



Jessica A. Cano  
Senior Attorney  
Florida Power & Light Company  
700 Universe Boulevard  
Juno Beach, FL 33408-0420  
(561) 304-5226  
(561) 691-7135 (Facsimile)

January 8, 2016

**VIA ELECTRONIC FILING**

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

Re: Docket No. 160009-EI; Nuclear Cost Recovery Clause

Dear Ms. Stauffer:

Enclosed for filing on behalf of Florida Power & Light Company ("FPL") is a First Request for Extension of Confidential Classification of Audit Report PA-14-01-002, including Revised Exhibit C and Revised Exhibit D.

Please contact me if there are any questions regarding this filing.

Sincerely,

Jessica A. Cano

Jessica A. Cano  
Fla. Bar No. 0037372

Enclosures  
cc: Counsel for Parties of Record

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Nuclear Cost                    )  
Recovery Clause                    )

Docket No. 160009-EI  
Filed: January 8, 2016

**FLORIDA POWER & LIGHT COMPANY'S  
FIRST REQUEST FOR EXTENSION OF CONFIDENTIAL CLASSIFICATION  
OF AUDIT REPORT PA-14-01-002**

Pursuant to Section 366.093, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, Florida Power & Light Company ("FPL") requests continued confidential classification of Audit Report PA-14-01-002 (the "Audit Report"). In support of its request, FPL states as follows:

1. On June 17, 2014, in Docket No. 140009-EI, FPL filed a Request for Confidential Classification of Audit Report PA-14-01-002 (Confidential Document No. 03067-14). FPL's request was granted by Order No. PSC-14-0352-CFO-EI, issued July 9, 2014. The period of confidential treatment granted by Order No. PSC-14-0352-CFO-EI will soon expire. FPL has reviewed the confidential documents and determined that all the information that was the subject of Order No. PSC-14-0352-CFO-EI warrants continued treatment as proprietary and confidential business information within the meaning of Section 366.093(3), Florida Statutes. Accordingly, FPL hereby submits its First Request for Extension of Confidential Classification. Exhibits A and B from FPL's June 17, 2014 filing are incorporated herein by reference. Included herewith are Revised Exhibit C and Revised Exhibit D.

2. Revised Exhibit C is a table containing the specific line, column and page references to the confidential information, and references to the specific statutory basis or bases for the claim of confidentiality and to the affidavit in support of the continued confidential classification. Revised Exhibit D includes the affidavits of Stephanie Castaneda, Brenda Thompson, and Antonio Maceo in support of FPL's request.

3. The information that was granted confidential treatment by Order No. PSC-14-0352-CFO-EI continues to be 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 in that the disclosure of the information would cause harm to customers or FPL's business operations, and its confidentiality has been maintained. Pursuant to Section 366.093, such information is entitled to confidential treatment and it is 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.

4. As the affidavits included in Revised Exhibit D indicate, the information included in Exhibit A continues to be proprietary, confidential business information. Certain information contained in the Audit Report is information related to reports of FPL's internal auditors. This information is protected from public disclosure by Section 366.093(3)(b), Florida Statutes. The Audit Report also contains information related to bids or contractual data, such as pricing or other terms, the public disclosure of which would violate nondisclosure provisions of FPL's contracts with certain vendors and impair FPL's ability to contract for goods or services on favorable terms in the future. Such information is protected from public disclosure by Section 366.093(3)(d), Florida Statutes. The Audit Report also contains competitively sensitive information which, if disclosed, could impair the competitive interests of the provider of the information. Such information is protected from public disclosure by Section 366.093(3)(e), Florida Statutes.

5. Nothing has changed since the issuance of Order No. PSC-14-0352-CFO-EI to render the confidential information stale or public, such that continued confidential treatment would not be appropriate. Moreover, this information will remain confidential for a period longer than the 18 months typically provided for confidential treatment, and it is anticipated that Staff will retain these documents for more than 18 months. Accordingly, FPL requests that confidential treatment be extended for a period of not less than five years. The Commission has previously granted similar requests for extended periods of confidential treatment. *See, e.g.,* Docket No. 140009-EI, Order No. PSC-14-0649-CFO-EI, p. 2 (issued Nov. 4, 2014).

6. Upon a finding by the Commission that the information referenced in Revised Exhibit C continues to be proprietary confidential business information, the information should not be declassified for a period of at least an additional five years and should be returned to FPL as soon as the information 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 supported by the materials and affidavits included herewith, Florida Power & Light Company respectfully requests that its First Request for Extension of Confidential Classification be granted.

