

Maria J. Moncada **Principal Attorney** Florida Power & Light Company 700 Universe Boulevard Juno Beach, FL 33408-0420 (561) 304-5795 (561) 691-7135 (Facsimile) E-mail: maria.moncada@fpl.com

August 16, 2013

VIA HAND DELIVERY

Ms. Ann Cole Commission Clerk Florida Public Service Commission Betty Easley Conference Center 2540 Shumard Oak Boulevard, Room 110 Tallahassee, FL 32399-0850



Re:

Docket No. 130001-EI

Dear Ms. Cole:

I enclose for filing in the above docket the original and seven (7) copies of FPL's Request for Confidential Classification of Certain Information Contained in Hedging Activity Report (Exhibit GJY-3). The original includes Exhibits A through D. The copies do not include the exhibits.

Exhibit A contains the confidential information that is the subject of FPL's Request for Confidential Classification. Exhibit A is submitted for filing separately and marked "EXHIBIT A" - CONFIDENTIAL. Exhibit B is an edited version of Exhibit A, in which the information FPL asserts is confidential has been redacted. Exhibit C consists of FPL's justification table for the Request for Confidential Classification. Exhibit D is the Affidavit of Gerard Yupp in support of FPL's Request for Confidential Classification. In accordance with Rule 25.22.006(3)(d), FPL requests confidential treatment of the information in EXHIBIT A pending disposition of FPL's Request for Confidential Classification.

Also included herewith is a CD containing FPL's Request for Confidential Classification and Exhibit C.

If there are any questions regarding this transmittal, please contact me at 561-304-5795.

Sincerely,

Maria J. Moncada

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Enclosures

cc: parties of record, w/o exhibits

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Fuel and Purchase Power Cost Recovery Clause with Generating Performance Incentive Factor

Docket No: 130001-EI Filed: August 16, 2013

FLORIDA POWER AND LIGHT COMPANY'S REQUEST FOR CONFIDENTIAL CLASSIFICATION OF CERTAIN INFORMATION CONTAINED IN EXHIBIT GJY-3 TO THE FUEL HEDGING ACTIVITY REPORT

Florida Power & Light Company ("FPL"), pursuant to Rule 25-22.006, F.A.C., and Section 366.093, Florida Statutes, requests confidential classification of certain information on fuel hedging activities and market comparisons contained in FPL's Fuel Hedging Activity Report. In support of its Request, FPL states as follows:

- 1. Pursuant to Order No. PSC-08-0316-PAA-EI, FPL filed its Fuel Hedging Activity Report on August 16, 2013, which will be adopted as exhibit GJY-3 in the testimony of FPL witness Gerry J. Yupp in FPL's August 30, 2013 filing in this docket. FPL's Fuel Hedging Activity Report contains FPL proprietary confidential business information. This request is intended to request confidential classification of information contained in the Fuel Hedging Activity Report.
 - 2. The following exhibits are included with this Request:
- a. Exhibit A consists of a copy of the Fuel Hedging Activity Report, in which the confidential information has been highlighted.
- b. Exhibit B consists of a copy of the Fuel Hedging Activity Report in which the confidential information has been redacted.
- c. Exhibit C is a table containing an identification of the information highlighted in Exhibit A, together with references to the specific statutory bases for the claim of confidentiality and to the affiant who supports the requested confidential classification.

- d. Exhibit D consists of the affidavit of Gerard J. Yupp, Senior Director of Wholesale Operations for FPL's Energy Marketing and Trading Division in support of this Request for Confidential Classification.
- 3. FPL submits that the highlighted information in Exhibit A is proprietary confidential business information within the meaning of Section 366.093(3), F.S. This information is intended to be and is treated by FPL as private, and its confidentiality has been maintained. Pursuant to Section 366.093, F.S., such information is entitled to confidential treatment and it 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.
- 4. As the affidavit included as Exhibit D indicates, FPL's Fuel Hedging Activity Report contains or constitutes data pertinent to FPL's fuel hedging program, specifically, the physical and financial details related to FPL's year-to-date hedging results for natural gas and fuel oil. This information constitutes trade secrets of FPL, and is protected by Section 366.093(3)(a), F.S. Additionally, this information, if disclosed would impair the efforts of FPL to contract for goods and services on favorable terms for the benefit of its customers, would impair the competitive interests of FPL and its vendors, and would place FPL at a competitive disadvantage when coupled with other information that is publicly available. This information is protected by Sections 366.093(3)(d) and (e), F.S.
- 5. Upon a finding by the Commission that the Fuel Hedging Activity Report in Exhibit A is proprietary confidential business information within the meaning of Section 366.093(3), F.S., pursuant to Section 366.093(4), F.S. such materials should not be declassified for at least eighteen (18) months and should be returned to FPL as soon as the information no longer is necessary for the Commission to conduct its business.

WHEREFORE, FPL respectfully requests confidential classification of the Fuel Hedging Activity Report.

Respectfully submitted,

R. Wade Litchfield, Esq.
Vice President and General Counsel
John T. Butler, Esq.
Assistant General Counsel – Regulatory
Maria J. Moncada
Principal Attorney
Florida Power & Light Company
700 Universe Boulevard
Juno Beach, FL 33408
Telephone: (561) 304-5639

Facsimile: (561) 691-7135

By: Maria J. Moncada
Fla. Bar No. 0773301

CERTIFICATE OF SERVICE Docket No. 130001-EI

I HEREBY CERTIFY that a true and correct copy of the foregoing (*) has been furnished by electronic mail on this 16th day of August 2013 to the following:

Martha F. Barrera, Esq. Division of Legal Services Florida Public Service Commission 2540 Shumard Oak Blvd Tallahassee, Florida 32399-0850

James D. Beasley, Esq J. Jeffrey Wahlen, Esq. Ausley & McMullen Attorneys for Tampa Electric P.O. Box 391 Tallahassee, Florida 32302

Robert Scheffel Wright, Esq. John T. LaVia, III Gardner Bist Wiener Wadsworth Bowden Bush Dee La Via & Wright, P.A. Attorneys for Florida Retail Federation 1300 Thomaswood Drive Tallahassee, FL 32308

Jeffrey A. Stone, Esq. Russell A. Badders, Esq. Beggs & Lane Attorneys for Gulf Power P.O. Box 12950 Pensacola, FL 32591-2950

J. R. Kelly, Esq.
Patricia Christensen, Esq.
Charles Rehwinkel, Esq.
Joseph A. McGlothlin, Esq.
Erik L. Sayler, Esq.
Office of Public Counsel
c/o The Florida Legislature
111 West Madison Street, Room 812
Tallahassee, Florida 32399

Michael Barrett Division of Economic Regulation Florida Public Service Commission 2540 Shumard Oak Blvd Tallahassee, Florida 32399-0850

John T. Burnett, Esq.
Dianne M. Triplett, Esq.
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St. Petersburg, Florida 33733-4042

Beth Keating, Esq. Gunster Law Firm Attorneys for FPUC 215 So. Monroe St., Suite 601 Tallahassee, Florida 32301-1804

James W. Brew, Esq / F. Alvin Taylor, Esq. Attorney for White Springs
Brickfield, Burchette, Ritts & Stone, P.C
1025 Thomas Jefferson Street, NW
Eighth Floor, West Tower
Washington, DC 20007-5201

Jon C. Moyle, Esq. Moyle Law Firm, P.A. 118 N. Gadsden St. Tallahassee, FL 32301 Counsel for FIPUG

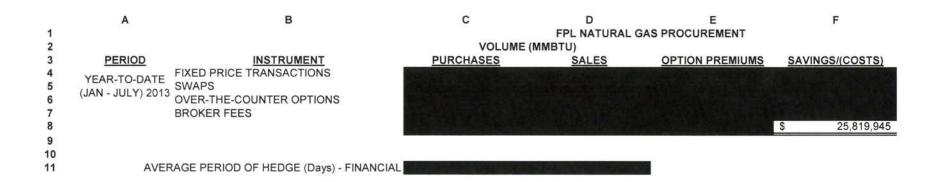
By: Maria J. Moncada

^{*} 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 "A"

