

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Fuel and purchase power cost recovery
clause with generating performance incentive
factor

Docket No: 150001-EI
Date: August 12, 2015

**FLORIDA POWER & LIGHT COMPANY'S CORRECTED¹ SECOND
REQUEST FOR EXTENSION OF CONFIDENTIAL CLASSIFICATION
OF MATERIALS PROVIDED PURSUANT TO AUDIT NO. 10-004-4-1**

Pursuant to Section 366.093, Florida Statutes ("Section 366.093"), and Rule 25-22.006, Florida Administrative Code ("Rule 25-22.006"), Florida Power & Light Company ("FPL") requests its second extension of confidential classification of certain material provided to the Staff of the Florida Public Service Commission ("Staff") pursuant to Audit Control No. 10-004-4-1 ("the Audit"). In support of this request, FPL states as follows:

1. On August 4, 2010, FPL filed a Request for Confidential Classification of the Confidential Information, which included Exhibits A, B, C, and D ("August 4, 2010 Request"). By Order No. PSC-12-0152-CFO-EI, dated March 29, 2012 ("Order 0152"), the Commission granted FPL's August 4, 2010 Request. FPL adopts and incorporates by reference the August 4, 2010 Request and Order 0152.

2. On September 24, 2013, FPL filed its First Request for Extension of Confidential Classification, which included First Revised Exhibit A, First Revised Exhibit B, First Revised Exhibit C, and First Revised Exhibit D. By Order No. PSC-14-0079-CFO-EI, dated February 3, 2014 ("Order 0079"), the Commission granted FPL's September 24, 2013 Request. FPL adopts and incorporates by reference the September 24, 2013 Request and Order 0079.

3. The period of confidential treatment granted by Order 0079 will soon expire. The Confidential Information that was the subject of FPL's September 24, 2010 Request and Order

¹ FPL files this corrected second request to correct minor scrivener's errors in its Second Request for Extension of Confidential Classification filed on August 3, 2015 [DN 04880-15]. No substantive changes are made. No changes have been made to the exhibits.

0079 warrants continued treatment as proprietary and confidential business information within the meaning of Section 366.093(3). Accordingly, FPL hereby submits its Second Request for Extension of Confidential Classification.

4. Included with this request are Second Revised Exhibit A, Second Revised Exhibit B, together with Second Revised Exhibit C to reduce the number of pages for which confidential treatment is sought. FPL has identified in Second Revised Exhibits A, B and Exhibit C all of the information in the work papers that warrants continued confidential treatment. Where entire pages of a workpaper are confidential, FPL has included only identifying pages in Second Revised Exhibit B. Second Revised Exhibit C is a table that identifies the specific pages, lines or columns that remain confidential. The table also references the specific statutory bases for confidentiality and the affiants who support the requested classification. FPL indicates with bold font in Exhibit C revisions made to reduce the amount of information classified as confidential.

5. Also included with this request is Second Revised Exhibit D. Second Revised Exhibit D consists of the affidavits of Antonio Maceo, Gerard J. Yupp, and Damaris Rodriguez.

6. The Confidential Information is intended to be and has been treated by FPL as private, its confidentiality has been maintained, 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.

7. As the affidavits included in Second Revised Exhibit D indicate, certain information provided by FPL contains information internal auditing controls and reports of internal auditors. This information is protected by Section 366.093(3)(b).

8. Also, certain documents contain information concerning bids or other contractual data, the disclosure of which would impair the efforts of FPL to contract for goods or services on favorable terms. This information is protected by Section 366.093(3)(d).

9. Additionally, certain documents contain information relating to competitive interests, the disclosure of which would impair the competitive business of FPL. This information is protected by Section 366.093(3)(e).

10. Last, certain documents contain information or constitute customer-specific account information, which if disclosed would impair FPL's competitive interests. It is FPL's 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 absent the customer's consent. This information is protected by Section 366.093(3)(e).

11. Nothing has changed since the Commission entered Order 0079 to render the Confidential Information stale or public, such that continued confidential treatment would not be appropriate.

12. 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 affidavits included herewith, Florida Power & Light Company respectfully requests that its Second Request for Extension of Confidential Classification be granted.

Respectfully submitted,

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CERTIFICATE OF SERVICE
Docket No. 150001-EI

I HEREBY CERTIFY that a true and correct copy of the foregoing *Corrected* Second Request for Extension of Confidential Classification (*) has been furnished by electronic mail this 12th day of August, 2015 to the following:

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s/ Maria J. Moncada
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* The exhibits to this Request are not included with the service copies, but a copy of Second Revised Exhibits B, C and D are available upon request.