

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Fuel and purchase power cost recovery
clause with generating performance incentive
factor

Docket No: 20210001-EI

Date: July 28, 2021

**FLORIDA POWER & LIGHT COMPANY'S SECOND REQUEST
FOR EXTENSION OF CONFIDENTIAL CLASSIFICATION OF
MATERIALS PROVIDED PURSUANT TO AUDIT NO. 2016-020-4-2**

Pursuant to Section 366.093, Florida Statutes ("Section 366.093") and Rule 25-22.006, Florida Administrative Code, Florida Power & Light Company ("FPL") hereby submits its Second Request for Extension of Confidential Classification of Information Provided Pursuant to Audit No. 2016-020-4-2 ("Confidential Information"). In support of this request, FPL states as follows:

1. On May 24, 2016, FPL filed a Request for Confidential Classification of the Confidential Information, which included Exhibits A, B, C and D ("May 24, 2016 Request"). By Order No. PSC-16-0403-CFO-EI, dated September 21, 2016 ("Order 0403"), the Commission granted FPL's May 24, 2016 Request. FPL adopts and incorporates by reference the May 24, 2016 Request and Order 0403.

2. On March 21, 2018 FPL filed its First Request for Extension of Confidential Classification of the Confidential Information which included First Revised Exhibit A, First Revised Exhibit B, together with First Revised Exhibit C to reduce the number of pages for which confidential treatment is sought and First Revised Exhibit D ("March 21, 2018 Request").

3. On July 20, 2018 FPL filed its Amended First Request for Extension of Confidential Classification of the Confidential Information, solely to clarify the requested period of protection for the Confidential Information. By Order No. PSC-2018-0376-CFO-EG, dated

July 30, 2018 (“Order 0376”), the Commission granted FPL’s July 20, 2018 Request. FPL adopts and incorporates by reference the July 20, 2018 Request and Order 0376.

4. The period of confidential treatment granted by Order 0376 will soon expire. The Confidential Information that was the subject of FPL’s July 20, 2018 Amended First Request and Order 0376 warrants continued treatment as proprietary and confidential business information within the meaning of Section 366.093(3).

5. FPL hereby submits its Second Request for Extension of Confidential Classification. All of the information designated in Exhibits A, B and C to FPL’s July 20, 2018 Amended First Request remains confidential. Accordingly, Exhibits A and B will not be reproduced or reattached herein.

6. The declarants supporting this request have changed. Included with this request is Second Revised Exhibit C denoting a new declarant. Second Revised Exhibit C is a table that identifies the specific pages, lines or columns that remain confidential. The table also references the specific statutory basis for confidentiality and the declarants who support the requested classification.

7. Also included as Second Revised Exhibit D are the declarations of Antonio Maceo, Charles R. Rote and Gerard J. Yupp in support of this request.

8. 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 materials are entitled to confidential treatment and are 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.

9. As explained more fully in the declarations included as Second Revised Exhibit D, certain documents contain information concerning internal auditing controls and reports of internal auditors. This information is protected by Section 366.093(3)(b), Fla. Stat.

10. Additionally, certain documents contain information related to security measures, systems or procedures. This information is protected by Section 366.093(3)(c), Fla. Stat.

11. As explained more fully in the declaration included as Second Revised 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.

12. Also, certain documents contain information relating to 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.

13. Nothing has changed since the Commission entered Order 0376 to render the Confidential Information identified in Second Revised Exhibit C stale or public, such that continued confidential treatment would not be appropriate.

14. Pursuant to Section 366.093(4), F.S., the information for which confidential classification is granted remains protected from disclosure up to 18 months unless good cause is shown to grant protection from disclosure for a longer period. Currently, the Commission retains audit reports for period of seven years at which time the audit materials are returned to FPL unless Commission staff or another affected person requests that these audit materials continue to be retained. The nature of these materials will not change in the next three years.

Therefore, to promote administrative efficiency, FPL requests confidential classification for a period of thirty-six (36) months. 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 thirty-six (36) 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 included with or incorporated in this Request, Florida Power & Light Company respectfully requests that its Second Request for Extension of Confidential Classification be granted.

Respectfully submitted,

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By: *s/ David M. Lee*
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CERTIFICATE OF SERVICE
Docket No. 20210001-EI

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished

by electronic service on this 28th day of July 2021 to the following:

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SECOND REVISED EXHIBIT C

COMPANY: Florida Power & Light Company
TITLE: List of Confidential Workpapers
AUDIT: FPL Capacity Audit
AUDIT CONTROL NO: 16-020-4-2
DOCKET NO: 20210001-EI
DATE: July 28, 2021

Bold denotes revision to reduce the amount of confidential classification previously requested or a new affiant

Workpaper No.	Description	No. of Pages	Conf Y/N	Line No./Column No.	Florida Statute 366.093 (3) Subsection	Declarant
9-1	Review of Internal Audit	2	Y	ALL	(b)	A. Maceo
42-1 p.2	Account Explanation	1	N			
42-1/1	Transmission Revenues	1	N			
42-1/1-1	Transmission Revenues	1	N			
42-1/1-2	Invoice	1	N			
42-1/1-2/1	Invoice	2	N			
42-1/1-3	Transmission Service Sales	1	N			
42-1/1-3/1	Transmission Sales Report	4	N			
42-1/1-4	Transmission Sales	1	N			
42-1/2	Deal Form	1	N			
42-1/2-1	Entry Form	1	N			
42-1/3	Deal Form	1	N			
42-1/3-1	Entry Form	1	N			
42-1/4	Deal Form	1	Y			
42-1/5	Deal Form	1	N			
42-1/6	Deal Form	1	N			
42-1/7	Rates	1	N			
42-1/8	Deal Form	1	N			
42-1/8-1	Tariff	1	N			
42-1/8-2	Tariff	1	N			
44-3	Security Costs Sample	3	Y N	Pg.1, Col. A, Lns. 1-6 Col. B, Lns. 1-9 Pgs. 2 and 3	(c), (d), (e)	C. Rote
46-2	Purchased Power	1	N			
46-2/1	Purchased Power	1	N			
46-2/1-1	Purchased Power	1	N			
46-2/2	Purchased Power	4	N Y	Pgs. 1-3 Pg. 4, Col. A, Lns. 1-11	(d), (e)	G. Yupp
46-3	Purchased Power	1	N			
46-3/1	Calculation of Purchased Power	1	N			
46-3/2	Calculation of Purchased Power	1	N			
46-3/3	Calculation of Purchased Power	1	N			
46-4	Purchased Power	1	N			

Workpaper No.	Description	No. of Pages	Conf Y/N	Line No./Column No.	Florida Statute 366.093 (3) Subsection	Declarant
46-4/1	Purchased Power	1	N			
46-4/2	Calculation of Purchased Power	2	N			
46-5	Purchased Power	1	N			
46-5/1	Purchased Power	1	N			
46-5/2	Purchased Power	1	N			
46-5/2-1	Purchased Power	1	N			
46-5/2-2	Purchased Power	1	N			
46-5/3	Purchased Power Invoice	1	N			
46-6	Purchased Power	1	N			
46-6/1	Explanation	1	N			

SECOND REVISED EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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Factor

Docket No. 20210001-EI

DECLARATION OF ANTONIO MACEO

1. My name is Antonio Maceo. I am currently employed by Florida Power & Light Company ("FPL") as Senior Manager of Internal Auditing. I have personal knowledge of the matters stated in this written declaration.

