

**Marguerite McLean**

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**From:** Springer, Pamela <Pamela.Springer@fpl.com> on behalf of Moncada, Maria <Maria.Moncada@fpl.com>  
**Sent:** Monday, September 23, 2013 4:48 PM  
**To:** Filings@psc.state.fl.us  
**Subject:** Electronic Filing / Docket 060224-EI / FPL's Fourth Request for Extension of Confidential Classification in Audit (No. 05-028-4-1)  
**Attachments:** (Docket No. 060224) FPL's 4th Request for Extension of Confidential Classification in Audit (No. 05-028-4-1).pdf

Electronic Filing

a. Person responsible for this electronic filing:

Maria J. Moncada, Esq.  
Florida Power & Light Company  
700 Universe Boulevard  
Juno Beach, FL 33408  
561-304-5795  
[Maria.Moncada@fpl.com](mailto:Maria.Moncada@fpl.com)

- b. Docket No. 060224–EI  
In re: Request for Confidential Classification of Materials provided In Connection with FPL Connect Service Audit, RCA # 05-285-4-1.
- c. The Document is being filed on behalf of Florida Power & Light Company.
- d. There are a total of 4 pages
- e. The document attached for electronic filing is Florida Power & Light's Fourth Request for Extension of Confidential Classification of Information Provided In FPL Connect Service Audit (No. 05-285-4-1).

Maria J. Moncada, Esq.  
Florida Power & Light Company  
700 Universe Boulevard  
Juno Beach, FL 33408  
561-304-5795  
[Maria.Moncada@fpl.com](mailto:Maria.Moncada@fpl.com)

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Request for Confidential Classification of  
Materials provided In Connection with the FPL  
Connect Service Audit, RCA # 05-285-4-1

Docket No: 060224-EI

Date: September 23, 2013

**FLORIDA POWER AND LIGHT COMPANY'S  
FOURTH REQUEST FOR EXTENSION OF  
CONFIDENTIAL CLASSIFICATION OF INFORMATION  
PROVIDED IN FPL CONNECT SERVICE AUDIT (No. 05-285-4-1)**

Pursuant to Section 366.093, Florida Statutes (2011) ("Section 366.093"), and Rule 25-22.006, Florida Administrative Code (2011) ("Rule 25-22.006"), Florida Power & Light Company ("FPL") requests confidential classification of certain material provided to the Staff of the Florida Public Service Commission ("Staff") pursuant to Audit Control No. 05-285-4-1 ("the Audit"). In support of this request, FPL states as follows:

1. On May 12, 2006, FPL filed its Amended Request for Confidential Classification of certain materials obtained during the Audit, which included Revised Exhibits A through E. On November 2, 2006, FPL filed an Amended Exhibit C to its May 12, 2006 Request. FPL adopts and incorporates by reference its May 12, 2006 Request and exhibits.

2. On May 16, 2008, FPL filed its First Request for Extension of Confidential Classification of certain materials obtained during the Audit, which incorporated by reference the previously filed Exhibits A, B, and C and included First Revised Exhibit D. FPL adopts and incorporates by reference its May 16, 2008 Request and exhibits. By Order No. PSC-08-0515-CFO-EI, dated August 12, 2008 the Commission granted FPL's May 16, 2008 Request.

3. On March 15, 2010, FPL filed its Second Request for Extension of Confidential Classification, and on May 28, 2010 filed its Revised Second Request for Confidential Classification, which incorporated by reference the previously filed Exhibit A, Exhibit B and included First Revised Exhibit C and Second Revised Exhibit D. FPL adopts and incorporates

by reference its March 15, 2010 and May 28, 2010 Requests and exhibits. By Order No. PSC-10-0477-CFO-EI, dated July 28, 2010, the Commission granted FPL's March 15, 2010 and May 28, 2010 Requests.

