed: May 17, 2021

**FLORIDA POWER & LIGHT COMPANY AND GULF POWER COMPANY'S
REQUEST FOR CONFIDENTIAL CLASSIFICATION
OF INFORMATION PROVIDED IN RESPONSE TO
STAFF OF THE FLORIDA PUBLIC SERVICE COMMISSION'S
FIRST DATA REQUEST (NO. 68)**

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 information provided in response to the Staff of the Florida Public Service Commission's ("Staff") First Data Request (No. 68) ("Confidential Discovery Response"). In support of its Request, FPL states as follows:

1. On March 16, 2021, Staff served its First Data Request (Nos. 1-83) on FPL. FPL's Response to Staff's First Data Request (No. 69) contains information of a confidential nature within the meaning of Section 366.093(3), Florida Statutes.

2. FPL served its responses to Staff's First Data Request (Nos. 1-83) on May 17, 2021. This request is being filed contemporaneously with the service of the responses to Staff's discovery in order to request confidential classification of the Confidential Discovery Responses consistent with Rule 25-22.006, Florida Administrative Code.

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

a. Exhibit A consists of a copy of the Confidential Discovery Responses on which all information that FPL asserts is entitled to confidential treatment is highlighted.

b. Exhibit B consists of an edited version of the Confidential Discovery Responses on which all information that FPL asserts is entitled to confidential treatment is redacted.

c. Exhibit C is a table containing a page-and-line identification of the information highlighted in Exhibit A and a brief description of the Confidential Information. Exhibit C also references the specific statutory bases for the claim of confidentiality and identifies the declarants who support the requested classification.

d. Exhibit D contains the declaration of Tomey Tuttle in support of this Request.

4. 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.

5. As the description included in Exhibit C and the declarations included in Exhibit D indicate, the Confidential Discovery Response provided by FPL contains information concerning bids or other contractual data, the disclosure of which would impair the efforts of FPL to contract for goods and services on favorable terms. This information is protected by Section 366.093(3)(d), Fla. Stat.

6. Additionally, certain information relates to the competitive interests of FPL and its vendors, the disclosure of which would impair their competitive interests. This information is protected by Section 366.093(3)(e), Fla. Stat.

7. 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 eighteen (18) month period 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.

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,

William P. Cox, Esq.
Senior Attorney
Florida Power & Light Company
700 Universe Boulevard
Juno Beach, FL 33408
Telephone: (561) 304-5662
Facsimile: (561) 691-7135

By:  for William Cox
William R. Cox
Fla. Bar No. 0093531

CERTIFICATE OF SERVICE
Docket No. 20210000-OT

I **HEREBY CERTIFY** that a true and correct copy of the foregoing Request for Confidential Classification* has been furnished by electronic service this 17th day of May 2021 to the following:

Doug Wright
Donald Phillips
Division of Engineering
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399

By: 
William P. Cox
Florida Bar No. 0093531

* 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

REDACTED

	A	B	C	D	E	F	G	H	I	J	K
1											
2											
3											
4											
5											
6											
7											
8											
9											
10	TYSP Year		2021								
11	Staff's Data Request #		1								
12	Question No.		68								
13											
14	Unit	Unit	Fuel	Net Summer	Estimated EPA Rule Impacts: Cost Effects (CPVRR \$ millions)						
15		Type	Type	Capacity	ELGS	ACE or replacement	MATS	CSAPR/ CAIR	CWIS	CCR	
16		(MW)								Non- Hazardous Waste	Special Waste
17											
18	Cape Canaveral 3	CC	NG, ULSD	1290	N/A	N/A	N/A	N/A	3.22	N/A	N/A
19	Fort Myers Gas Turbines 1 & 2	GT	DFO	108	N/A	N/A	N/A	N/A	N/A	N/A	N/A
20	Fort Myers 2	CC	NG	1812	N/A	N/A	N/A	N/A	9.72	N/A	N/A
21	Fort Myers 3 A-D	GT	NG, ULSD	852	N/A	N/A	N/A	N/A	N/A	N/A	N/A
22	Dania Beach 7	CC	NG, ULSD	1,163	N/A	N/A	N/A	N/A	9.96	N/A	N/A
23	Lauderdale Gas Turbines 3 & 4	GT	NG, DFO	69	N/A	N/A	N/A	N/A	N/A	N/A	N/A
24	Lauderdale 6 A-F	GT	NG, ULSD	1155	N/A	N/A	N/A	N/A	N/A	N/A	N/A
25	Port Everglades 5	CC	NG, ULSD	1237	N/A	N/A	N/A	N/A	3.2	N/A	N/A
26	Riviera 5	CC	NG, ULSD	1290	N/A	N/A	N/A	N/A	3.2	N/A	N/A
27	Sanford 4	CC	NG	1176	N/A	N/A	N/A	N/A	0	N/A	N/A
28	Sanford 5	CC	NG, ULSD	1176	N/A	N/A	N/A	N/A	0	N/A	N/A
29	Turkey Point 3	PWR	NUC	837	N/A	N/A	N/A	N/A	N/A	N/A	N/A
30	Turkey Point 4	PWR	NUC	841	N/A	N/A	N/A	N/A	N/A	N/A	N/A
31	Turkey Point 5	CC	NG, ULSD	1270	N/A	N/A	N/A	N/A	N/A	N/A	N/A

