

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Joint Petition by Investor-Owned Utilities for
Approval of Modifications to Risk Management
Plans

Docket No: 160096-EI

Filed: April 25, 2016

**FLORIDA POWER & LIGHT COMPANY'S CORRECTED
REQUEST FOR CONFIDENTIAL CLASSIFICATION OF
ITS PROPOSED MODIFIED 2016 RISK MANAGEMENT PLAN¹**

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 contained in FPL's proposed modified 2016 Risk Management Plan (or "Hedging Plan"), which is Exhibit 2 to the Joint Petition by Investor-Owned Utilities for Approval of Modifications to Risk Management Plans being filed contemporaneously with this Request.

1. On April 22, 2016, FPL participated in filing Joint Petition by Investor-Owned Utilities for Approval of Modifications to Risk Management Plans. In that Petition, FPL, Duke Energy Florida, Tampa Electric Company and Gulf Power Company propose to modify the target hedging levels and/or ranges as well as the duration of those hedges. Each utility's 2016 Hedging Plan is attached to the Petition as Exhibit 1 through 4. Exhibit 2 is FPL's Hedging Plan, portions of which contain confidential information.

2. The following exhibits are included with and made a part of this request:

a. Exhibit A is a copy of the Hedging Plan in which all of the confidential information has been highlighted.

¹ FPL's original request was filed as Document No. 02411-16 in this Docket. This filing corrects only the Certificate of Service. The Exhibits to Document No. 02411-16 are not reproduced here.

b. Exhibit B consists of two copies of the Hedging Plan in which all the confidential information has been redacted. Where entire pages are confidential, FPL includes only identifying cover pages in Exhibit B.

c. Exhibit C is a table that identifies the specific line and page references to the confidential information for which FPL seeks confidential treatment, and provides a brief description of the confidential information. The table also references the specific statutory basis for confidentiality and the affiant who supports the requested classification.

d. Exhibit D is the declaration of Gerard J. Yupp.

3. FPL submits that the highlighted information in Exhibit A is proprietary confidential business information within the meaning of Section 366.093(3). 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 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 explained in more detail in the declaration of Gerard Yupp and described in Exhibit C, the Hedging Plan includes details of FPL's strategy and plans for hedging fuel purchases in 2016 and beyond. Certain confidential information contained in the Hedging Plan relates to hedging-related bids or other contractual data, the disclosure of which would impair the efforts of FPL to hedge on favorable terms, to the detriment of FPL and its customers. This information is protected by Section 366.093(3)(d), Fla. Stat.

5. Additionally, the confidential information contained in the Hedging Plan also relates to competitive interests, and its disclosure would impair the competitive business of FPL. This information is protected by Section 366.093(3)(e), Fla. Stat.

6. Upon a finding by the Commission that the confidential information highlighted in Exhibit A and referenced in Exhibit C is proprietary confidential business information, the confidential information should not be declassified for at least eighteen (18) months 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 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,
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By: s/ Maria J. Moncada

Maria J. Moncada
Fla. Bar No. 0773301

CERTIFICATE OF SERVICE
Docket No. 160096-EI

I **HEREBY CERTIFY** that a true and correct copy of the foregoing Request for Confidential Classification has been furnished by electronic service on this 25th day of April 2016 to:

Suzanne Brownless, Esq.
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