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March 14, 2025

VIA HAND DELIVERY

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

REDACTED

COMMISSION
CLERK

2025 MAR 14 PM 1:23

RECEIVED-FPSC

Re: Docket No. 20250011-EI

Dear Mr. Teitzman:

I enclose for filing in the above docket Florida Power & Light Company's ("FPL") Request for Confidential Classification of Information contained in its responses to the Office of Public Counsel's ("OPC") First Set of Interrogatories (Nos. 44, 61 and 62) and First Request for Production of Documents (Nos. 49). The request includes Exhibits A, B (two copies), C and D.

Exhibit A consists of the documents containing confidential information, on which the confidential information has been highlighted. Exhibit A is submitted for filing in an envelope marked "EXHIBIT A" – CONFIDENTIAL. Exhibit B is an edited version of Exhibit A, in which the information FPL asserts is confidential has been redacted. For those documents in Exhibit A are confidential in their entirety, FPL has included only an identifying cover page in Exhibit B. Exhibit C is a justification table in support of FPL's Request for Confidential Classification. Exhibit D contains the declarations in support of FPL's Request. In accordance with Rule 25-22.006(3)(d), Florida Administrative Code, FPL requests confidential treatment of the information in Exhibit A pending disposition of FPL's Request for Confidential Classification.

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

Sincerely,

/s/ Maria Jose Moncada

Maria Jose Moncada

COM _____
AFD 1 Exh "B"-redacted
APA _____
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: Petition by Florida Power & Light
Company for Base Rate Increase

Docket No: 20250011-EI

Date: March 14, 2025

**FLORIDA POWER & LIGHT COMPANY'S REQUEST FOR CONFIDENTIAL
CLASSIFICATION OF INFORMATION PROVIDED IN RESPONSE TO THE
OFFICE OF PUBLIC COUNSEL'S FIRST SET OF INTERROGATORIES
(NOS. 44, 61 AND 62) AND FIRST REQUEST FOR PRODUCTION
OF DOCUMENTS (NO. 49)**

Pursuant to Section 366.093, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, Florida Power & Light Company ("FPL") hereby requests confidential classification of certain documents and information provided in its responses to the Office of Public Counsel's ("OPC") First Set of Interrogatories (Nos. 44, 61 and 62) and First Request for Production of Documents (No. 49) ("Confidential Information"). In support of its request, FPL states as follows:

1. FPL served responses to OPC's First Set of Interrogatories (Nos. 44, 61 and 62) and First Request for Production of Documents (No. 49) on March 14, 2025. Consistent with Rule 25-22.006, Florida Administrative Code, this request is being filed contemporaneously with the service of those responses to request confidential classification of certain information contained therein.

2. The following exhibits are attached to and made a part of this Request:

- a. Exhibit A consists of a copy of the confidential documents on which all information that FPL asserts is confidential has been highlighted.
- b. Exhibit B is a redacted version of the confidential documents. For documents that are confidential in their entirety, FPL has only included identifying cover pages in Exhibit B.

- c. Exhibit C is a table that identifies the information for which confidential treatment is being sought and references the specific statutory basis for the claim of confidentiality and identifies the declarants who support the requested classification.
- d. Exhibit D consists of the declarations of Liz Fuentes, Ina Laney and Timothy Oliver in support of this Request.

3. FPL submits that the Confidential Information is intended to be and has been treated and maintained by FPL as confidential business information, and its disclosure would cause harm to FPL and its customers. Pursuant to Section 366.093, Florida Statutes, 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.

4. As described more fully in the declarations included in Exhibit D, the Confidential Information includes information concerning bids or contractual data, the disclosure of which would impair the efforts of FPL to contract for goods or services on favorable terms. The documents include bids, pricing 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 pricing information related to insurance premiums and solar projects. In addition, the Confidential Information also contains proprietary confidential business information regarding competitive business interests of FPL. Specifically, the materials contain insurance premiums and interest payment amounts. Also, the material contains balances of uncertain tax positions, which is confidential pursuant to 26 U.S.C. § 6103. The disclosure of this information would impair the

competitive business interests of FPL. This information is protected by Section 366.093(3)(d) and (e), Florida Statutes.

5. Upon a finding by the Commission that the Confidential Information is proprietary and confidential business information, the information should not be declassified for at least 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 Section 366.093(4), Florida Statutes.

WHEREFORE, for the above and foregoing reasons, as more fully set forth in the supporting materials, Florida Power & Light Company respectfully requests that its Request for Confidential Classification be granted.