4. On January 27, 2012, FPL filed its Third Request for Extension of Confidential Classification, which included First Revised Exhibit A, First Exhibit B, Second Revised Exhibit C and Third Revised Exhibit D. FPL adopts and incorporates by reference its January 27, 2012 Request and exhibits.

5. By Order No. PSC-12-0146-CFO-EI, dated March 28, 2012, the Commission granted FPL's January 27, 2012 Request.

6. The period of confidential treatment granted by Order No. PSC-12-0146-CFO-EI will soon expire. All of the information that was the subject of FPL's January 27, 2012 Request warrants continued treatment as proprietary and confidential business information within the meaning of section 366.093(3), Florida Statutes. Accordingly, FPL hereby submits its Fourth Request for Extension of Confidential Classification.

7. Included herewith and made a part hereof is Fourth Revised Exhibit D, which consists of the affidavit of Maria Besada in support of this request. All of the information designated in First Revised Exhibit A, First Revised Exhibit B and Second Revised Exhibit C to the January 27, 2012 Request remains confidential. Accordingly, those exhibits are incorporated herein by referenced and will not be reproduced or reattached.

8. FPL submits that the information identified in the January 27, 2012 Request remains confidential continues to be proprietary confidential business information within the meaning of section 366.093(3), Florida Statutes. 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. The information that FPL asserts is proprietary and confidential contains cost allocation models and transaction records for FPLES. The documents or materials contain or constitute trade secrets and information relating to competitive interests, the disclosure of which could impair the competitive business of FPLES, and with respect to certain information. This information is protected by Sections 366.093(3)(a) and (e).

10. Nothing has changed since the Commission entered Order PSC-12-0146-CFO-EI to render the Confidential Information public, such that continued confidential treatment would not be appropriate.

11. FPL requests that this information be accorded continued confidential classification for an additional 18-month period. FPL further requests that the information 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 Fourth Request for Extension of Confidential Classification be granted.

Respectfully submitted,

John Butler  
Assistant General Counsel- Regulatory  
Maria J. Moncada  
Principal Attorney  
Florida Power & Light Company  
700 Universe Boulevard  
Juno Beach, FL 33408  
Telephone: (561) 304-5795  
Facsimile: (561) 691-7135  
Email: maria.moncada@fpl.com

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

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing fourth request for extension of confidential classification has been furnished by electronic mail and United States mail this 23rd day of September, 2013 to the following:

Pamela Page  
Office of the General Counsel  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

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

FOURTH REVISED EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for Increase in Rates by Florida Power & Light Company

Docket No. 060224-EI

STATE OF FLORIDA )
MIAMI-DADE COUNTY )

AFFIDAVIT OF MARIA V. BESADA

BEFORE ME, the undersigned authority, personally appeared Maria V. Besada who, being first duly sworn, deposes and says:

1. My name is Maria V. Besada. I am currently employed by FPL Energy Services, Inc ("FPLES"), as Director, Organization Development & Management. My business address is 9250 West Flagler Street, Miami Florida, 33174. I have personal knowledge of the matters stated in this affidavit.

2. I have reviewed Revised Exhibit A, which is referenced and incorporated in FPL's Fourth Request for Extension of Confidential Classification of Information Provided Pursuant to Audit No. 05-285-4-1. The documents or materials that I have reviewed and which are asserted by FPL to be proprietary confidential business information contain or constitute trade secrets and information relating to competitive interests, the disclosure of which could impair the competitive business of FPLES, and with respect to certain information, FPL. Specifically, the documents contained in Revised Exhibit A contain cost allocation models and transaction records for FPLES. To the best of my knowledge, confidentiality of these documents and materials has been maintained.

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. Affiant says nothing further.

Handwritten signature of Maria V. Besada
Maria V. Besada

SWORN TO AND SUBSCRIBED before me this 23 day of September 2013, by Maria V. Besada, who is personally known to me or who has produced (type of identification) as identification and who did take an oath.

Handwritten signature of Notary Public
Notary Public, State of Florida

My Commission Expires

