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August 14, 2014

-VIA HAND DELIVERY -

Ms. Carlotta S. Stauffer
Division of the Commission Clerk and
Administrative Services
Florida Public Service Commission
2540 Shumard Oak Boulevard, Room 110
Tallahassee, Florida 32399-0850

REDACTED

RECEIVED-FPSC
14 AUG 14 PM 4:01
COMMISSION
CLERK

**Re: Florida Power & Light Company's Request for Confidential Classification of
Certain Material Provided in Connection with its Response to Staff's Third Data
Requests
Docket No. 140082**

Dear Ms. Stauffer:

Enclosed for filing in the above referenced matter, please find the original and seven (7) copies of Florida Power & Light Company's ("FPL's") Request for Confidential Classification. The original includes Exhibits A, B (two copies), C, and D. The seven copies do not include copies of the Exhibits.

Exhibit A consists of the confidential documents, 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 an affidavit in support of FPL's Request for Confidential Classification. Also included in this filing is a compact disc containing FPL's Request for Confidential Classification and Exhibit C, in Microsoft Word format.

In accordance with Rule 25-22.006(3)(d) and 25-22.006(3)(e), FPL requests confidential treatment of the information in Exhibit A pending disposition of FPL's request for Confidential Classification.

Please contact me if you have any questions regarding this filing

Sincerely,

Scott A. Goorland

- COM _____
- AFD 2
- APA _____
- ECO _____
- ENG 4 + Attached to B + CD
- GCL 1
- IDM _____
- TEL _____
- CLK _____

Enclosure
cc: Parties of Record (without exhibits)
#1481772

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Florida Power & Light)
Company's Petition for Change)
to pole inspection and load)
assessment requirements of)
Order PSC-06-0144-PAA-EI)
_____)

Docket No. 140082
Filed: August 14, 2014

**FLORIDA POWER AND LIGHT COMPANY'S REQUEST FOR
CONFIDENTIAL CLASSIFICATION OF CERTAIN MATERIAL PROVIDED
IN CONNECTION WITH ITS RESPONSE TO STAFF'S THIRD DATA REQUESTS**

Pursuant to Section 366.093, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, Florida Power & Light Company ("FPL") Request for Confidential Classification of certain material provided in connection with the Staff of the Florida Public Service Commission's ("Staff's") Third Data Requests. In support of its request, FPL states as follows:

1. On July 31, 2014, Staff issued its Third Data Requests for FPL. On August 14, 2014, its Responses to Staff's Third Data Requests. Included in FPL's Responses to Staff's Third Data Requests are documents which are proprietary confidential business information within the meaning of Section 366.093(3), Florida Statutes. Pursuant to Rule 25-22.006(3)(a), Florida Administrative Code, FPL is filing this Request for Confidential Classification.

2. The following exhibits are included with, and made part of this request:
- a. Exhibit A consists of a copy of the confidential material on which all information that FPL asserts is entitled to confidential treatment has been highlighted.
 - b. Exhibit B consists of the confidential material, on which all information that FPL asserts is entitled to confidential treatment has been redacted.
 - c. Exhibit C is a table containing a column-by-column and line-by-line identification of the information for which confidential treatment is sought and

references to the specific statutory basis or bases for the claim of confidentiality and to the affidavits in support of the requested classification.

d. Exhibit D consists of the affidavit of David Bromley.

3. FPL submits that the highlighted information in Exhibit A is proprietary and 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 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.

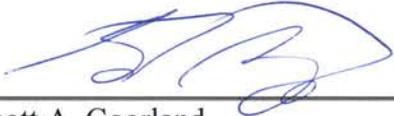
4. As the affidavit included in Exhibit D indicates, the documents and materials included in Exhibits A and B, and identified in Exhibit C contain information concerning bids or other contractual data. Disclosure of this information would violate nondisclosure provisions of FPL's contracts with certain vendors and impair the efforts of FPL or its affiliates to contract for goods or services on favorable terms. Such information is protected pursuant to Section 366.093(3)(d), F.S. In addition, this information relates to competitive interests, the disclosure of which would impair the competitive business of FPL, its affiliates or its vendors. Specifically, the documents contain information related to inspection times and costs for wooden poles. The disclosure of this proprietary confidential business information would provide insight into FPL's contractor costs and information provided by contractors. Such information is protected pursuant to Section 366.093(3)(e), F.S.

5. Upon a finding by the Commission that the information highlighted in Exhibit A, and referenced in Exhibits B, C and D 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 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 this 14th day of August, 2014.

R. Wade Litchfield, Vice President
and General Counsel
John T. Butler, Assistant General Counsel -
Regulatory
Scott A. Goorland, Principal Attorney
Attorneys for Florida Power & Light Company
700 Universe Boulevard
Juno Beach, Florida 33408-0420
Telephone: (561) 691-7101
Facsimile: (561) 691-7135

By: 

Scott A. Goorland
Florida Bar No. 0066834

CERTIFICATE OF SERVICE
Docket No. 140082-EI

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by electronic service on this 14th day of August, 2014 to the following:

Keino Young, Esq.
Division of Legal Services
Florida Public Service Commission
2540 Shumard Oak Blvd
Tallahassee, Florida 32399-0850
kyoung@psc.state.fl.us

By: 

Scott A. Goorland
Florida Bar No. 0066834

EXHIBIT B

REDACTED

A

B

C

Florida Power & Light Co.
Docket No. 140082-EI
Staff's Third Data Request
Data Request No. 1, Page 1

1
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4

5 Q1.

6 FPL's response to Staff's First Data Request, Question 1, indicates that FPL will continue
7 to do visual and sound and bore inspections on all wooden poles.