2. I have reviewed Exhibit C and the documents that are referenced and incorporated in FPL's Second Request for Extension of Confidential Classification of Information Obtained in Connection with Audit No. 16-020-4-2 for which I am identified as the declarant. The documents or materials that I have reviewed and which, in whole or in part, are asserted by FPL to be proprietary confidential business information, contain or constitute internal auditing controls, reports or notes of internal auditors, or information relating to internal auditing reports issued in 2015. Full and frank disclosure of information to the Internal Auditing department is essential for the department to fulfill its role, and the confidential status of internal auditing scope, process, findings, and reports supports such disclosure. The release of information related to reports of internal auditors would be harmful to FPL and its customers because it may affect the effectiveness of the Internal Auditing department itself. To the best of my knowledge, FPL has maintained the confidentiality of this information.

3. Nothing has occurred since the issuance of Order No. PSC-2018-0376-CFO-EI to render the information stale or public, such that continued confidential treatment would not be appropriate. Therefore, the information should remain confidential for a period of not less than 36 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.



ANTONIO MACEO

Date: _____

7/27/21

SECOND REVISED EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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Docket No. 20210001-EI

DECLARATION OF CHARLES R. ROTE

1. My name is Charles R. Rote. I am currently employed by Florida Power & Light Company ("FPL") as Director Business Services, Power Generation. I have personal knowledge of the matters stated in this written declaration.

2. I have reviewed Exhibit C and the documents that are referenced and incorporated in FPL's Second Request for Extension of Confidential Classification of Information Obtained in Connection with Audit No. 16-020-4-2 for which I am identified as the declarant. The documents or materials that I have reviewed and which are asserted by FPL to be proprietary confidential business information identify FPL's security measures; contain or constitute bids or other contractual data, the disclosure of which would impair FPL's efforts to contract for goods or services on favorable terms in the future; and contain information relating to competitive interests, the disclosure of which would impair the competitive business of the provider of the information. Specifically, the documents contain information concerning services provided for compliance with North American Electric Reliability Corporation Critical Infrastructure Protection requirements and amounts paid to vendors for those services. To the best of my knowledge, FPL has maintained the confidentiality of this information.

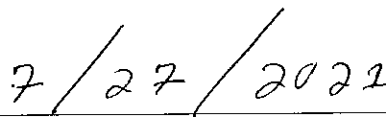
3. Nothing has occurred since the issuance of Order No. PSC-2018-0376-CFO-EI to render the information stale or public, such that continued confidential treatment would not be appropriate. Therefore, the information should remain confidential for a period of not less than 36 months. In addition, they 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.



Charles R. Rote

Date:



SECOND REVISED EXHIBIT D

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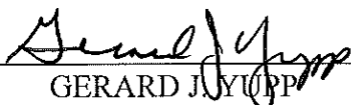
DECLARATION OF GERARD J. YUPP

1. My name is Gerard J. Yupp. I am currently employed by Florida Power & Light Company ("FPL") as Senior Director of Wholesale Operations in the Energy Marketing and Trading business unit. I have personal knowledge of the matters stated in this written declaration.

2. I have reviewed Exhibit C and the documents that are referenced and incorporated in FPL's Second Request for Extension of Confidential Classification of Information Obtained in Connection with Audit No. 16-020-4-2 for which I am identified as the declarant. The documents or materials that I have reviewed and which, in whole or in part, are asserted by FPL to be proprietary confidential business information contain or constitute contractual data such as pricing formulas and other terms, payment records, and supplier rates for capacity and energy transactions, the disclosure of which would impair the efforts of FPL to contract for capacity and energy on favorable terms for the benefit of its customers, and would impair the competitive interests of FPL and its vendors. Certain information in these documents and materials would also place FPL at a disadvantage when coupled with other information that is publicly available. To the best of my knowledge, FPL has maintained the confidentiality of this information.

3. Nothing has occurred since the issuance of Order No. PSC-2018-0376-CFO-EI to render the information stale or public, such that continued confidential treatment would not be appropriate. Therefore, the information should remain confidential for a period of not less than 36 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.


GERARD J. YUPP

Date: 7/26/21