

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Energy Conservation Cost Recovery
Clause

Docket No: 170002-EG
Date: April 25, 2017

**FLORIDA POWER AND LIGHT COMPANY'S THIRD REQUEST
FOR EXTENSION OF CONFIDENTIAL CLASSIFICATION
OF INFORMATION PROVIDED PURSUANT TO AUDIT NO. 09-028-4-1**

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 Third Request for Extension of Confidential Classification of Information Provided Pursuant to Audit No. 09-028-4-1 ("Confidential Information"). In support of this request, FPL states as follows:

1. On August 19, 2009, FPL filed a Request for Confidential Classification of the Confidential Information, which included Exhibits A, B, C and D, which were subsequently revised on February 25, 2010 pursuant to Florida Public Service Commission staff auditor's request ("August 12, 2008 Request"). By Order No. PSC-11-0317-CFO-EG, dated July 28, 2011 ("Order 0317"), the Commission granted FPL's August 12, 2008 Request. FPL adopts and incorporates by reference the August 19, 2009 Request and Order 0317.

2. On January 28, 2013, FPL filed a First Request for Extension of Confidential Classification of the Confidential Information, which included First Revised Exhibits A, B, C and D ("January 28, 2013 Request"). By Order No. PSC-13-0479-CFO-EG, dated October 15, 2013 ("Order 0479"), the Commission granted FPL's January 28, 2013 Request. FPL adopts and incorporates by reference the January 28, 2013 Request and Order 0479.

3. On March 11, 2015, FPL filed a Second Request for Extension of Confidential Classification of the Confidential Information, which included Second Revised Exhibit D ("March 11, 2015 Request"). By Order No. PSC-15-0475-CFO-EG, dated October 15, 2015

(“Order 0475”), the Commission granted FPL’s March 11, 2015 Request. FPL adopts and incorporates by reference the March 11, 2015 Request and Order 0475.

4. The period of confidential treatment granted by Order 0475 will soon expire. The Confidential Information that was the subject of FPL’s March 11, 2015 Request and Order 0475 warrants continued treatment as proprietary and confidential business information within the meaning of Section 366.093(3). Accordingly, FPL hereby submits its Third Request for Extension of Confidential Classification.

5. All of the information designated in First Revised Exhibits A, B and C to the March 11, 2015 Request remains confidential. Accordingly, those exhibits will not be reproduced or reattached here.

6. Included herewith is Third Revised Exhibit D, which contains the declarations of Antonio Maceo, Damaris Rodriguez and Anita Sharma in support of this request.

7. 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.

8. As the affidavits included in Third Revised Exhibit D indicate, the Confidential Information includes proprietary information of FPL concerning internal auditing controls, reports or notes of internal auditors or information relating to internal auditing controls. This information is protected by Section 366.093(3)(b), Fla. Stat.

9. Also, certain documents contain bids or other contractual data, the disclosure of which would impair the efforts of FPL to contract for goods or services on favorable terms. This information is protected by Section 366.093(3)(d), Fla. Stat.

10. Additionally, some information also relates to the competitive interest of FPL or third parties, the disclosure of which would impair the competitive business of the provider of the information. Such information is protected by Section 366.093(3)(e).

11. Certain documents contain information that relates to customer-specific account information. 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).

12. Upon a finding by the Commission that the Confidential Information remains proprietary and confidential business information, the information should not be declassified for an additional twelve months and should be returned to FPL upon the expiration of the Commission's retention period so that FPL can continue to maintain the confidentiality of these documents. *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 Third Request for Extension of Confidential Classification be granted.

Respectfully submitted,

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CERTIFICATE OF SERVICE
Docket No. 170002-EG

I HEREBY CERTIFY that a true and correct copy of the foregoing was served by electronic mail this 25th day of April 2017 to the following:

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EXHIBIT D

DECLARATIONS

THIRD REVISED EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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DECLARATION OF ANTONIO MACEO

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

2. I have reviewed the documents referenced and incorporated in FPL's Third Request for Extension of Confidential Classification of Information Obtained in Connection with Audit No. 09-028-4-1 for which I am identified as the declarant. The documents or materials contain or constitute competitively sensitive information, the disclosure of which could impair the competitive business of the provider of the information. Specifically, the information contains or constitutes internal auditing controls, reports or notes of internal auditors, or information relating to internal auditing reports issued in 2009. 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-15-0475-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 an additional twelve (12) months, and should be returned to FPL upon the expiration of the Commission's retention period 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.



ANTONIO MACEO

Date: _____
4/24/17

THIRD REVISED EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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DECLARATION OF DAMARIS RODRIGUEZ

1. My name is Damaris Rodriguez. I am currently employed by Florida Power & Light Company ("FPL") as Senior Manager of Cost Recovery Clauses in the Regulatory Affairs Department. I have personal knowledge of the matters stated in this declaration.

2. I have reviewed the documents referenced and incorporated in FPL's Third Request for Extension of Confidential Classification of Information Obtained in Connection with Audit No. 09-028-4-1 for which I am identified as the declarant. The documents or materials that I have reviewed and which are asserted by FPL to be proprietary confidential business information contain or constitute customer-specific account information. 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-15-0475-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 an additional twelve (12) months, and should be returned to FPL upon the expiration of the Commission's retention period 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.


DAMARIS RODRIGUEZ

Date: 4/24/17

THIRD REVISED EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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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 declaration.

2. I have reviewed the documents referenced and incorporated in FPL's Third Request for Extension of Confidential Classification of Information Obtained in Connection with Audit No. 13-004-4-3 for which I am identified as the declarant. The documents or materials contain or constitute competitively sensitive information, the disclosure of which could impair the competitive business of the provider of the information. Some information pertains to negotiated terms with third party vendors for equipment and services related to FPL's implementation of demand side management and conservation programs. Additionally, some of the information contains information related to payroll, pension and welfare rates. Other documents contain 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, 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-15-0475-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 an additional twelve (12) months, and should be returned to FPL upon the expiration of the Commission's retention period 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

Date: 4/24/2017