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June 4, 2015

VIA HAND DELIVERY

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

RECEIVED - FPSC
15 JUN - 4 PM 4: 07
COMMISSION
CLERK

Re: **Docket No. 150075-EI** **REDACTED**

Dear Ms. Stauffer:

I enclose for filing in the above docket an original and seven (7) copies of Florida Power & Light Company's ("FPL's") Request for Confidential Classification of Certain Responses to Staff of the Florida Public Service Commission's Fourth Set of Interrogatories (No. 34a). The original includes Exhibits A, B (two copies), Exhibit C and Exhibit 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 one 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.

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

Sincerely,

Kevin I.C. Donaldson

COM _____

AFD 2

APA _____

ECO 2 Enclosure

ENG 2 + cc: D Counsel for Parties of Record (w/ copy of FPL's Request for Confidential Classification) + Redacted

GCL 1

IDM _____

TEL _____ 2451178

CLK _____

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for approval of arrangement to mitigate impact of unfavorable Cedar Bay power purchase obligation, by Florida Power & Light Company.

Docket No: 150075-EI

Date: June 4, 2015

FLORIDA POWER & LIGHT COMPANY'S REQUEST FOR CONFIDENTIAL CLASSIFICATION OF RESPONSE TO STAFF OF THE FLORIDA PUBLIC SERVICE COMMISSION'S FOURTH SET OF INTERROGATORIES

Pursuant to Section 366.093, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, Florida Power & Light Company ("FPL") requests confidential classification of its response to Staff of the Florida Public Service Commission's ("Staff") Fourth Set of Interrogatories (No. 34). In support of its request, FPL states:

1. On June 4, 2015, FPL served its response to Staff's Fourth Set of Interrogatories and Second Request for Production of Documents. FPL's responses to Staff's Fourth Set of Interrogatories (No. 34(a)) contain information of a confidential nature that comprises proprietary confidential business information within the meaning of Section 366.093(3), Florida Statutes (hereinafter referred to as the "Confidential Discovery Responses").

2. FPL files this request to Staff's Fourth Set of Interrogatories No. 34(a), in order to request confidential classification of the Confidential Discovery Responses consistent with Rule 25-22.006, Florida Administrative Code.

3. The following exhibits are included with and made a part of the original request and this request:

a. Exhibit A consists of the Confidential Discovery Responses produced in response to Staff's Fourth Set of Interrogatories No. 34(a).

b. Exhibit B consists of a copy of the confidential documents, on which all the information that is entitled to confidential treatment under Florida law has been redacted.

c. Exhibit C is a table containing an identification of the information highlighted in Exhibit A, together with a brief description of the documents designated confidential. Exhibit C also sets forth references to the specific statutory bases for the claim of confidentiality and to the affiant who supports the requested classification.

d. Exhibit D consists of the affidavit of Thomas L. Hartman.

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 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 hard of disclosure against the public interest in access to the information.

5. As the affidavit of Thomas L. Hartman included as Exhibit D indicates, the Confidential Discovery Responses provided by FPL constitute proprietary business information related to natural gas forecast prices, which FPL is contractually obligated to treat confidentially. Disclosure of this information would violate FPL's contract for the information and impair FPL's ability to obtain similar information in the future. This information is protected by Sections 366.093(3)(d) and (e), Fla. Stat.

6. Upon a finding by the Commission that the Confidential Information remains proprietary and confidential business information, the information should not be declassified for

at least an additional eighteen (18) month period 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 Request for Confidential Classification be granted.