	A	B	C	D	E	F	G	H	I	J	K
49	Gulf Clean Energy Center Unit 8	CT	NG, ULSD	940	N/A	N/A	N/A	N/A	N/A	N/A	N/A
50	Pea Ridge	ST	NG	12	N/A	N/A	N/A	N/A	N/A	N/A	N/A
51	Perdidio	IC	LFG	3	N/A	N/A	N/A	N/A	N/A	N/A	N/A
52	Smith	CC,CT	NG,ULSD	692	No additional controls anticipated	N/A	N/A	No Impacts Anticipated	No Impacts Anticipated	21.9	N/A
53	Daniel	ST	Coal	502 ¹	No Impacts Anticipated	None, Unit will be retired in 2024	No Impacts Anticipated	No Impacts Anticipated	No Impacts Anticipated	25.9	N/A
54	Notes										
55	(Include Notes Here)										
56	Units included above only reflect current operating units or projects that are under construction or expected to become operational this year										
57	Unit Type: ST = Steam Turbine, GT = Gas Turbine, CC = Combined Cycle, PV = Photovoltaic, IC = Internal Combustion, BS = Battery Storage										
58	Fuel Type: NG = Natural Gas, DFO = Distillate Fuel Oil, RFO = Residual Fuel Oil, ULSD = Ultra-Low Sulfur Distillate, BIT = Bituminous Coal,										
59	SUB = Sub-Bituminous Coal, SUN = Solar (PV & thermal), NUC = Nuclear, No = None										
60	Notes: ¹ FPL Ownership Share only										
61	² Unit capability also included in Martin Unit 8 Net Summer Capability										
62	³ If additional controls are required for CWIS, most work would be done without any unit impacts and tie-in to existing systems would occur										
63	⁴ FPL's solar and battery storage sites have not been affected by any current federal or state environmental rules and FPL is actively monitoring										

EXHIBIT C

JUSTIFICATION TABLE

EXHIBIT C

COMPANY: Florida Power & Light Company
TITLE: List of Confidential Documents
DOCKET NO: 20210000-EI
DOCKET TITLE: 2021 Ten-Year Site Plan
DATE: May 17, 2021

Set	Data Request	Conf. Y/N	Line/Column	Florida Statute 366.093(3) Subsection	Declarant
Staff's 1 st Set of Data Requests	68 (Attachment No. 1)	Y	Line 45, Column E, I, and J	(d) (e)	Tomey Tuttle
			Line 46, Columns I, and J	(d) (e)	Tomey Tuttle

EXHIBIT D

DECLARATIONS

EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Florida Power & Light Company and
Gulf Power Company 2021-2030 Ten- Year
Site Plan.

Docket No: 20210000-EI

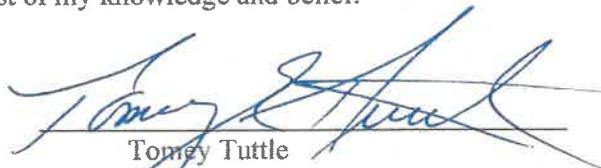
DECLARATION OF TOMEY TUTTLE

1. My name is Tomey Tuttle. I am currently employed by Florida Power & Light Company ("FPL") as Manager in Environmental Services. I have personal knowledge of the matters stated in this written declaration.

2. I have reviewed the documents referenced and incorporated in FPL's Request for Confidential Classification for which I am identified as a declarant. The documents or materials that I have reviewed and which are asserted by FPL to contain information concerning bids or other contractual data, the disclosure of which would impair the efforts of the FPL or its affiliates to contract for goods and services on favorable terms (SECTION 366.093(3)(D), F.S.). The information also relates to competitive interests, the disclosure of which would impair the competitive business of the provider of the information (SECTION 366.093(3)(E), F.S.). Specifically, the documents contain information related to FPL's contract with a particular vendor. Release of this information would put FPL at a competitive disadvantage because it would negatively impact our ability to negotiate with vendors in the future, to the detriment of customers. 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 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 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.


Tomey Tuttle

Date: May 17, 2021