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August 26, 2016

**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

**Re: Docket No. 160001-EI**

Dear Ms. Stauffer:

RECEIVED-FPSC  
2016 AUG 26 AM 11:41  
COMMISSION  
CLERK

I enclose for filing in the above docket Florida Power & Light Company's ("FPL's") Request for Confidential Classification of Information Provided in Response to Staff's Fourth Set of Interrogatories (No. 41). The request includes Exhibits A, B (two copies), C and D.

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 declaration in support of FPL's request.

Please contact me if you or your Staff has any questions regarding this filing.

Sincerely,

Maria J. Moncada

Enclosure

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

COM \_\_\_\_\_  
AFD \_\_\_\_\_  
APA \_\_\_\_\_  
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**REDACTED**

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

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

Docket No: 160001-EI

Date: August 26, 2016

**FLORIDA POWER & LIGHT COMPANY'S REQUEST  
FOR CONFIDENTIAL CLASSIFICATION OF INFORMATION  
PROVIDED IN RESPONSE TO THE STAFF OF THE FLORIDA PUBLIC  
SERVICE COMMISSION'S FOURTH SET OF INTERROGATORIES (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 Staff of the Florida Public Service Commission's ("Staff") Fourth Set of Interrogatories (No. 41) ("Confidential Discovery Response"). In support of its Request, FPL states as follows:

1. On July 29, 2016, Staff served its Fourth Set of Interrogatories (No. 41) on FPL. FPL's Response to Staff's Fourth Set of Interrogatories (No. 41) contains information of a confidential nature within the meaning of Section 366.093(3), Florida Statutes.

2. FPL served its response to Staff's Fourth Set of Interrogatories (No. 41) on August 29, 2016. This request is being filed contemporaneously with the service of FPL's response to Staff's discovery 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 all information that FPL asserts is entitled to confidential treatment is highlighted.

b. Exhibit B consists of an edited version of the Confidential Discovery Response on which all information that FPL asserts is entitled to confidential treatment is redacted.

c. Exhibit C is a table containing a page-and-line identification of the information highlighted in Exhibit A and a brief description of the Confidential Information. Exhibit C also references the specific statutory bases for the claim of confidentiality and identifies the declarant who supports the requested classification.

d. Exhibit D is the declaration of Gerard J. Yupp in support of this Request.

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 harm of disclosure against the public interest in access to the information.

5. As the description included in Exhibit C and the declaration included in Exhibit D indicate, the Confidential Discovery Response provided by FPL contains information concerning bids or other contractual data, the disclosure of which would impair the efforts of FPL to contract for goods and services on favorable terms. This information is protected by Section 366.093(3)(d), Fla. Stat.

6. Additionally, certain information relates to the competitive interests of FPL and its vendors, the disclosure of which would impair their competitive interests. This information is protected by Section 366.093(3)(e), Fla. Stat.

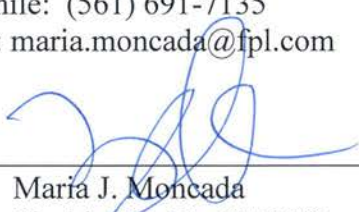
7. Upon a finding by the Commission that the Confidential Information remains proprietary and confidential business information, the information should not be declassified for

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 Request for Confidential Classification be granted.

Respectfully submitted,

John T. Butler  
Assistant General Counsel - Regulatory  
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By:   
\_\_\_\_\_  
Maria J. Moncada  
Florida Bar No. 0773301

**CERTIFICATE OF SERVICE**  
**Docket No. 160001-EI**

I HEREBY CERTIFY that a true and correct copy of the foregoing Request for Confidential Classification\* has been furnished by electronic mail this 26th day of August 2016 to following:

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By:



\_\_\_\_\_  
Maria J. Moncada  
Florida Bar No. 0773301

\* The exhibits to this Request are not included with the service copies, but copies of Exhibits B, C and D are available upon request.

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# **EXHIBIT A**

**CONFIDENTIAL DOCUMENTS  
FILED UNDER SEPARATE COVER**

# **EXHIBIT B**

**REDACTED COPIES**



**Florida Power & Light Company**  
**Docket No. 160001-EI**  
**Staff's 4th Set of Interrogatories**  
**Interrogatory No. 41**  
**Page 1 of 1**

**Q.** For the purpose of this interrogatory, please complete Table 1 below:

**A.** Table 1 includes hedging percentages based on both projected burn volumes (determined prior to the beginning of a month) and actual burn values from FPL's monthly A3 Schedule (determined after the month has ended). The projected fuel burn volumes, calculated by the GenTrader production cost model, are compared to hedging program positions to establish the hedged percentage values. The hedged percentages are then compared to the Risk Management Plan limits to verify hedged volumes are in compliance with the Commission approved Risk Management Plan. Actual fuel burn volumes, which are available only after hedging has been completed and hedging transactions have settled, are not compared to Risk Management Plan target percentage levels since they are not relevant to percentage calculations.

TABLE 1

Monthly Percent of Natural Gas Volume Hedged in Relation to Total Burned								
	A	B	C	D	E	F	G	H
			FPL 2013 - 2016					
	2013		2014		2015		2016	
	Based on Last Projection	Based on Month-End Actuals	Based on Last Projection	Based on Month-End Actuals	Based on Last Projection	Based on Month-End Actuals	Based on Last Projection	Based on Month-End Actuals
1	January							
2	February							
3	March							
4	April							
5	May							
6	June							
7	July							
8	August						N/A	N/A
9	September						N/A	N/A
10	October						N/A	N/A
11	November						N/A	N/A
12	December						N/A	N/A
13	Yearly Average						N/A	N/A
14	Hedging Range for Natural Gas identified in that year's Risk Management Plan							

NOTE: All percentages are based on natural gas financial hedging activity.

# **EXHIBIT C**

## **JUSTIFICATION TABLE**

**EXHIBIT C**

**COMPANY:** Florida Power & Light Company  
**TITLE:** List of Confidential Documents  
**DOCKET TITLE:** Fuel and Purchased Power Cost Recovery Clause with Generating Performance Incentive Factor  
**DOCKET NO:** 160001-EI  
**SUBJECT:** FPL's Responses to Staff's 4th Set of Interrogatories No. 41  
**DATE:** August 26, 2016

Staff's 4th Set of Interrogs. (No.)	No. of Pages	Description	Line No./ Col. No.	Florida Statute 366.093(3) Subsection	Declarant
41	1	Monthly Percent of Natural Gas Volume Hedged	Cols. A-F, Lns. 1-14 Cols. G-H, Lns. 1-7, 14	(d), (e)	G. Yupp

**EXHIBIT D**

**AFFIDAVITS**

**EXHIBIT D**

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Fuel and Purchase Power Cost Recovery  
Clause with Generating Performance Incentive  
Factor

Docket No: 160001-EI

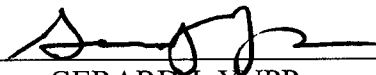
STATE OF FLORIDA                    )  
  )  
COUNTY OF PALM BEACH         )         **DECLARATION OF GERARD J. YUPP**

1. My name is Gerard J. Yupp. I am currently employed by Florida Power & Light Company ("FPL") as Senior Director of Wholesale Operations in the Energy Marketing and Trading Division. I have personal knowledge of the matters stated in this written declaration.

2. I have reviewed the documents and information included in Exhibit A to FPL's Request for Confidential Classification. The documents and materials that I have reviewed and which are asserted by FPL to be proprietary confidential business information contain or constitute data pertinent to FPL's hedging program. Specifically, the documents contain information regarding monthly percentage of natural gas volume hedged. Additionally, the confidential information relates to competitive interests or other contractual data, the disclosure of which would impair the competitive business as well as the efforts of FPL to contract for goods and services on favorable terms, also to the detriment of FPL and its customers. To the best of my knowledge, FPL has maintained the confidentiality of these documents and materials.

3. Consistent with the provisions of the Florida Administrative Code, such materials should remain confidential for a period of eighteen (18) months. In addition, the 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. 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.

  
\_\_\_\_\_  
GERARD J. YUPP

Date: 8/25/16