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September 16, 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

COMMISSION
CLERK

15 SEP 16 PM 12:11

RECEIVED FPSC

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Re: Docket No. 150001-EI

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 Information Provided in Response to the Office of Public Counsel's Eighth Request for Production of Documents (No. 41). 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 the 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,

John T. Butler

COM
AFD 2+CD+Redacted

APA
ECO 1 Enclosure

ENG 1 cc: Counsel for Parties of Record (w/ copy of FPL's Request for Confidential Classification)

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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: September 16, 2015

**FLORIDA POWER & LIGHT COMPANY'S
REQUEST FOR CONFIDENTIAL CLASSIFICATION OF
INFORMATION PROVIDED IN RESPONSE TO THE OFFICE OF PUBLIC
COUNSEL'S EIGHTH REQUEST FOR PRODUCTION OF DOCUMENTS (No. 41)**

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 information provided in response to the Office of Public Counsel's ("OPC") Eighth Request for Production of Documents (No. 41) ("Confidential Discovery Response"). In support of its Request, FPL states as follows:

1. On August 27, 2015, OPC served its Eighth Request for Production of Documents (No. 41) on FPL. FPL's Response to OPC's Eighth Request for Production of Documents (No. 41) contains information of a confidential nature, which is proprietary confidential business information within the meaning of Section 366.093(3), Florida Statutes.
2. FPL files this request contemporaneously with the service of its response to OPC's Eighth Request for Production, in order to request confidential classification of the Confidential Discovery Response consistent with Rule 25-22.006, Florida Administrative Code.
3. The following exhibits are included with and made a part of this request:
 - a. Exhibit A consists of a copy of the Confidential Discovery Response on which the information that FPL asserts is entitled to confidential treatment. All of the pages of all responsive documents are confidential in their entirety.

b. Exhibit B consists of an identifying cover page indicating that the document responsive to FPL's response to OPC's Eighth Request for Production of Documents (No. 41) is confidential in its entirety. Because each page is confidential in its entirety, no purpose would be served by reproducing fully redacted pages.

c. Exhibit C is a table that identifies the Confidential Discovery Response, 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 is the affidavit of Don Grissette.

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 described in greater detail in the affidavit included in Exhibit D and the description in Exhibit C, some of the Confidential Discovery Response provided by FPL contains the proprietary information of third parties, which FPL is contractually obligated to treat confidentially. Disclosure of that information would constitute a contractual breach.

6. As the affidavit included in Exhibit D indicates, the Confidential Discovery Response provided by FPL contains information related to contractual data, the disclosure of

which would impair FPL's ability to contract for goods or services on favorable terms. This information is protected by Section 366.093(3)(d), Fla. Stat.

7. In addition, the Confidential Discovery Response also consists of information related to competitive interests, the disclosure of which would impair the competitive business of FPL or its suppliers. This information is protected by Section 366.093(3)(e), Fla. Stat.

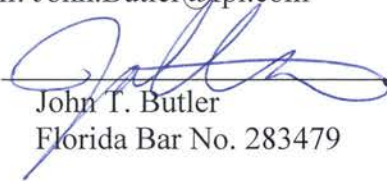
8. Upon a finding by the Commission that the Confidential Information remains proprietary and confidential business information, the information should not be declassified for at least an eighteen (18) month period and should be returned to FPL as soon as it is no longer necessary for the Commission 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 Request for Confidential Classification be granted.

Respectfully submitted,

John T. Butler
Assistant General Counsel - Regulatory
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By: _____


John T. Butler
Florida Bar No. 283479

CERTIFICATE OF SERVICE
Docket No. 150001-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 16th day of September, 2015 to the following:

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By: _____



John T. Butler
Florida Bar No. 283479

* 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

REDACTED

Documents responsive to OPC's Eighth Request for Production No. 41 (Bates Nos. FCR-15-05348 through FCR-15-05425) are confidential in their entirety.

EXHIBIT C

JUSTIFICATION TABLE

EXHIBIT C

COMPANY: Florida Power & Light Company
TITLE: List of Confidential Documents
DOCKET NO.: 150001-EI
DOCKET TITLE: Fuel and Purchased Power Cost Recovery Clause
SUBJECT: FPL's Responses to OPC's Eighth Request for Production (No. 41)
DATE: September 16, 2015

FPL's response to OPC's 8 th Request for Production of Documents	Description	Bates No. / Page No.	Line No. / Col. No.	Florida Statute 366.093(3) Subsection	Affiant
No. 41	<p>Attachments to the August 14, 2015, Root Cause Analysis, CR Number 1955927:</p> <p>Attachment 1: Report prepared by Areva, Inc.</p> <p>Attachment 2: Report prepared by Westinghouse Electric Company, LLC</p>	<p>Bates Nos. FCR-15-05348 - FCR-15-05394</p> <p>Bates Nos. FCR-15-05395 - FCR-15-05425</p>	<p>ALL</p> <p>ALL</p>	(d), (e)	D. Grissette

EXHIBIT D

AFFIDAVIT

EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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

Docket No: 150001-EI

STATE OF FLORIDA)
COUNTY OF PALM BEACH)

AFFIDAVIT OF DON GRISSETTE

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

1. My name is Don Grissette. I am currently employed by Florida Power & Light Company ("FPL") as General Manager Organizational Effectiveness in the Nuclear Business Unit. 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 and materials in Exhibit A which are asserted by FPL to be proprietary confidential business relate to competitive interests of third party suppliers who FPL engages for outage-related services, equipment and evaluations. The confidential documents also contain information prepared pursuant to FPL's contracts with third party, Areva, Inc ("Areva") and Westinghouse Electric Company LLC. ("Westinghouse"), which expressly prohibits FPL from disclosing the subject data. Thus, disclosure of this information would impair FPL's efforts to contract with Areva and Westinghouse for these services on favorable terms in the future. The data supplied pursuant to the contract, which FPL has identified on Exhibit C, are considered and treated as confidential by FPL, Areva or Westinghouse. This information is protected within the meaning of Sections 366.093(3)(d) and (e).

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 Don Grissette]

Don Grissette

SWORN TO AND SUBSCRIBED before me this 14th day of September 2015, by Don Grissette, who is personally known to me or who has produced (type of identification) as identification and who did take an oath.



LISA WITHEROW-ALVAREZ
MY COMMISSION # FF 156707
EXPIRES: September 27, 2018
Bonded Thru Budget Notary Services

[Handwritten signature of Lisa Witherow-Alvarez]
Notary Public, State of Florida

My Commission Expires: