

Angela Charles

From: Moncada, Maria <Maria.Moncada@fpl.com>
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Subject: Electronic Filing - Docket 160002
Attachments: Docket 160002 - FPL's Request for Extension of Confidential Classification (ACN 12-010-4-3).pdf

Title: Florida Power & Light Company's Second Request for Extension of Confidential Classification of Materials Pursuant to Audit No. 12-010-4-3

Docket: 160002-EI

Filer: Maria Moncada

Company: Florida Power & Light Company

Maria J. Moncada
Principal Attorney
Florida Power & Light Company
700 Universe Boulevard
Juno Beach, FL 33408
Phone: (561) 304-5795
Fax: (561) 691-7135
email: maria.moncada@fpl.com

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Energy Conservation Cost Recovery
Clause

Docket No: 160002-EG
Date: March 22, 2016

**FLORIDA POWER AND LIGHT COMPANY'S SECOND REQUEST
FOR EXTENSION OF CONFIDENTIAL CLASSIFICATION
OF INFORMATION PROVIDED PURSUANT TO AUDIT NO. 12-010-4-3**

Pursuant to Section 366.093, Florida Statutes ("Section 366.093"), and Rule 25-22.006, Florida Administrative Code, Florida Power & Light Company ("FPL") hereby submits its Second Request for Extension of Confidential Classification of Information Provided Pursuant to Audit No. 12-010-4-3 ("Confidential Information"). In support of this request, FPL states as follows:

1. On July 30, 2012 FPL filed a Request for Confidential Classification of the Confidential Information, which included Exhibits A, B, C and D ("July 30, 2012 Request"). By Order No. PSC-12-0570-CFO-EI, dated October 24, 2012 ("Order 0570"), the Commission granted FPL's July 30, 2012 Request. FPL adopts and incorporates by reference the July 30, 2012 Request and Order 0570.

2. On March 20, 2014 FPL filed a First Request for Extension of Confidential Classification of the Confidential Information, which included First Revised Exhibit D ("March 20, 2014 Request"). By Order No. PSC-14-0492-CFO-EG, dated September 16, 2014 ("Order 0492"), the Commission granted FPL's March 20, 2014 Request. FPL adopts and incorporates by reference the March 20, 2014 Request and Order 0492.

3. The period of confidential treatment granted by Order 0492 will soon expire. The Confidential Information that was the subject of FPL's March 20, 2014 Request and Order 0492 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. All of the information designated in Exhibits A, B and C to the July 30, 2012 Request remains confidential. Accordingly, those exhibits will not be reproduced or reattached here.

5. Included herewith and made a part hereof is Second Revised Exhibit D. Second Revised Exhibit D contains the declaration of Anita Sharma in support of this request.

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 declaration included in Second Revised Exhibit D indicates, certain documents include competitively sensitive information, the disclosure of which would impair the competitive business of the provider of the information. Additionally, certain documents contain information that relates to 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, and 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 pursuant to Section 366.093(3)(e), Fla. Stat.

8. Nothing has changed since the Commission entered Order 0492 to render the Confidential Information stale or public, such that continued confidential treatment would not be appropriate.

9. 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. (2015).

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,

John T. Butler
Assistant General Counsel - Regulatory
Maria J. Moncada
Principal Attorney
Florida Power & Light Company
700 Universe Boulevard
Juno Beach, FL 33408
Telephone: (561) 304-5795
Facsimile: (561) 691-7135
Email: maria.moncada@fpl.com

By: s/ Maria J. Moncada

Maria J. Moncada
Florida Bar No. 0773301

CERTIFICATE OF SERVICE
DOCKET NO. 160002-EG

I HEREBY CERTIFY that a true and correct copy of the foregoing Second Request for Extension of Confidential Classification was served by electronic mail this 22nd day of March 2016 to the following:

Lee EngTan, Esq.
Office of General Counsel
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850
ltan@psc.state.fl.us

J. R. Kelly, Esq.
Patricia Ann Christensen, Esq.
C. Rehwinkel, Esq.
Office of Public Counsel
c/o The Florida Legislature
111 West Madison St., Room 812
Tallahassee, FL 32399-1400
kelly.jr@leg.state.fl.us
christensen.patty@leg.state.fl.us
rehwinkel.charles@leg.state.fl.us

