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September 4, 2014

VIA HAND DELIVERY

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

RECEIVED-FPSC
14 SEP -4 PM 1:21
COMMISSION
CLERK

Re: Docket No. 130223-EI

REDACTED

Dear Ms. Stauffer:

Enclosed for filing in the above docket on behalf of Florida Power & Light Company ("FPL") are an original and seven (7) copies of FPL's Request for Confidential Classification of certain documents produced in response to Intervenor Martin et al.'s Amended First Set of Interrogatories (Nos. 24 and 37). 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 two affidavits 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.

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

- COM _____
- AFD _____
- APA _____
- ECO** 4 *Redacted ex B and CD*
- ENG _____
- GCL 1 Enclosures
- IDM 2 cc: Counsel for Parties of Record (w/ copy of FPL's Request for Confidential Classification)
- TEL _____
- CLK _____

Sincerely,

Maria J. Moncada
for Maria J. Moncada

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for Approval of Optional Non-
standard Meter Rider

Docket No: 130223-EI
Date: September 4, 2014

**FLORIDA POWER AND LIGHT COMPANY'S
REQUEST FOR CONFIDENTIAL CLASSIFICATION OF CERTAIN
DOCUMENTS PRODUCED IN RESPONSE TO INTERVENOR MARTIN
ET AL.'S AMENDED FIRST SET OF INTEROGATORIES (Nos. 24 and 37)**

Pursuant to Section 366.093, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, Florida Power & Light Company ("FPL") requests confidential classification of certain documents produced in response to Intervenor Martin et al.'s Amended First Set of Interrogatories (Nos. 24 and 37). In support of its request, FPL states as follows:

1. On August 7, 2014 Intervenor Martin et. al. propounded its first request for interrogatories upon FPL. FPL responded on August 28, 2014.
2. Some of FPL's responses contained confidential information. To facilitate and expedite review by Florida Public Service Commission (FPSC) Staff, FPL filed a Notice of Intent to Request Confidential Classification of the confidential responses on August 28, 2014.
3. Pursuant to Rule 25-22.006(3)(a), Florida Administrative Code, FPL has 21 days from the date of the Notice of Intent to file a formal request for confidential classification.
4. The following exhibits are included with and made part of this request:
 - a. Exhibit A consists of a copy of the confidential documents, on which all information that is entitled to confidential treatment under Florida law has been highlighted.
 - b. Exhibit B consists of the confidential documents, on which all information that is entitled to confidential treatment under Florida law has been redacted.

- c. Exhibit C is a table that identified the specific page and line references to the confidential materials for which FPL seeks confidential treatment. The table also references the specific statutory bases for confidentiality and the affiant who supports the requested classification.
- d. Exhibit D consists of the affidavits of Ian Robson and Robert A. Onsgard.

5. The Confidential Information is proprietary and confidential business information, and its disclosure would cause harm to FPL and its customers. 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.

6. As the affidavits included in Exhibit D indicate, certain documents provided by FPL contain contractual pricing information, the disclosure of which would impair FPL's ability to contract for goods and services on favorable terms in the future. Specifically, the material consists of contractual pricing and amounts paid to a vendor for firmware licenses and firmware maintenance costs. Additionally, FPL's contract with the vendor requires that FPL maintain confidentiality of the designated pricing information. Such information is protected pursuant to Section 366.093(3)(d), F.S. Much of the information is also competitively sensitive, and could impair the competitive interests of FPL or the provider of the information. Such information is protected pursuant to Section 366.093(3 (e), F.S.

7. Certain documents also contain FPL's Information Management requirements documentation, which consists of proprietary and confidential business processes for enrollment

(Attachment No.1) and bill automation (Attachment No.2). The disclosure of such IM proprietary confidential business processes is competitively sensitive, and could impair FPL's ability to maintain secure enrollment and billing processes that benefit FPL's customers. Such information is protected pursuant to Section 366.093(3)(e), F.S


8. Upon a finding by the Commission that the information highlighted in Exhibit A, and referenced in Exhibit C, is proprietary and 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 affidavit included herewith, Florida Power & Light Company respectfully requests that its First Request for Extension of Confidential Classification be granted.

Respectfully submitted,

Kenneth A. Rubin, Senior Counsel
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:


for Maria J. Moncada
Florida Bar No. 0773301

CERTIFICATE OF SERVICE
Docket No. 130223-EI

I HEREBY CERTIFY that a true and correct copy of the foregoing Request for Confidential Classification(*) has been furnished via hand delivery(**) or by electronic mail this 4th day of September 2014, to the following:

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

Nicholas Randall Jones, Esq.
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*Attorney for Daniel and Alexandria
Larson*

Charles Rehwinkel, Esq.
Joseph A. McGlothlin, Esq.
J.R. Kelly, Esq.
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c/o The Florida Legislature
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kelly.jr@leg.state.fl.us

Ennis Leon Jacobs, Jr.
P.O. Box 1101
Tallahassee, Florida 32302
ljacobs50@comcast.net
*As Qualified Representative for Martin,
et al.*


By: 
fa Maria J. Moncada
Florida Bar No. 0773301

EXHIBIT B

REDACTED

**Interrogatory No. 24
Attachment 2
Bates Numbers
4399 to 4408
ARE CONFIDENTIAL IN
THEIR ENTIRETY**

CONFIDENTIAL

**Florida Power & Light Company
Docket No. 130223-EI
Martin, et al.'s Amended First Set of Interrogatories
Interrogatory No. 37
Page 1 of 1**

QUESTION

Is the software in the smart meter owned by FP&L or its vendors? If vendors, please provide names and terms, including initial license fees and any ongoing annual maintenance costs.

RESPONSE

The software in the smart meter, called firmware, is owned by the vendor, Silver Spring Networks (SSN). FPL paid SSN a one-time fee of \$ [REDACTED] for an unlimited number of smart meter firmware licenses. Ongoing firmware maintenance costs were waived by SSN for volumes up to 4.5M smart meters. Starting in 2015, FPL will pay SSN annual firmware maintenance costs of \$ [REDACTED] per year for each additional smart meter above 4.5M.

EXHIBIT C

JUSTIFICATION TABLE

EXHIBIT C

COMPANY: Florida Power & Light Company

TITLE: List of Confidential Documents

DOCKET TITLE: Petition for approval of optional non-standard meter rider

DOCKET NO.: 130223-EI

DATE: September 4, 2014

Party	Set	Conf Y/N	Bates Number	Line/Column	366.093 (3) F.S.	Affiant
Martin et.al.	1 st Set of Interrogatories No.24 Attachment 1	Y	4377 to 4398	All	(e) Proprietary Business Process	Ian Robson
Martin et.al.	1 st Set of Interrogatories No.24 Attachment 2	Y	4399 to 4408	All	(e) Proprietary Business Process	Ian Robson
Martin et.al.	1 st Set of Interrogatories No.37	Y	4336	Line 6, Col C Line 9, Col B	(d), (e) Contractual Data and Competitive Pricing	Robert A. Onsgard

EXHIBIT D

AFFIDAVITS

EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for Approval of Optional Non-standard Meter Rider

Docket No. 130223-EI

STATE OF FLORIDA)
PALM BEACH COUNTY)

AFFIDAVIT OF ROBERT A. ONSGARD

BEFORE ME, the undersigned authority, personally appeared Robert A. Onsgard who, being first duly sworn deposes and says:

1. My name is Robert A. Onsgard. I am currently employed by FPL as Energy Smart Florida Project Manager. 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 the documents that are included in FPL's Request for of Confidential Classification of Certain Documents produced in response to Intervenor Martin ET. AL.'S amended first set of interrogatories (Nos. 24 and 37) in Connection with Docket No. 130223-EI, for which I am listed as the affiant. Such documents or materials that I have reviewed and which, in whole or in part, are asserted by FPL to be proprietary confidential business information, contain or constitute competitively sensitive information and contain or constitute contractual data, the disclosure of which would impair the efforts of FPL to contract for goods and services on favorable terms. Specifically, the material consists of contractual pricing and amounts paid to a vendor for firmware licenses and firmware maintenance costs. 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. Affiant says nothing further.

[Handwritten signature of Robert A. Onsgard]
Robert A. Onsgard

SWORN TO AND SUBSCRIBED before me this 3rd day of September, 2014, by Robert A. Onsgard, who is personally known to me or who has produced (type of identification) as identification and who did take an oath.

My Commission Expires

[Handwritten signature]
Notary Public, State of Florida

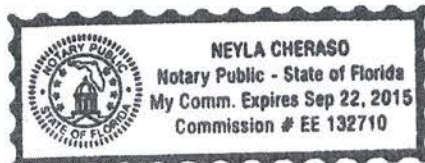


EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for Approval of Optional Non-standard Meter Rider

Docket No. 130223-EI

STATE OF FLORIDA)
MIAMI DADE COUNTY)

AFFIDAVIT OF IAN ROBSON

BEFORE ME, the undersigned authority, personally appeared Ian Robson who, being first duly sworn deposes and says:

1. My name is Ian Robson. I am currently employed by FPL as Director, IT Business Solutions. 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 the documents that are included in FPL's Request for of Confidential Classification of Certain Documents produced in response to Intervenor Martin ET. AL.'S amended first set of interrogatories (Nos. 24 and 37) in Connection with Docket No. 130223-EI, for which I am listed as the affiant. Such documents or materials that I have reviewed and which, in whole or in part, are asserted by FPL to be proprietary confidential business information, contain or constitute competitively sensitive information should continue to be protected, as the disclosure of the information could impair the competitive business of the provider of the information. Additionally, these materials are asserted by FPL to be a proprietary and confidential business information. Specifically, the materials contain information regarding FPL's Information Management requirements documentation, which consists of proprietary and confidential business processes for enrollment (Attachment No.1) and bill automation (Attachment No.2). The disclosure of such IM proprietary confidential business processes is competitively sensitive, and could impair FPL's ability to maintain secure enrollment and billing processes that benefit FPL's customers. To the best of my knowledge, FPL has maintained the confidentiality of this proprietary business process.

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 Ian Robson]

Ian Robson

SWORN TO AND SUBSCRIBED before me this 3rd day of September, 2014, by Ian Robson, who is personally known to me or who has produced (type of identification) as identification and who did take an oath.

[Handwritten signature of Carolyn J. Smith]

Notary Public, State of Florida

My Commission Expires