8 a. In addition to sound and bore inspection on all wooden poles, are there any other types
9 of inspections that FPL performs on its wooden poles? If so, what are the different
10 types of inspections?

11 b. Please state what is the cost associated for each type of wooden pole inspection,
12 including sound and boring?

13 A.

14 a. Consistent with its FPSC-approved 8-year cycle pole inspection plan, FPL performs: (1)
15 visual inspections from the ground line to the top of the pole to identify visual defects (e.g.,
16 woodpecker holes, split tops, decayed tops, etc.); (2) above ground line sound and bore
17 inspections; (3) excavations, with below ground line sound and bore inspections; (4) strength
18 assessments (comparing the current measured circumference to the original circumference to
19 ensure the pole continues to meet NESC strength requirements); and (5) load assessments
20 (utilizing various actual field measurements, e.g., pole strength, span length, attachment
21 heights, and wire sizes to ensure the pole is not overloaded). Note: If a pole fails one of the
22 above inspection types, no other remaining inspection types, if any, are conducted.

23 FPL notes that while it is seeking exemptions for two selected inspection types (see (3) and
24 (5) above) for a selected population of poles (CCA poles < 28 years and poles that tested <
25 80% of full load during the recently completed initial 8-year cycle), every distribution pole in
26 its system will continue to be visited and inspected on an 8-year cycle utilizing at least three
27 of the five inspection types described above.

28 In addition to its 8-year cycle pole inspection program, FPL poles are also inspected
29 (primarily visual and sounding) as a result of processes contained within certain other
30 reliability programs (e.g., priority feeder and overhead line inspections) as well as daily
31 work activities (e.g., repairs, maintenance and restoration).

32 b. <u>Inspection Type</u>	<u>Current Cost</u>	<u>Inspection Time</u>
33 Above ground-visual/strength	[REDACTED]	[REDACTED]
34 Above ground-visual/strength/sound	[REDACTED]	[REDACTED]
35 Above ground-visual/strength/sound/bore	[REDACTED]	[REDACTED]

A

B

C

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Florida Power & Light Co.
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Staff's Third Data Request
Data Request No. 1 *PAGE 2*

5 Excavation-visual/strength/sound/bore



6 Load Assessment (initial screening)



7 Load Assessment (additional screening)



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EXHIBIT C

JUSTIFICATION TABLE

EXHIBIT C

COMPANY: Florida Power & Light Company

TITLE: List of Confidential Documents

DOCKET TITLE: Petition for Change to Pole Inspection and Load Assessment Requirements

DOCKET NO.: 140082

DATE: August 14, 2014

Description	Pages	Conf. Y/N	Line/Column	366.093(3) F.S.	Affiant
Staff's Third Data Request No. 1	1	Y	Cols B & C, lines 33, 34 & 35	(d) (e)	David T. Bromley
Staff's Third Data Request No. 1	2	Y	Cols B & C, lines 5, 6 & 7 Lines 8 - 12	(d) (e)	David T. Bromley

EXHIBIT D

EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Florida Power & Light
Company's Petition for Change
to pole inspection and load
assessment requirements of
Order PSC-06-0144-PAA-EI

Docket No. 140082-EI

STATE OF FLORIDA)
PALM BEACH COUNTY)

AFFIDAVIT OF DAVID T. BROMLEY

BEFORE ME, the undersigned authority, personally appeared David T. Bromley who, being first duly sworn, deposes and says:

1. My name is David T. Bromley. I am currently employed by Florida Power & Light Company ("FPL") as Manager, Distribution Regulatory. My business address is 7200 Northwest 4th Street, Plantation, Florida, 33317. I have personal knowledge of the matters stated in this affidavit.

2. I have reviewed Exhibit C and the documents that are included FPL's Request for Confidential Classification concerning information provided in response to Staff's Third Data Request No. 1b and 1c, for which I am identified on Exhibit C as the affiant. The documents or materials that I have reviewed contain proprietary confidential business information, including information concerning bids or other contractual data. Disclosure of this information would impair the efforts of FPL or its affiliates to contract for goods or services on favorable terms. In addition, this information relates to competitive interests, the disclosure of which would impair the competitive business of FPL, its affiliates or its vendors. Specifically, the documents contain information related to inspection times and costs for inspection of wooden poles. The disclosure of this proprietary confidential business information would provide insight into FPL's contractor costs and information provided by contractors. 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 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 to maintain the confidentiality of these documents.

4. Affiant says nothing further.

David T. Bromley

David T. Bromley

SWORN TO AND SUBSCRIBED before me this 13th day of August, 2014, by David T. Bromley, who is personally known to me or who has produced personally known (type of identification) as identification and who did take an oath.

My Commission Expires



Traci D. Goldwire

Notary Public, State of Florida