Respectfully submitted this 14th day of March, 2025,

By: /s/ Maria Jose Moncada
John T. Burnett
Vice President and General Counsel
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Maria Jose Moncada
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700 Universe Boulevard
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Phone: 561-304-5253

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by Electronic Mail to the following parties of record this 14th day of March, 2025:

Shaw Stiller
Timothy Sparks
Office of General Counsel
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850
sstiller@psc.state.fl.us
tsparks@psc.state.fl.us
discovery-gcl@psc.state.fl.us

Walt Trierweiler
Mary A. Wessling
Office of Public Counsel
The Florida Legislature
111 W. Madison Street, Room 812
Tallahassee, Florida 32399
trierweiler.walt@leg.state.fl.us
wessling.mary@leg.state.fl.us
**Attorneys for the Citizens of the State of
Florida**

/s/ Maria Jose Moncada

Maria Jose Moncada
Assistant General Counsel
Florida Bar No. 0773301

Attorney for Florida Power & Light Company

EXHIBIT B

REDACTED

The documents comprising FPL's response to OPC's First POD, No. 49, Bates Nos. 003970 to 003992, are confidential in their entirety.

FPL DIRECTORS & OFFICERS LIABILITY INSURANCE EXPENSE SUMMARY

	A	B	C	D	E	F
Response to subpart (a)	FPL 2024	FPL 2025	FPL 2026	FPL 2027	FPL 2028	FPL 2029
	ACTUAL 13-months Average	FORECAST 13-months Average	FORECAST 13-months Average	FORECAST 13-months Average	FORECAST 13-months Average	FORECAST 13-months Average
FERC Acct 165 Prepayments:						

1

	G H							
Response to subparts (b), (c)	FPL							
	2022 ACTUAL	2023 ACTUAL	2024 ACTUAL	2025 FORECAST	2026 FORECAST	2027 FORECAST	2028 FORECAST	2029 FORECAST
FERC Acct 925 LIABILITY INSURANCE:								

2

Response to subpart (d)						
FERC 165 Prepayments Monthly Amounts - Amortization ⁽¹⁾						
Directors & Officers Liability						
	2023			2024		
	Beg Bal	Activity	Ending Balance	Beg Bal	Activity	Ending Balance
3 Jan						
4 Feb						
5 Mar						
6 Apr						
7 May						
8 Jun						
9 Jul						
10 Aug						
11 Sep						
12 Oct						
13 Nov						
14 Dec						

Note:
⁽¹⁾ Prepayment activity relates to **renewal** premiums and its associated amortization

QUESTION:

Uncertain tax positions. Do FPL or NEE anticipate having any uncertain tax positions in 2025, 2026, 2027, 2028 or 2029? If so, identify, quantify, and explain each uncertain tax position, as of each date for each company.

RESPONSE:

Please see FPL's objections served contemporaneously with this response. Subject thereto, and without waiver of objection, FPL responds as follows:

Yes. The balances of FPL's uncertain tax positions (UTP) are shown below:

Item	A	B	C	D	E	F
		Dec 2025	Dec 2026	Dec 2027	Dec 2028	Dec 2029
1						

2						
3						

QUESTION:

FIN 48 Interest. Identify all FIN 48 interest recorded on FPL's books, by account, for each period: (1) the 12-month period ending on December 31, 2023, (2) the 12-month period ending on December 31, 2024, and (3) as projected for December 31, 2025, 2026, 2027, 2028 and 2029.

- a. Identify the general ledger pages showing the FIN 48 interest for each period involving recorded costs.
- b. Identify the journal entries showing the FIN 48 interest for each period involving recorded costs.
- c. Provide a detailed explanation and supporting calculations showing exactly how the FIN 48 interest was calculated for each period, including identifying and explaining the source and basis for the interest rate used and the balance of "uncertain" tax positions to which the interest rate was applied.

RESPONSE:

Refer to Attachment No. 1 to this response for FIN48 interest activity and balances for 2023 and 2024. As reflected in the attachment, FPL did not forecast any FIN48 interest activity for the 2025 through 2029 projected years.

- a. FPL interprets this request to provide the balances associated with FIN48 interest. Based on this assumption, please see Attachment No. 1 for all periods requested. Note, FPL records interest on all tax positions on a net basis and, therefore, journal entries will reflect total tax interest recorded for the period. In addition, please note that all accrued tax interest receivables and payables are offset with either a regulatory asset or regulatory liability. As a result, there is no impact to rate base or net operating income.
- b. Refer to Attachment No. 1, Tab 2 of 2 for 2023 and 2024. As stated previously, FPL has not forecasted any FIN 48 interest activity for the 2025 through 2029 projected periods.
- c. FPL utilizes a software named Tax Position Manager ("TPM") to calculate its FIN48 interest. Interest rates are maintained in TPM based on the amounts published by the Internal Revenue Service on a quarterly basis and are automatically updated in TPM. Within TPM, interest is calculated by each uncertain tax position on the outstanding tax balance through the period specified. Supporting calculations are not available; however, a summary from TPM is provided below which reflects the amount of accrued FIN48 interest change based on the activity of uncertain tax position balances for 2023 through 2024.