CONFIDENTIAL FILED UNDER SEPARATE COVER

EXHIBIT "B" REDACTED COPIES



	Α	В	С	D D	E E	F
1			VOLUME (B		OIL PROCUREMENT	
2			VOLUME (B	ARRELS)		
3	PERIOD	INSTRUMENT	PURCHASES	SALES	OPTION PREMIUMS	SAVINGS/(COSTS)
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2			VOLUME (MMBTU)		
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4	March-2013	FIXED PRICE TRANSACTIONS	ASSESSMENT AND ADDRESS	THE PERSON NAMED IN	THE RESERVE OF THE PARTY.	West Transfer
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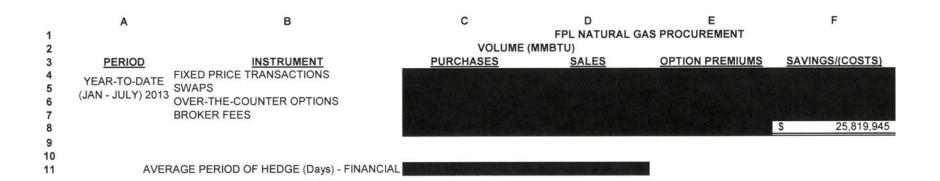
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3	PERIOD	INSTRUMENT	PURCHASES	SALES	OPTION PREMIUMS	SAVINGS/(COSTS)
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6		OVER-THE-COUNTER OPTIONS	March Street, Street, St. 1982			
7		BROKER FEES				
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2			VOLUME (B.	ARRELS)		
3	PERIOD	INSTRUMENT	PURCHASES	SALES	OPTION PREMIUMS	SAVINGS/(COSTS)
4	May-2013	FIXED PRICE TRANSACTIONS	THE RESERVE OF THE PARTY OF	ATTACK A REPORT OF THE	THE PERSON NAMED IN COLUMN TWO IS NOT THE OWNER.	THE PERSON NAMED IN
5	350	SWAPS				
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2			VOLUME (MMBTU)		
3	PERIOD	INSTRUMENT	PURCHASES	SALES	OPTION PREMIUMS	SAVINGS/(COSTS)
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5		SWAPS	BEAUTI BUILDING			
6		OVER-THE-COUNTER OPTIONS	The state of the state of the state of			A DESCRIPTION OF THE PARTY OF T
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2			VOLUME (B	ARRELS)		
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6		OVER-THE-COUNTER OPTIONS				
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2			VOLUME (MMBTU)		
3	PERIOD	INSTRUMENT	PURCHASES	SALES	OPTION PREMIUMS	SAVINGS/(COSTS)
4	July-2013	FIXED PRICE TRANSACTIONS		AND DESCRIPTION OF		CHAIN STATE OF
5	252	SWAPS	THE RESERVE AND THE			
6		OVER-THE-COUNTER OPTIONS				
7		BROKER FEES	TO DOME THE RESIDENCE			SINGLE OF STREET
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2			VOLUME (B	ARRELS)		
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5	•	SWAPS				
6		OVER-THE-COUNTER OPTIONS	THE RESERVE AND ADDRESS OF THE PARTY OF THE			The state of the s
7		BROKER FEES	A PROPERTY OF THE RES			New York Control
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EXHIBIT "C" JUSTIFICATION TABLE

EXHIBIT C

COMPANY:

Florida Power & Light Company

TITLE:

List of Confidential Documents

DOCKET NO.:

130001-EI

DOCKET TITLE:

Fuel and Purchased Power Cost Recovery Clause

SUBJECT:

Fuel Hedging Activity Report

DATE:

August 16, 2013

Document	Page No.	Description	No. of Pages	Conf. Y/N	COL NO/LINE NO	FLORIDA STATUTE 366.093(3) Subsection	AFFIANT
GJY-3	1	Year to Date FPL Natural Gas Procurement Jan-July 2013	1	Y	Cols C-D, Lns 4-8, 11 Col E, Lns 4-8 Col F, Lns 4-7	(a), (d), (e)	G. Yupp
GJY-3	2	Year to Date FPL Heavy Fuel Oil Procurement Jan-July 2013	1	Y	Cols C-D, Lns 4-8, 11 Col E, Lns 4-8 Col F, Lns 4-7	(a), (d), (e)	G. Yupp
GJY-3	3	January 2013 FPL Natural Gas Procurement	1	Y	Cols C-F, Lns 4-8	(a), (d), (e)	G. Yupp
GJY-3	4	January 2013 FPL Heavy Fuel Oil Procurement	1	Y	Cols C-F, Lns 4-8	(a), (d), (e)	G. Yupp
GJY-3	5	February 2013 FPL Natural Gas Procurement	1	Y	Cols C-F, Lns 4-8	(a), (d), (e)	G. Yupp
GJY-3	6	February 2013 FPL Heavy Fuel Oil Procurement	1	Y	Cols C-F, Lns 4-8	(a), (d), (e)	G. Yupp
GJY-3	7	March 2013 FPL Natural Gas Procurement	1	Y	Cols C-F, Lns 4-8	(a), (d), (e)	G. Yupp
GJY-3	8	March 2013 FPL Heavy Fuel Oil Procurement	1	Y	Cols C-F, Lns 4-8	(a), (d), (e)	G. Yupp
GJY-3	9	April 2013 FPL Natural Gas Procurement	1	Y	Cols C-F, Lns 4-8	(a), (d), (e)	G. Yupp
GJY-3	10	April 2013 FPL Heavy Fuel Oil Procurement	1	Y	Cols C-F, Lns 4-8	(a), (d), (e)	G. Yupp
GJY-3	11	May 2013 FPL Natural Gas Procurement	1	Y	Cols C-F, Lns 4-8	(a), (d), (e)	G. Yupp
GJY-3	12	May 2013 FPL Heavy Fuel Oil Procurement	1	Y	Cols C-F, Lns 4-8	(a), (d), (e)	G. Yupp
GJY-3	13	June 2013 FPL Natural Gas Procurement	1	Y	Cols C-F, Lns 4-8	(a), (d), (e)	G. Yupp
GJY-3	14	June 2013 FPL Heavy Fuel Oil Procurement	I	Y	Cols C-F, Lns 4-8	(a), (d), (e)	G. Yupp
GJY-3	15	July 2013 FPL Natural Gas Procurement	1	Y	Cols C-F, Lns 4-8	(a), (d), (e)	G. Yupp
GJY-3	16	July 2013 FPL Heavy Fuel Oil Procurement	1	Y	Cols C-F, Lns 4-8	(a), (d), (e)	G. Yupp

EXHIBIT "D" AFFIDAVIT

EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

Fuel and Purchase Power Cost Recovery Clause with Generating Performance Incentive Factor Docket No. 130001-EI Dated: August 16, 2013	
STATE OF FLORIDA) AFFIDAVIT OF GERARD J. YUPP	
PALM BEACH COUNTY)	
BEFORE ME, the undersigned authority, personally appeared Gerard J. Yupp who first duly sworn, deposes and says:	, being
1. My name is Gerard J. Yupp. I am currently employed by Florida Power Company ("FPL") as Senior Director of Wholesale Operations in the Energy Marketing and Division. I have personal knowledge of the matters stated in this affidavit.	
2. I have reviewed the documents and information included in Exhibit A Request for Confidential Classification of the Fuel Hedging Activity Report. The documenterials that I have reviewed and which are asserted by FPL to be proprietary confidential information contain or constitute data pertinent to FPL's hedging program. Specific documents contain information regarding the physical and financial details related to FPL' date hedging results for natural gas and fuel oil. This information constitutes trade secret Additionally, this information, if disclosed, would impair the efforts of FPL to contract and services on favorable terms for the benefit of its customers, would impair the cointerests of FPL and its vendors, and would place FPL at a competitive disadvantage when with other information that is publicly available.	nents and business cally, the s year-to- s of FPL. for goods mpetitive
3. Consistent with the provisions of the Florida Administrative Code, such should remain confidential for a period of eighteen (18) months. In addition, they serturned to FPL as soon as the information is no longer necessary for the Commission to combusiness so that FPL can continue to maintain the confidentiality of these documents.	should be
4. Affiant says nothing further.	
Gerard Vupp	
Gerard Vupp	
SWORN TO AND SUBSCRIBED before me this 5 day of August 2013, by Yupp, who is personally known to me or who has produced identification) as identification and who did take an oath. Manuf Munds - William - W	Gerard J. (type of
Notary Public, State of Florida	

My Commission Expires:

