

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for increase in rates by Florida
Power & Light Company

Docket No: 160021-EI
Date: November 3, 2017

**FLORIDA POWER & LIGHT COMPANY'S FIRST REQUEST FOR
EXTENSION OF CONFIDENTIAL CLASSIFICATION OF INFORMATION
PROVIDED IN RESPONSE TO STAFF OF THE FLORIDA PUBLIC SERVICE
COMMISSION'S FIRST REQUEST FOR PRODUCTION OF DOCUMENTS (No. 4)**

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 First Request for Extension of Confidential Classification of Information Provided in Response to Staff of the Florida Public Service Commission's ("Staff") First Request for Production of Documents (No. 4) ("Confidential Discovery Response"). In support of this request, FPL states as follows:

1. On April 14, 2016, FPL filed a Request for Confidential Classification of the Confidential Information, which included Exhibits A, B, C and D ("April 14, 2016 Request"). By Order No. PSC-16-0179-CFO-EI, dated May 4, 2016 ("Order 0179"), the Commission granted FPL's April 14, 2016 Request. FPL adopts and incorporates by reference the April 14, 2016 Request and Order 0179.

2. The period of confidential treatment granted by Order 0179 will soon expire. The Confidential Discovery Response that was the subject of FPL's April 14, 2016 Request and Order 0179 warrants continued treatment as proprietary and confidential business information within the meaning of Section 366.093(3). Accordingly, FPL hereby submits its First Request for Extension of Confidential Classification.

3. All of the information designated in Exhibits A, B and C to the April 14, 2016 Request remains confidential. Accordingly, those exhibits will not be reproduced or reattached here.

4. Included as First Revised Exhibit D is the declaration of Antonio Maceo in support of this request.

5. The Confidential Discovery Response 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.

6. As more fully described in the declaration included in First Revised Exhibit D, certain documents contain information related to internal auditing controls and reports of internal auditors. This information is protected by Section 366.093(3)(b), Fla. Stat.

7. Upon a finding by the Commission that the Confidential Discovery Response 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 First Request for Extension of Confidential Classification be granted.

Respectfully submitted,

John T. Butler
Assistant General Counsel - Regulatory
Maria J. Moncada
Senior 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 160021-EI

I **HEREBY CERTIFY** that a true and correct copy of FPL's First Request for Extension of Confidential Classification has been furnished by electronic service on this 3rd day of November 2017 to the following:

Suzanne Brownless
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-1400
sbrownle@psc.state.fl.us
Office of the General Counsel
Florida Public Service Commission

Jon C. Moyle, Jr.
Karen A. Putnal
Moyle Law Firm, PA
118 North Gadsden Street
Tallahassee, FL 32301
jmoyle@moylelaw.com
kputnal@moylelaw.com
Attorneys for Florida Industrial
Power Users Group

Kenneth L. Wiseman
Mark F. Sundback
William M. Rappolt
Andrews Kurth LLP
1350 I Street NW, Suite 1100
Washington, D.C. 20005
kwiseman@andrewskurth.com
msundback@andrewskurth.com
wrappolt@andrewskurth.com
Attorneys for South Florida Hospital
and Healthcare Association

J. R. Kelly, Public Counsel
Patricia A. Christensen, Lead Counsel
Charles J. Rehwinkel
Erik Sayler
Tricia Merchant
Stephanie Morse
Office of Public Counsel
c/o The Florida Legislature
111 West Madison Street, Room 812
Tallahassee, FL 32399-1400
Kelly.jr@leg.state.fl.us
Christensen.Patty@leg.state.fl.us
Rehwinkel.Charles@leg.state.fl.us
sayler.erik@leg.state.fl.us
merchant.tricia@leg.state.fl.us
morse.stephanie@leg.state.fl.us
Attorneys for the Citizens
of the State of Florida

Stephanie U. Roberts
Spilman Thomas & Battle, PLLC
110 Oakwood Drive, Suite 500
Winston-Salem, NC 27103
sroberts@spilmanlaw.com

Derrick P. Williamson
Spilman Thomas & Battle, PLLC
1100 Bent Creek Boulevard, Suite 101
Mechanicsburg, PA 17050
dwilliamson@spilmanlaw.com
Attorneys for Wal-Mart Stores East, LP and
Sam's East, Inc. (Walmart)

Federal Executive Agencies
Thomas A. Jernigan
AFCEC/JA-ULFSC
139 Barnes Drive, Suite 1
Tyndall Air Force Base, FL 32403
Thomas.Jernigan.3@us.af.mil
**Attorney for the Federal Executive
Agencies**

Robert Scheffel Wright
John T. Lavia, III
Gardner, Bist, Bowden, Bush, Dee, LaVia
& Wright, P.A.
1300 Thomaswood Drive
Tallahassee, FL 32308
schef@gbwlegal.com
jlavia@gbwlegal.com
**Attorneys for the Florida Retail
Federation**

Nathan A. Skop, Esq.
420 NW 50th Blvd.
Gainesville, FL 32607
n_skop@hotmail.com
**Attorney for Daniel R. Larson and
Alexandria Larson**

Jack McRay, Advocacy Manager
AARP Florida
200 W. College Ave., #304
Tallahassee, FL 32301
jmcray@aarp.org

John B. Coffman
John B. Coffman, LLC
871 Tuxedo Blvd.
St. Louis, MO 63119-2044
john@johncoffman.net
Attorney for AARP

Diana A. Csank
Josh Stebbins
Staff Attorney
Sierra Club
50 F St. NW, 8th Floor
Washington, DC 20001
diana.csank@sierraclub.org
josh.stebbins@sierraclub.org
Attorney for Sierra Club

By: /s/ Maria J. Moncada
Maria J. Moncada
Florida Bar No. 0773301

FIRST REVISED

EXHIBIT D

DECLARATION

EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for rate increase by Florida
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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 written declaration.

2. I have reviewed the documents referenced and incorporated in FPL's Request for Confidential Classification. The documents or materials that I have reviewed and which are asserted by FPL to be proprietary confidential business information contain or constitute internal audit controls, processes and reports in relation to FPL's affiliate billing processes in 2013 and 2014. Full and frank disclosure of information to the Internal Auditing department is essential for the department to confirm accuracy of the drivers and allocation process currently in place and the confidential status of the audit controls 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. Nothing has occurred since the issuance of Order No. PSC-16-0179-CFO-EI to render the designated information stale or public, such that continued confidential treatment would not be appropriate. Therefore, consistent with the provisions of the Florida Administrative Code, such materials should remain confidential for a period of not less than 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.



ANTONIO MACEO

Date: _____

4/1/17