FIN48 Interest Payable

		<i>FIN48 Basis subject to Interest Calc</i>		<i>FIN48 Interest by Issue</i>
		A	B	C
Source		Uncertain Tax Position	Tax	Interest
1	Activity 2023-2024			
2				
3	Activity 2023-2024 Total			
Activity Description		2023	2024	Total
4	Interest - FIN48			

EXHIBIT C

JUSTIFICATION TABLE

EXHIBIT C

COMPANY: Florida Power & Light Company
TITLE: Petition by Florida Power & Light Company for Base Rate Increase
DOCKET NO.: 20250011-EI
DATE: March 14, 2025

Int/POD No.	Begin Bates Number	End Bates Number	Description	No. of Pages	Confidential	Line/Col	Florida Statute 366.093(3) Subsection	Declarant
OPC 1 st INT, No. 44 – Attachment 1	003792	003792	D&O Liability Insurance Expense	1	Y	Lines 1-14, Cols. A-H	(d)(e)	Liz Fuentes
OPC 1 st INT, No. 61	003793	003793	Uncertain Tax Positions 2025-2029	1	Y	Lines 1-3, Cols. A-F	(e)	Ina Laney
OPC 1 st INT, No. 62	000490	000491	FIN-48 Interest Activity	2	Y	Lines 1-4, Cols. A-C	(e)	Ina Laney
OPC 1 st POD, No. 49	003970	003971	2022 Solar Together Sourcing Justification - Moss	2	Y	All	(d)	Timothy Oliver
OPC 1 st POD, No. 49	003972	003973	2023 Rate Base Sourcing Justification - Moss	2	Y	All	(d)	Timothy Oliver
OPC 1 st POD, No. 49	003974	003975	2023 Rate Base Sourcing Justification – Moss – OCI	2	Y	All	(d)	Timothy Oliver
OPC 1 st POD, No. 49	003976	003977	2023 Solar Together Sourcing Justification - Moss	2	Y	All	(d)	Timothy Oliver
OPC 1 st POD, No. 49	003978	003981	2024 Solar Justification Letter – Executed	4	Y	All	(d)	Timothy Oliver
OPC 1 st POD, No. 49	003982	003984	2025 FPL Solar EPC Sourcing Justification	3	Y	All	(d)	Timothy Oliver

Int/POD No.	Begin Bates Number	End Bates Number	Description	No. of Pages	Confidential	Line/Col	Florida Statute 366.093(3) Subsection	Declarant
OPC 1 st POD, No. 49	003985	003986	2025 FPL BESS Batch 1 Memo NW Justification Letter	2	Y	All	(d)	Timothy Oliver
OPC 1 st POD, No. 49	003987	003988	2026 Batch 2 Memo FPL Solar Justification Letter	2	Y	All	(d)	Timothy Oliver
OPC 1 st POD, No. 49	003989	003990	2026 Batch 3 Memo FPL Solar Justification Letter	2	Y	All	(d)	Timothy Oliver
OPC 1 st POD, No. 49	003991	003992	2026 Memo FPL Solar Justification Letter	2	Y	All	(d)	Timothy Oliver

EXHIBIT D

DECLARATIONS

EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

Petition by Florida Power & Light Company for
Base Rate Increase

Docket No: 20250011-EI


DECLARATION OF INA LANEY

1. My name is Ina Laney. I am currently employed by Florida Power & Light Company ("FPL") as Senior Director, Financial Forecast Strategy and Analysis. 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 FPL's response to OPC's First Set of Interrogatories, Nos. 61 and 62. The documents or materials that I have reviewed and which are asserted by FPL to be proprietary confidential business information contain information relating competitive interests, the disclosure of which impair the competitive interests of FPL. Specifically, the information contains information pertaining to uncertain tax positions, including interest payments related to those positions. Such information is confidential pursuant to 26 U.S.C. § 6103. 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.


Ina Laney

Date: 3/14/2025

EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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

Docket No: 20250011-EI

DECLARATION OF LIZ FUENTES

1. My name is Liz Fuentes. I am currently employed by Florida Power & Light Company ("FPL") as Executive Director, Regulatory Accounting. 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 FPL's response to OPC's First Set of Interrogatories Nos. 44. The documents or materials that I have reviewed and which are asserted by FPL to be proprietary confidential business information contain contractual pricing information and competitive business information. Specifically, the materials contain insurance premiums and interest payment amounts. The disclosure of this information would impair the competitive business interests of FPL. 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.



Liz Fuentes

Date: 3/14/2025

FIRST REVISED EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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

Docket No: 20250011-EI

DECLARATION OF TIMOTHY OLIVER

1. My name is Timothy Oliver. I am currently employed by Florida Power & Light Company ("FPL") as Vice President of Development. 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 response to the Office of Public Counsel's First Request for Production of Documents No. 49. The documents or materials that I have reviewed and which are proprietary confidential business 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 pricing information related to the solar projects. 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.



Timothy Oliver

Date: 3/13/25