

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Energy Conservation Cost Recovery
Clause

Docket No: 20180002-EG
Date: January 26, 2018

**FLORIDA POWER & LIGHT COMPANY'S SECOND REQUEST
FOR EXTENSION OF CONFIDENTIAL CLASSIFICATION OF
MATERIALS PROVIDED PURSUANT TO AUDIT NO. 14-017-4-1**

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 Second Request for Extension of Confidential Classification of Information Provided Pursuant to Audit No. 14-017-4-1 ("Confidential Information"). In support of this request, FPL states as follows:

1. On July 11, 2014 FPL filed a Request for Confidential Classification of the Confidential Information, which included Exhibits A, B, C and D ("July 11, 2014 Request"). By Order No. PSC-14-0529-CFO-EG, dated October 3, 2014 ("Order 0529"), the Commission granted FPL's July 11, 2014 Request. FPL adopts and incorporates by reference the July 11, 2014 Request and Order 0529.

2. On March 30, 2016 FPL filed its First Request for Extension of Confidential Classification of the Confidential Information, which included First Revised Exhibit D. By Order No. PSC-16-0308-CFO-EG, dated July 28, 2016 ("Order 0308"), the Commission granted FPL's March 30, 2016 Request. FPL adopts and incorporates by reference the March 30, 2016 Request and Order 0308.

3. The period of confidential treatment granted by Order 0308 will soon expire. The Confidential Information that was the subject of FPL's March 30, 2016 Request and Order 0308 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 11, 2014 Request remains confidential. Accordingly, those exhibits will not be reproduced or reattached here.

5. The declaration of Anita Sharma in support of this request is included as Second Revised Exhibit D.

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 explained more fully in the declaration included as Second Revised Exhibit D, certain documents contain information concerning 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.

8. Also, certain documents contain information relating to competitive interests, the disclosure of which would impair the competitive business of FPL or its vendors. This information is protected by Section 366.093(3)(e), Fla. Stat.

9. Nothing has changed since the Commission entered Order 0308 to render the Confidential Information stale or public, such that continued confidential treatment would not be appropriate.

10. 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 thirty-six (36) months 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. (2017).

WHEREFORE, for the above and foregoing reasons, as more fully set forth in the supporting materials included with or incorporated in this Request, Florida Power & Light Company respectfully requests that its Second Request for Extension of Confidential Classification be granted.

Respectfully submitted,

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CERTIFICATE OF SERVICE
Docket No. 20180002-EG

I HEREBY CERTIFY that a true and correct copy of the foregoing Second Request for Confidential Classification was served by electronic mail this 29th day of January 2018 to the following:

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s/ Maria J. Moncada

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**SECOND REVISED
EXHIBIT D**

SECOND REVISED EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Energy Conservation Cost Recovery Clause

Docket No: 20180002-EG

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 written declaration.

2. I have reviewed the documents referenced and incorporated in FPL's Second Request for Extension of Confidential Classification of Information Obtained in Connection with Audit No. 14-017-4-1 for which I am listed as the affiant. The documents or materials that I have reviewed, and which are asserted by FPL to be proprietary confidential business information contain or constitute information pertaining to negotiated terms with third party vendors for services related to FPL's demand side management ("DSM") programs. The confidential materials also reflect cost structures for FPL's DSM programs. Disclosure of the designated information would impair the competitive business of FPL and its vendor. 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-16-308-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 not less than 36 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

Date: 1/22/2018