Respectfully submitted,

Jessica A. Cano  
Senior Attorney  
Florida Power & Light Company  
700 Universe Boulevard  
Juno Beach, FL 33408  
Telephone: (561) 304-5226  
Facsimile: (561) 691-7135

By: s/ Jessica A. Cano  
Jessica A. Cano  
Fla. Bar No. 0037372

**CERTIFICATE OF SERVICE  
DOCKET NO. 160009-EI**

I HEREBY CERTIFY that a true and correct copy of the foregoing First Request for Extension of Confidential Classification of Audit Report PA-14-01-002\* was served by electronic mail this 8<sup>th</sup> day of January, 2016 to the following:

Martha F. Barrera, Esq.  
Kyesha Mapp, Esq.  
Division of Legal Services  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, Florida 32399-0850  
mbarrera@psc.state.fl.us  
kmapp@psc.state.fl.us

Patricia A. Christensen, Esq.  
Associate Public Counsel  
Office of Public Counsel  
The Florida Legislature  
111 West Madison Street, Room 812  
Tallahassee, Florida 32399  
christensen.patty@leg.state.fl.us  
*Attorney for the Citizens of the State of Fla.*

Matthew Bernier, Esq., Sr. Counsel  
106 East College Ave., Suite 800  
Tallahassee, Florida 32301-7740  
Matthew.bernier@duke-energy.com  
*Attorney for Duke Energy Florida, Inc.*

Dianne M. Triplett, Esq.  
299 First Avenue North  
St. Petersburg, Florida 33701  
dianne.triplett@duke-energy.com  
*Attorney for Duke Energy Florida, Inc.*

Jon C. Moyle, Jr., Esq.  
Moyle Law Firm, P.A.  
118 North Gadsden Street  
Tallahassee, Florida 32301  
jmoyle@moylelaw.com  
Attorney for Fla. Industrial Power Users Group

By: s/ Jessica A. Cano  
Jessica A. Cano  
Fla. Bar No. 0037372

\*Exhibits are not included with the service copies, but Revised Exhibits C and D are available upon request.

**Revised Exhibit C**  
**Florida Power and Light Company**  
**Review of FPL's Project Management Internal Controls for**  
**Nuclear Plant Uprate and Construction Projects (Audit Report)**  
**Docket No. 140009-EI**

<b>Document</b>	<b>Description</b>	<b>No. of Pages</b>	<b>Conf. Y/N</b>	<b>Line No./Col. No.</b>	<b>Florida Statute 366.093 (3) Subsection</b>	<b>Affiant</b>
Audit Report	Internal Controls Report for EPU & PTN	24	N	Cover Pages 1-2, i-ii, 1-4, 6-11, 17-19		
			Y	Page 5 Lines 1-6	(d), (e)	Stephanie Castaneda
				Page 12 Lines 1-2	(b)	Antonio Maceo
				Page 13 Lines 1-4	(b)	Antonio Maceo
				Page 14 Lines 1-7	(d), (e)	Brenda Thompson
				Page 15 Lines 1-15	(d), (e)	Brenda Thompson
				Page 16 Column A	(d), (e)	Brenda Thompson
				Page 20 Lines 1-7	(d), (e)	Stephanie Castaneda
				Page 20 Lines 8-14	(b)	Antonio Maceo

**REVISED EXHIBIT D**

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Nuclear Cost )  
Recovery Clause )

DOCKET NO. 160009-EI

STATE OF FLORIDA )  
 )  
PALM BEACH COUNTY )

**AFFIDAVIT OF STEPHANIE CASTANEDA**

**BEFORE ME**, the undersigned authority, personally appeared Stephanie Castaneda who, being first duly sworn, deposes and says:

1. My name is Stephanie Castaneda. I am currently employed by Florida Power & Light Company ("FPL") as Nuclear Business Operations, Fleet Accounting and Regulatory Compliance. I have personal knowledge of the matters stated in this affidavit.

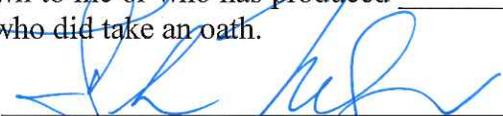
2. I have reviewed the documents that are the subject of FPL's First Request for Extension of Confidential Classification of Audit Report PA-14-01-002, for which I am identified on Revised Exhibit C as the affiant. The documents and materials that I have reviewed contain proprietary confidential business information, including information concerning bids or contractual data and information related to competitive interests. Disclosure of this information would violate FPL's contracts with its vendors, work to the detriment of FPL's competitive interests, impair the competitive interests of its vendors and/or impair FPL's efforts to enter into contracts on commercially favorable terms. To the best of my knowledge, FPL has maintained the confidentiality of these documents and materials.

3. No significant changes have occurred since the issuance of Order No. PSC-14-0352-CFO-EI to render the information identified in Revised Exhibit C stale or public such that continued confidential treatment would not be appropriate. Additionally, this information will continue to be confidential for more than the next 18 months. Accordingly, this information should continue to be maintained as confidential for an additional period of not less than five years. These materials 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.

