

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Petition by Florida Power & Light  
Company for Base Rate Increase and Rate  
Unification

Docket No. 20210015-EI

Filed: January 30, 2021

**FLORIDA POWER & LIGHT COMPANY’S FIRST REQUEST FOR EXTENSION OF  
CONFIDENTIAL CLASSIFICATION OF CERTAIN INFORMATION PROVIDED IN  
ITS RESPONSES TO SACE’S SECOND REQUEST FOR PRODUCTION OF  
DOCUMENTS, No. 6**

Pursuant to Section 366.093, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, Florida Power & Light Company (“FPL”) hereby submits its First Request for Extension of Confidential Classification of certain information provided in its responses to Southern Alliance for Clean Energy’s (“SACE”) Second Request for Production of Documents, No. 6 (the “Confidential Information”). In support of its Request, FPL states as follows:

1. On May 24, 2021, FPL filed a Request for Confidential Classification of the Confidential Information, which included Exhibits A, B, C, and D (“May 24, 2021 Request”). Document No. 04218-2021. By Order No. PSC-2021-0289-CFO-EI, dated July 29, 2021 (“Order No. 0289”), the Commission granted FPL’s May 24, 2021 Request. FPL adopts and incorporates by reference the May 24, 2021 Request and Order No. 0289.

2. The period of confidential treatment granted by Order 0289 will soon expire. The Confidential Information that was the subject of FPL’s May 24, 2021 Request and Order 0289 warrants continued treatment as proprietary and confidential business information within the meaning of Section 366.093(3). Accordingly, FPL hereby submits its First Request for Extension of Confidential Classification.

3. All of the information designated in Exhibits A and B to the May 24, 2021 Request remains confidential. Accordingly, those exhibits will not be reproduced or reattached here.

Regarding First Revised Exhibit C, all of the information listed in the May 24, 2021 Request remains confidential; the Exhibit is revised only to identify Gerard Yupp as a new declarant, who is sponsoring information that was previously sponsored by Sam Forrest.

4. Also included is First Revised Exhibit D, which consists of the declaration of Gerard Yupp.

5. 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, Fla. Stat., 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.

6. As described in the declarations included as Exhibit D, the Confidential Information consists of information relating to competitive interests, the disclosure of which would impair the competitive business of FPL, and 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. Specifically, some information contains pricing data for fuel contracts and fuel price projections. This information is protected by Sections 366.093(3)(d) and (e), Fla. Stat.

7. Upon a finding by the Commission that the Confidential Information 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 declarations, FPL respectfully requests that its First Request for Extension of Confidential Classification be granted.

Respectfully submitted,

FLORIDA POWER & LIGHT COMPANY

By: /s/ Maria Jose Moncada  
Maria Jose Moncada  
Managing Attorney  
Florida Bar No. 0773301  
Florida Power & Light Company  
700 Universe Boulevard  
Juno Beach, Florida 33408-0420  
(561) 691-7101  
(561) 691-7135 (fax)

**CERTIFICATE OF SERVICE**  
**20210015-EI**

**I HEREBY CERTIFY** that a true and correct copy of the foregoing has been furnished by electronic mail this 30th day of January 2023 to the following parties:

Suzanne Brownless  
Shaw Stiller  
Florida Public Service Commission  
Office of the General Counsel  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850  
sbrownle@psc.state.fl.us  
sstiller@psc.state.fl.us

By: s/ Maria Jose Moncada  
Maria Jose Moncada  
Florida Bar No. 0773301

**Docket No. 20210015-EI**

**FIRST REVISED EXHIBIT “C”**

**FIRST REVISED EXHIBIT C**

**COMPANY:** Florida Power & Light Company  
**TITLE:** Petition by Florida Power & Light Company for Base Rate Increase and Rate Unification  
**DOCKET NO.:** 20210015-EI  
**DATE:** January 30, 2023

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

<b>Int/POD No.</b>	<b>Description</b>	<b>No. of Pages</b>	<b>Conf. Y/N</b>	<b>Line / Column</b>	<b>Florida Statute 366.093(3) Subsection</b>	<b>Declarants</b>
SACE Second Request for Production of Documents, No. 6	Fuel Prices and Fuel Price Projections	8	Y	12-16/L-0	(d) (e)	<b>Gerard Yupp</b>
SACE Second Request for Production of Documents, No. 6	Fuel Prices and Fuel Price Projections	8	Y	17-35/H-0	(d) (e)	<b>Gerard Yupp</b>
SACE Second Request for Production of Documents, No. 6	Fuel Prices and Fuel Price Projections	8	Y	36-45/H-L	(d) (e)	<b>Gerard Yupp</b>
SACE Second Request for Production of Documents, No. 6	Fuel Prices and Fuel Price Projections	8	Y	46-94/H-K	(d) (e)	<b>Gerard Yupp</b>
SACE Second Request for Production of Documents, No. 6	Fuel Prices and Fuel Price Projections	8	Y	72-1007/B-E	(d) (e)	<b>Gerard Yupp</b>

**Docket No. 20210015-EI**

**FIRST REVISED EXHIBIT “D”**

**FIRST REVISED EXHIBIT D**

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Petition by Florida Power & Light Company  
for Base Rate Increase and Rate Unification

Docket No: 20210015-EI

**DECLARATION OF GERARD YUPP**

1. My name is Gerard Yupp. I am currently employed by Florida Power & Light Company ("FPL") as Senior Director, Wholesale Operations, Energy Marketing and Trading. 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, specifically the materials provided in my response to Southern Alliance for Clean Energy's Second Request for Production of Documents, No. 6. The documents or materials that I have reviewed and which are proprietary confidential business information contain competitive business information the disclosure of which would impair the competitive business of the provider of the information, as well as 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. Specifically, the information contains fuel contract pricing and fuel price projections. To the best of my knowledge, FPL has maintained the confidentiality of these documents and materials.

3. Nothing has occurred since the issuance of Order No. PSC-2021-0289-CFO-EI to render the designated information stale or public, such that continued confidential treatment would not be appropriate. . Therefore, consistent with the provisions of the Florida Administrative Code, such materials should remain confidential for a period of at least an additional 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 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 Yupp

Date: 1/30/23