Jeffrey Stone, Esq.
Russell Badders, Esq.
Steven Griffin, Esq.
Beggs & Lane Law Firm
Attorneys for Gulf Power Company
P.O. Box 12950
Pensacola, FL 32591
jas@beggslane.com
rab@beggslane.com
srg@beggslane.com

James D. Beasley, Esq.
J. Jeffrey Wahlen, Esq.
Ashley M. Daniels
Ausley & McMullen
Attorneys for Tampa Electric
P.O. Box 391
Tallahassee, FL 32302
jbeasley@ausley.com
jwahlen@ausley.com
adaniels@ausley.com

James W. Brew, Esq.
Owen J. Kopon, Esq.
Laura A. Wynn, Esq.
Attorneys for PCS Phosphate - White
Springs Agricultural Chemicals, Inc.
Stone Mattheis Xenopoulos & Brew,
PC1025 1025 Thomas Jefferson St., NW
Eighth Floor, West Tower
Washington, DC 20007
jbrew@smxblaw.com
ojk@smxblaw.com
laura.wynn@smxblaw.com

Jon C. Moyle, Jr., Esq.
Moyle Law Firm, P.A.
Attorneys for Florida Industrial Power
Users Groups (FIPUG)
118 North Gadsden Street
Tallahassee, FL 32301
jmoyle@moylelaw.com

Beth Keating, Esq.
Gunster Firm
Attorneys for Florida Public Utilities
Company
215 S. Monroe St., Suite 618
Tallahassee, FL 32301- 1804
bkeating@gunster.com

Matthew R. Bernier, Esq.
Duke Energy Florida, Inc.
106 East College Avenue
Suite 800
Tallahassee, FL 32301
Matthew.bernier@duke-energy.com

Robert L. McGee, Jr.
Regulatory and Pricing Manager
Gulf Power Company
One Energy Place
Pensacola, FL 32520
rlmcgee@southernco.com

Mike Cassel
Director/Regulatory and Governmental
Affairs
Florida Public Utilities Company
1750 SW 14th Street, Suite 200
Fernandina Beach, FL 32034
mcassel@fpuc.com

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

Robert Scheffel Wright, Esq.
John T. LaVia, III, Esq.
Gardner, Bist, Wiener, et al
Attorneys for Walmart
1300 Thomaswood Drive
Tallahassee, Florida 32308
schef@gbwlegal.com
jlavia@gbwlegal.com

Paula K. Brown
Manager, Regulatory Coordination
Tampa Electric Company
P.O. Box 111
Tampa, FL 33601
regdept@tecoenergy.com

By: /s/ Maria J. Moncada
Maria J. Moncada

THIRD REVISED EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Energy Conservation Cost Recovery
Clause

Docket No: 160002-EG

STATE OF FLORIDA)
MIAMI-DADE COUNTY) WRITTEN DECLARATION OF ANITA SHARMA

1. My name is Anita Sharma. I am currently employed by Florida Power & Light Company ("FPL") as Manager, Demand Side Management Cost and Performance. I have personal knowledge of the matters stated in this.

2. I have reviewed the documents in Exhibit A, which is referenced and incorporated in FPL's Third Request for Confidential Classification of Information Obtained in Connection with Audit No. 09-350-4-1 for which I am identified as the affiant. Such documents or materials that I have reviewed and which, in whole or in part, are asserted by FPL to be proprietary confidential business information, contain or constitute competitively sensitive information, the disclosure of which could impair the competitive business of the provider of the information. Specifically, some of the information contains information related payroll, pension and welfare rates. Additionally, some information pertains to negotiated terms with third party vendors for equipment and services related to FPL's implementation of demand side management and conversation programs. Some documents contain customer-specific account information, which if disclosed would impair FPL's competitive interests or those of its vendors. 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. To the best of my knowledge, FPL has maintained the confidentiality of these documents and materials.

3. Nothing has occurred since the issuance of Order No. PSC-14-0493-CFO-EG to render the information stale or public, such that continued confidential treatment would not be appropriate. Therefore, the information should remain confidential for a period of at least an additional 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. Under penalties of perjury, I declare that I have read the foregoing declaration and that the facts stated in it are true to the best of my knowledge and belief.

Anita Sharma
ANITA SHARMA

Date: 3/22/2016