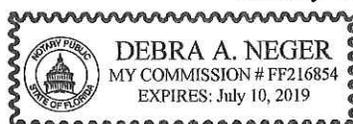
4. Affiant says nothing further.

  
\_\_\_\_\_  
Stephanie Castaneda

**SWORN TO AND SUBSCRIBED** before me this 8<sup>th</sup> day of January 2016, by Stephanie Castaneda, who is personally known to me or who has produced \_\_\_\_\_ (type of identification) as identification and who did take an oath.

  
\_\_\_\_\_  
Notary Public, State of Florida

My Commission Expires:



*Palm Beach Co.*

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Nuclear Cost )  
Recovery Clause )

DOCKET NO. 160009-EI

STATE OF FLORIDA )  
 )  
PALM BEACH COUNTY )

AFFIDAVIT OF BRENDA THOMPSON

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

1. My name is Brenda Thompson. I am currently employed by Florida Power & Light Company as Nuclear Project Controls Manager. I have personal knowledge of the matters stated in this affidavit.

2. I have reviewed the documents that are the subject of FPL's First Request for Extension of Confidential Classification of Audit Report PA-14-01-002, for which I am identified on Revised Exhibit C as the affiant. The documents and materials that I have reviewed contain proprietary confidential business information, including information concerning bids or contractual data and competitively sensitive data. Disclosure of this information would violate FPL's contracts with its vendors, work to the detriment of FPL's competitive interests, impair the competitive interests of its vendors and/or impair FPL's efforts to enter into contracts on commercially favorable terms. To the best of my knowledge, FPL has maintained the confidentiality of these documents and materials.

3. No significant changes have occurred since the issuance of Order No. PSC-14-0352-CFO-EI to render the information identified in Revised Exhibit C stale or public such that continued confidential treatment would not be appropriate. Additionally, this information will continue to be confidential for more than the next 18 months. Accordingly, this information should continue to be maintained as confidential for an additional period of not less than five years. These materials 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.

*Brenda Thompson*  
\_\_\_\_\_  
Brenda Thompson

SWORN TO AND SUBSCRIBED before me this 30th day of January 2016, by Brenda Thompson, who is personally known to me or who has produced \_\_\_\_\_ (type of identification) as identification and who did take an oath.

*Jacqueline S. Bussey*  
\_\_\_\_\_  
Notary Public, State of Florida

My Commission Expires:



BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Nuclear Cost )  
Recovery Clause )

DOCKET NO. 160009-EI

STATE OF FLORIDA )  
 )  
MIAMI-DADE COUNTY )

AFFIDAVIT OF ANTONIO MACEO

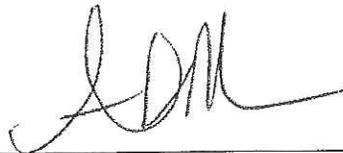
BEFORE ME, the undersigned authority, personally appeared Antonio Maceo who, being first duly sworn, deposes and says:

1. My name is Antonio Maceo. I am currently employed by Florida Power & Light Company ("FPL") as Manager of Auditing. I have personal knowledge of the matters stated in this affidavit.

2. I have reviewed the documents that are the subject of FPL's First Request for Extension of Confidential Classification of Audit Report PA-14-01-002, for which I am identified on Revised Exhibit C as the affiant. The documents that I have reviewed contain information related to reports of internal auditors. Full and frank disclosure of information to the Internal Auditing department is essential for the department to fulfill its role, and the confidential status of internal auditing scope, process, findings, and reports supports such disclosure. The release of information related to reports of internal auditors would be harmful to FPL and its customers because it may affect the effectiveness of the Internal Auditing department itself. To the best of my knowledge, FPL has maintained the confidentiality of these documents and materials.

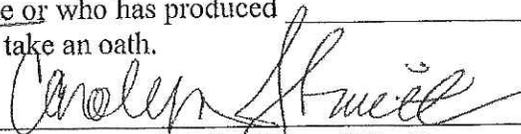
3. No significant changes have occurred since the issuance of Order No. PSC-14-0352-CFO-EI to render the information identified in Revised Exhibit C state or public such that continued confidential treatment would not be appropriate. Additionally, this information will continue to be confidential for more than the next 18 months. Accordingly, this information should continue to be maintained as confidential for an additional period of not less than five years. These materials 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.



Antonio Maceo

SWORN TO AND SUBSCRIBED before me this 7th day of January 2016, by Antonio Maceo who is personally known to me or who has produced \_\_\_\_\_ (type of identification) as identification and who did take an oath.



Notary Public, State of Florida

My Commission Expires

