

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Joint petition for approval )  
of amendment to territorial )  
agreement between Florida Power )  
& Light Company and Lee County )  
Electric Cooperative )  
\_\_\_\_\_ )

Docket No. \_\_\_\_\_  
Filed: November 3, 2014

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COMMISSION  
CLERK

**REDACTED**

**FLORIDA POWER & LIGHT COMPANY'S  
REQUEST FOR CONFIDENTIAL CLASSIFICATION**

Pursuant to Section 366.093, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, Florida Power & Light Company ("FPL") hereby submits this Request for Confidential Classification of information contained in Appendix A attached to the Joint Petition for Approval of Amendment to Territorial Agreement between FPL and Lee County Electric Cooperative ("LCEC") filed on November 3, 2014 (the "Joint Petition"), and in support states:

1. On November 3, 2014, FPL and LCEC submitted the Joint Petition. Appendix A to the Petition contains information of a confidential nature, which is proprietary confidential business information of FPL and LCEC 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 a 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 a copy of the confidential material on which all information that FPL asserts is entitled to confidential treatment has been redacted.

COM \_\_\_\_\_  
AFD \_\_\_\_\_  
APA \_\_\_\_\_  
ECO 5  
ENG 1  
GCL 1  
IDM \_\_\_\_\_  
TEL \_\_\_\_\_  
CLK \_\_\_\_\_

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 affidavit in support of the requested classification.

d) Exhibit D consists of the affidavits of David T. Bromley of FPL and Frank Cain of LCEC in support of this request.

4. FPL submits that the highlighted information in Exhibit A is proprietary confidential business information within the meaning of Section 366.093(3), Florida Statutes. This information is intended to be and is treated by FPL and LCEC as private and its confidentiality has been maintained. Pursuant to Section 366.093, such information is entitled to confidential treatment and is exempt from the disclosure provisions of the public records law. Thus, once the Commission determined 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.

5. As indicated in Mr. Bromley's affidavit that is included in Exhibit D, the information that FPL asserts is proprietary and confidential business information is customer-specific account information with respect to non-governmental customers. FPL has a corporate policy not to disclose customer specific information. This policy includes, but is not limited to: customer names, addresses, telephone numbers, account numbers, rates, billing determinants (kW and kWh usage), conservation savings in kW, kWh and bills. FPL treats such information as confidential and does not disclose it, except as required by law, to entities or persons other than the customer without the permission of the customer. FPL's policy is premised upon

customers' right to privacy and the potential that the disclosure of customer specific information may harm some customers' competitive interests. Such information is protected from public disclosure pursuant to Section 366.093(3)(e), Florida Statutes.

6. As further indicated in Mr. Cain's affidavit that is included in Exhibit D, the information that FPL asserts is proprietary and confidential business information, on behalf of LCEC, is LCEC customer-specific account information. LCEC has a policy not to disclose customer specific information. This policy includes, but is not limited to: customer names, addresses, telephone numbers, account numbers, rates, billing determinants (kW and kWh usage), conservation savings in kW, kWh and bills. LCEC treats such information as confidential and does not disclose it, except as required by law, to entities or persons other than the customer without the permission of the customer. LCEC's policy is based upon the customer's right to privacy and the potential that the disclosure of the customer specific information may harm some customers' competitive interests. Such information is protected from public disclosure pursuant to 366.093(3)(e), Florida Statutes.

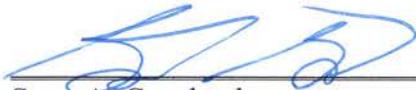
7. Upon a finding by the Commission that the information provided in Exhibit A, and referenced in Exhibits B, C and D is proprietary confidential business information, the information should not be declassified for a period of at least eighteen (18) months and should be returned to FPL as soon as the information is no longer necessary for the Commission to conduct its business. *See* Section 366.093(4), F.S.

**WHEREFORE**, FPL respectfully requests confidential classification of the material described herein.

Respectfully submitted this 3<sup>rd</sup> day of November, 2014.

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

By:



Scott A. Goorland  
Florida Bar No. 0066834

**CERTIFICATE OF SERVICE**  
**Docket No. 140001-EI**

**I HEREBY CERTIFY** that a true and correct copy of the foregoing has been furnished by electronic service on this 3<sup>rd</sup> day of November, 2014 to the following:

D. Bruce May  
Holland & Knight LLP  
315 South Calhoun Street  
Suite 600  
Tallahassee, FL 32301  
(850)425-5607  
(850) 224-8832 (fax)  
bruce.may@hklaw.com

John A. Noland  
Henderson, Franklin, Starnes & Holt, P.A.  
1715 Monroe Street  
P.O. Box 280  
Fort Myers, FL 33902  
(239) 344-1140  
(239) 344.1515 (fax)  
john.noland@henlaw.com

By:



Scott A. Goorland  
Florida Bar No. 0066834

# EXHIBIT B

Redacted Version

A

B

C

D

E

Exchange Parcel 1 Customers - Currently Served by LCEC

No.	Customer Name	Service Address	Customer Class	Meter Number	Account Number
1			SECURITY LIGHT COMMERCIAL		
2			SECURITY LIGHT COMMERCIAL		
3			SECURITY LIGHT COMMERCIAL		
4			IRRIGATION COMMERCIAL		
5			ELECTRIC COMMERCIAL - SMALL		
6			ELECTRIC COMMERCIAL - SMALL		
7			ELECTRIC COMMERCIAL - SMALL		
8			ELECTRIC COMMERCIAL - SMALL		
9			ELECTRIC COMMERCIAL - SMALL		
10			ELECTRIC COMMERCIAL - SMALL		
11			SECURITY LIGHT RESIDENTIAL		
12			ELECTRIC RESIDENTIAL		
13			ELECTRIC COMMERCIAL - SMALL		
14			LCEC/DISTRICT LIGHTING		
15			IRRIGATION COMMERCIAL		

Exchange Parcel 2 Customers - Currently Served by FPL

A

B

C

D

E

No.	Customer Name	Service Address	Customer Class	Meter Number	Account Number
1			Residential		
2			Residential-Outdoor Light		
3			Commercial		
4			Commercial		
5			Commercial		
6			Commercial		
7			Commercial		
8			Commercial		
9			Commercial		
10			Residential		
11			Commercial		
12			Commercial		
13			Residential		
14			Commercial		
15			Commercial		

Redacted Version

A

Exchange Parcel 1 Customers - Currently Served by LCEC

B

C

D

E

No.	Customer Name	Service Address	Customer Class	Meter Number	Account Number
1			SECURITY LIGHT COMMERCIAL		
2			SECURITY LIGHT COMMERCIAL		
3			SECURITY LIGHT COMMERCIAL		
4			IRRIGATION COMMERCIAL		
5			ELECTRIC COMMERCIAL - SMALL		
6			ELECTRIC COMMERCIAL - SMALL		
7			ELECTRIC COMMERCIAL - SMALL		
8			ELECTRIC COMMERCIAL - SMALL		
9			ELECTRIC COMMERCIAL - SMALL		
10			ELECTRIC COMMERCIAL - SMALL		
11			SECURITY LIGHT RESIDENTIAL		
12			ELECTRIC RESIDENTIAL		
13			ELECTRIC COMMERCIAL - SMALL		
14			LCEC/DISTRICT LIGHTING		
15			IRRIGATION COMMERCIAL		

Exchange Parcel 2 Customers - Currently Served by FPL

A

B

C

D

E

No.	Customer Name	Service Address	Customer Class	Meter Number	Account Number
1			Residential		
2			Residential-Outdoor Light		
3			Commercial		
4			Commercial		
5			Commercial		
6			Commercial		
7			Commercial		
8			Commercial		
9			Commercial		
10			Residential		
11			Commercial		
12			Commercial		
13			Residential		
14			Commercial		
15			Commercial		

# EXHIBIT C

**EXHIBIT C**

**COMPANY:** Florida Power & Light Company

**TITLE:** List of Confidential Documents

**DOCKET TITLE:** \_\_\_\_\_, Joint Petition for Approval of Amendment to Territorial Agreement between Florida Power & Light Company and Lee County Electric Cooperative, Inc.

**DATE:** November 3<sup>rd</sup>, 2014

<b>Document Title</b>	<b>Confidential Y/N</b>	<b>Line/Column</b>	<b>366.063 (3) F.S.</b>	<b>Affiant(s)</b>
Appendix A, Exhibit C, Page 1	Y	Columns A,B,D,E	(e)	David Bromley
Appendix A, Exhibit C, Page 2	Y	Columns A,B,D,E	(e)	Frank Cain

# EXHIBIT D

EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Florida Power & Light Company and Lee County Electric Cooperative, Inc.'s, Joint Petition for Approval of Transfer of Customers

Docket No.

STATE OF FLORIDA )  
BROWARD 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 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 which are included in Exhibit A to FPL's Request for Confidential Classification for which I am identified as the affiant. The documents or materials that I have reviewed and which are asserted by FPL to be proprietary confidential business information contain or constitute customer-specific account information. FPL has a corporate policy not to disclose customer specific information. This policy includes, but is not limited to: customer names, addresses, telephone numbers, account numbers, rates, billing determinants (kW and kWh usage), conservation savings in kW, kWh and bills. FPL treats such information as confidential and does not disclose it, except as required by law, to entities or persons other than the customer without the permission of the customer. FPL's policy is premised upon customers' right to privacy and the potential that the disclosure of customer specific information may harm some customers' competitive interests. Such information is protected from public disclosure pursuant to Section 366.093(3)(e), Florida Statutes.

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.

*David T. Bromley*

SWORN TO AND SUBSCRIBED before me this 31 day of October by David T. Bromley, who is personally known to me and who did take an oath.

*Anna V. Tupitsyna*  
Notary Public, State of Florida

My Commission Expires

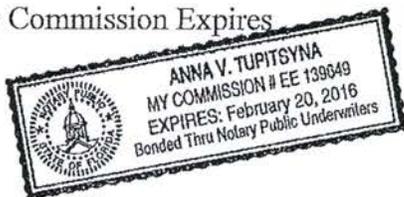


EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Florida Power & Light Company and Lee County Electric Cooperative, Inc.'s, Joint Petition for Approval of Transfer of Customers

Docket No.

STATE OF FLORIDA )  
LEE COUNTY )

AFFIDAVIT OF FRANK R. CAIN

BEFORE ME, the undersigned authority, personally appeared Frank R. Cain who, being first duly sworn, deposes and says:

1. My name is Frank R. Cain. I am currently employed by Lee County Electric Cooperative ("LCEC") as Director, Regulatory and Governmental Relations and CRCO. My business address is 4980 Bayline Drive, North Fort Myers, FL 33918. I have personal knowledge of the matters stated in this affidavit.

2. I have reviewed Exhibit C, and the documents which are included in Exhibit A to FPL and LCEC's Request for Confidential Classification for which I am identified as an affiant. The documents or materials that I have reviewed and which are asserted by LCEC to be proprietary confidential business information contain or constitute customer-specific account information. LCEC has a corporate policy not to disclose customer specific information. This policy includes, but is not limited to: customer names, addresses, telephone numbers, account numbers, rates, billing determinants (kW and kWh usage), conservation savings in kW, kWh and bills. LCEC treats such information as confidential and does not disclose it, except as required by law, to entities or persons other than the customer without the permission of the customer. LCEC's policy is premised upon customers' right to privacy and the potential that the disclosure of customer specific information may harm some customers' competitive interests. Such information is protected from public disclosure pursuant to Section 366.093(3)(e), Florida Statutes.

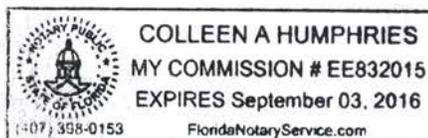
3. Consistent with the provisions of the Florida Administrative Code, such materials should remain confidential for a period of not less than 18 months. In addition, they should be returned to LCEC as soon as the information is no longer necessary for the Commission to conduct its business so that LCEC can continue to maintain the confidentiality of these documents.

4. Affiant says nothing further.

*Frank R. Cain*

SWORN TO AND SUBSCRIBED before me this 31st day of Oct by <sup>Frank</sup> Cain, who is personally known to me or who has produced \_\_\_\_\_ (type of identification) as identification and who did take an oath.

My Commission Expires 9-3-2016



*Colleen A. Humphries*  
Notary Public, State of Florida