Respectfully submitted,

John T. Butler
Assistant General Counsel - Regulatory
Kevin I.C. Donaldson
Senior Attorney
Maria J. Moncada
Principal Attorney
Florida Power & Light Company
700 Universe Boulevard
Juno Beach, FL 33408
Telephone: (561) 304-5170
Facsimile: (561) 691-7135
Email: kevin.donaldson@fpl.com

By: 

Kevin I.C. Donaldson
Florida Bar No. 0833401

CERTIFICATE OF SERVICE
Docket No. 150075-EI

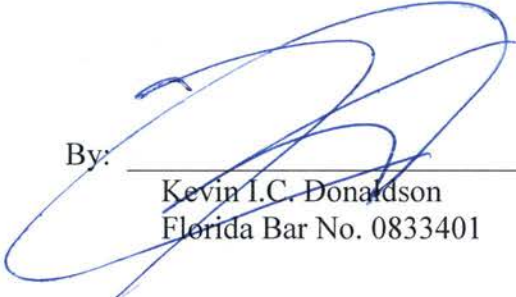
I **HEREBY CERTIFY** that a true and correct copy of the foregoing Request for Confidential Classification* has been furnished by electronic mail on this 4th, day of June, 2015 to the following:

Martha F. Barrera, Esq.
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mbarrera@psc.state.fl.us
Office of the General Counsel

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kputnal@molelaw.com
*Attorney for Fla. Industrial Power Users
Group*

By: _____


Kevin I.C. Donaldson
Florida Bar No. 0833401

*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

| | A | B | C | D | E | F |
|----|---|------|----------------------------|----------------------------|-------------------------|--------------------------|
| 1 | | | | | | |
| 2 | | Year | FPL Forecasted Price | EIA Forecasted Price | Difference (FPL-EIA) | Percentage Difference |
| 3 | | 2015 | | \$3.82 | | |
| 4 | | 2016 | | \$3.90 | | |
| 5 | | 2017 | | \$4.09 | | |
| 6 | | 2018 | | \$4.61 | | |
| 7 | | 2019 | | \$5.07 | | |
| 8 | | 2020 | | \$5.54 | | |
| 9 | | 2021 | | \$5.79 | | |
| 10 | | 2022 | | \$5.97 | | |
| 11 | | 2023 | | \$6.25 | | |
| 12 | | 2024 | | \$6.48 | | |

EXHIBIT C

JUSTIFICATION TABLE

EXHIBIT C

COMPANY: Florida Power & Light Company
DOCKET TITLE: In re: Petition for approval of arrangement to mitigate impact of unfavorable Cedar Bay power purchase obligation, by Florida Power & Light Company.
DOCKET NO: 150075-EI
SUBJECT: FPL's Confidential Responses to Staff's Fourth Set of Interrogatories (No. 34a)
DATE: June 4, 2015

| | | | | | |
|--------------------------|-------------|---|---------------------------------|----------|------------|
| | | | | | |
| No. 34a, Attachment I | Page 1 of 1 | FPL's natural gas price forecast (commodity) | Cols. C, E and F; lines 3-12 | (d), (e) | T. Hartman |

EXHIBIT D

AFFIDAVIT

EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In RE: Petition for approval of arrangement to mitigate impact of unfavorable Cedar Bay power purchase obligation, by Florida Power & Light Company.

Docket No: 150075-EI

STATE OF FLORIDA)
COUNTY OF PALM BEACH)

AFFIDAVIT OF THOMAS L. HARTMAN

BEFORE ME, the undersigned authority, personally appeared Thomas L. Hartman who, being first duly sworn, deposes and says:

1. My name is Thomas L. Hartman. I am currently employed by Florida Power & Light Company ("FPL") as Director, Business Development in Energy Marketing and Trading. I have personal knowledge of the matters stated in this affidavit.

2. I have reviewed the documents and information included in Exhibit A to FPL's Request for Confidential Classification. The documents or materials that I have reviewed and which are asserted by FPL to be proprietary confidential business information contain natural gas forecast prices provided by a third party vendor which FPL is contractually obligated to keep confidential. The disclosure of this information would violate FPL's contract for the information and impair FPL's ability to obtain similar information in the future. Thus, disclosure of this information would disadvantage FPL customers. 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.

[Handwritten signature of Thomas L. Hartman]
Thomas L. Hartman

SWORN TO AND SUBSCRIBED before me this 3 day of June 2015, by Thomas L. Hartman, who is personally known to me or who has produced (type of identification) as identification and who did take an oath.

[Handwritten signature of Maritza Miranda-Wise]
Notary Public, State of Florida

My Commission Expires:

