



William P. Cox
Senior Attorney
Florida Power & Light Company
700 Universe Boulevard
Juno Beach, FL 33408-0420
(561) 304-5662
(561) 691-7135 (Facsimile)
Email: will.p.cox@fpl.com

May 24, 2022

-VIA HAND DELIVERY-

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

REDACTED

RECEIVED-FPSC
2022 MAY 24 PM 2:04
COMMISSION CLERK

**RE: Docket 20220000-OT (Undocketed filings for 2022)
Florida Power & Light Company 2022-2031 Ten-Year Power Plant Site Plan**

Dear Mr. Teitzman:

I enclose for filing in the above docket Florida Power & Light Company's ("FPL") Request for Confidential Classification of Information Provided in Response to Staff's Third Data Request (Nos. 2, 8 and 12). The request includes Exhibits A, B (two copies), C, and D.

Exhibit A consists of the confidential documents, some of which is in electronic format on a disk because it is voluminous, 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.

- COM _____
- AFD _____
- APA _____
- ECO _____
- ENG _____
- GCL _____
- IDM _____
- CLK _____

ECO 1 redacted Exh B's

Sincerely,

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

Enclosure

cc: Donald Phillips, Division of Engineering

Florida Power & Light Company

700 Universe Boulevard, Juno Beach, FL 33408

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Florida Power & Light Company's
2022-2031 Ten Year Power Plant Site Plan

Docket No. 20220000-OT

Filed: May 24, 2022

**FLORIDA POWER & LIGHT COMPANY'S
REQUEST FOR CONFIDENTIAL CLASSIFICATION
OF INFORMATION PROVIDED IN RESPONSE TO
STAFF OF THE FLORIDA PUBLIC SERVICE COMMISSION'S
THIRD DATA REQUEST (NOS. 2, 8 AND 12)**

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") Third Data Request (Nos. 2, 8 and 12) ("Confidential Discovery Response"). In support of its Request, FPL states as follows:

1. On May 10, 2022, Staff served its Third Data Request on FPL. FPL's Response to Staff's Third Data Request (Nos. 2, 8 and 12) contains information of a confidential nature within the meaning of Section 366.093(3), Florida Statutes.

2. FPL served its responses to Staff's Third Data Request on May 24, 2022. 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, some of these responses are provide in electronic format on a disk.

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, for documents that are confidential in their entirety, an insert sheet is provided.

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 declarations of Lisa Fuca, Gerry Yupp and Matthew Simmons 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 Sections 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: /s/ William P. Cox
William P. Cox
Fla. Bar No. 0093531

CERTIFICATE OF SERVICE
Docket No. 20220000-OT

I HEREBY CERTIFY that a true and correct copy of the foregoing Request for Confidential Classification* has been furnished by electronic service this 24th day of May 2022 to the following:

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

By: /s/ William P. Cox
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

FPL's response to Staff's Third Set of Interrogatories No. 2, Attachment No. 1 Bates Nos. 000021-000023, is confidential in its entirety.

- 1
2
- c. The total cost of the Exelon contract was [REDACTED]. The total cost of the Rainbow Energy contract was [REDACTED]. The contract term for both agreements was January 1, 2022 to February 28, 2022. FPL did not purchase energy pursuant to either contract, so the cost reflects the amount paid for capacity.
- i. FPL did not call on and, therefore, did not receive energy pursuant to either contract as an extreme winter weather event never transpired.
- d. During the summer of 2021, FPL identified an approximately 500 MW capacity need for the January-February 2022 period. Based on the identified need, FPL began to identify counterparties that were directly interconnected to the FPL transmission system and had available capacity. A counterparty directly interconnected to FPL is desirable as it reduces the overall cost of transmission and is generally more reliable. This effort resulted in the identification of only one counterparty, Rainbow Energy/Oleander that met the requirements. Therefore, FPL began discussions with Rainbow Energy/Oleander to purchase up to 310 MW of capacity. Those negotiations concluded in October 2021. In conjunction with those negotiations, FPL began looking at other counterparties located outside of FPL's Balancing Authority, such as Effingham Combined Cycle, Santa Rosa Combined Cycle, and Exelon Generation/Hillabee from which to procure the balance of capacity needed. Exelon Generation/Hillabee was chosen as the most cost-effective. FPL concluded negotiations to purchase 160 MW from Exelon Generation/Hillabee in the October 2021 timeframe.
- e. The Florida market does not have much excess generation capacity. The majority of generation resources are already under contract to other end users such as Seminole and FMPA. Thus, FPL worked with counterparties that FPL knew had available capacity in the January-February 2022 timeframe. When approaching a tight capacity market, such as Florida, FPL is cautious not to alert the market so that counterparties recognize FPL is short capacity. To prevent the market from attempting to take advantage of the situation by increasing their prices, FPL approached both Exelon Generation/Hillabee and Rainbow Energy/Oleander directly for capacity. FPL negotiated pricing that was determined to be favorable to the Company, given the limited options available to purchase capacity.
- f. Please see FPL's response to subpart (e) above.
- g. Please see FPL's response to subpart (e) above.

The response to Staff's 3rd Data Request, No. 12 is voluminous and is being provided in electronic format on a disk.

EXHIBIT C

JUSTIFICATION TABLE

EXHIBIT C

COMPANY: Florida Power & Light Company
TITLE: List of Confidential Documents
DOCKET NO: 20220000-EI
DOCKET TITLE: 2022-2031 Ten-Year Site Plan
DATE: May 24, 2022

Set	Data Request	Conf. Y/N	Line/Column	Florida Statute 366.093(3) Subsection	Declarant
Staff's 3rd Set of Data Requests	DR 2, Att. 1	Y	All Bates Nos. 000021-000023	(d) (e)	Lisa Fuca
Staff's 3rd Set of Data Requests	DR 8	Y	Page 3, Lines 1-2 Bates No. FPL & Gulf 000026	(d) (e)	Gerry Yupp
Staff's 3rd Set of Data Requests	DR 12, Att. 1	Y	"FPL + Gulf Forecast" Tab, Cols. B-C, Rows 12-34 (on CD)	(d) (e)	Matthew Simmons
Staff's 3rd Set of Data Requests	DR 12, Att. 1	Y	"Gulf Forecast" Tab, Cols. B-C, Rows 12-34 (on CD)	(d) (e)	Matthew Simmons
Staff's 3rd Set of Data Requests	DR 12, Att. 1	Y	"FPL Forecast" Tab, Cols. B-C, Rows 12-34 (on CD)	(d) (e)	Matthew Simmons

EXHIBIT D

DECLARATIONS

EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Florida Power & Light Company's 2022-
2031 Ten- Year Site Plan.

Docket No: 20220000-EI

DECLARATION OF LISA FUCA

1. My name is Lisa Fuca. I am currently employed by Florida Power & Light Company ("FPL") as Principal Business Analyst, Nuclear. 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 confidential information relating 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.). 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.



Lisa Fuca

Date: 5/23/2022

EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Florida Power & Light Company's 2022-
2031 Ten- Year Site Plan.

Docket No: 20220000-EI

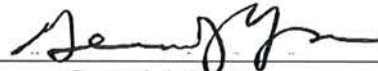
DECLARATION OF GERRY J. YUPP

1. My name is Gerard J. Yupp. I am currently employed by Florida Power & Light Company ("FPL") as Senior Director, Wholesale Operations. 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 confidential information, contain 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 documents also contain information relating 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.). 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.



Gerard J. Yupp

Date: 5/20/22

EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Florida Power & Light Company's 2022-
2031 Ten- Year Site Plan.

Docket No: 20220000-EI

DECLARATION OF MATTHEW SIMMONS

1. My name is Matthew Simmons. I am currently employed by Florida Power & Light Company ("FPL") as Director of Revenue and Strategy Analytics. 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 confidential information relating 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.). 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.



Matthew Simmons

Date: 5/23/22