



**REDACTED**

Kevin I.C. Donaldson  
Senior Attorney  
Florida Power & Light Company  
700 Universe Boulevard  
Juno Beach, FL 33408-0420  
(561) 304-5170  
(561) 691-7135 (Facsimile)  
E-mail: kevin.donaldson@fpl.com

May 11, 2018

**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

RECEIVED-PPSC  
2018 MAY 11 AM 11:56  
COMMISSION  
CLERK

**Re: Docket No. 20160251-EI**

Dear Ms. Stauffer:

I enclose for filing in the above docket Florida Power & Light Company's ("FPL") Request for Confidential Classification. 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 for Confidential Classification.

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

Sincerely,

Kevin I.C. Donaldson

Enclosure

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

COM    
AFD  redacted only.   
APA    
ECO    
ENG    
GCL    
IDM    
CLK

6598934

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Petition by Florida Power & Light Company for Limited Proceeding for Recovery of Incremental Storm Restoration Costs Related to Hurricane Matthew	Docket No. 160251-EI Filed: May 11, 2018
--	---

**FLORIDA POWER & LIGHT COMPANY'S  
REQUEST FOR CONFIDENTIAL CLASSIFICATION**

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 the Staff of the Florida Public Service Commission's ("Staff") Comprehensive Exhibit List, Exhibit B, which contains FPL's confidential responses to the Office of Public Counsel's ("OPC") First Request for Production of Documents (No. 9). In support of this request, FPL states as follows:

1. On March 17, 2016, OPC served its First Request for Production of Documents (Nos. 1-11) on FPL. FPL filed a Motion for Temporary Protective Order for certain confidential information contained in FPL's Response Nos. (3-9). Staff has requested from FPL that a subset of FPL's confidential information in these production of documents be included in Staff's Comprehensive Exhibit List, Exhibit B, for the hearing scheduled on May 22-23, 2018. Accordingly, FPL files this Request for Confidential Classification for FPL Response No. 9.

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

a. Exhibit A consists of a copy the confidential documents, on which all information that is entitled to confidential treatment under Florida law has been highlighted.

b. Exhibit B consists of a copy of the confidential documents, on which all the information that is entitled to confidential treatment under Florida law has been redacted. For documents that are confidential in their entirety, FPL has included only identifying cover pages in Exhibit B.

c. Exhibit C is a table containing an identification of the information highlighted in Exhibit A by page and line 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 contains the declaration of Elizabeth Fuentes in support of this Request.

3. 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 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 described more fully in the declaration included as 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.

5. Also, certain information in these documents concern FPL's competitive interests, the disclosure of which would impair the competitive business of FPL and its vendors. This information is protected by Section 366.093(3)(e), Fla. Stat.

6. Upon a finding by the Commission that the information highlighted in Exhibit A, and referenced in Exhibit C, is proprietary confidential business information, the information

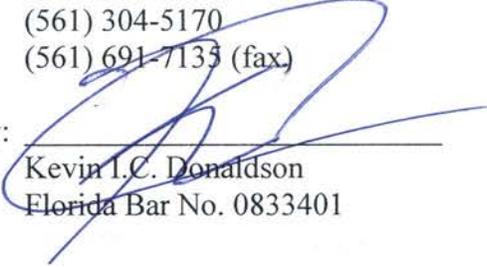
should not be declassified for a period of at least eighteen (18) months and should be returned to FPL as soon as the information is no longer necessary for the Commission to conduct its business. *See* § 366.093(4), Fla. Stat.

**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 this 11<sup>th</sup> day of May, 2018.

John T. Butler  
Assistant General Counsel-Regulatory  
[john.butler@fpl.com](mailto:john.butler@fpl.com)  
Kenneth Rubin  
Senior Counsel  
[Ken.Rubin@fpl.com](mailto:Ken.Rubin@fpl.com)  
Kevin I.C. Donaldson  
Senior Attorney  
[kevin.donaldson@fpl.com](mailto:kevin.donaldson@fpl.com)  
Attorneys for Florida Power & Light Company  
700 Universe Boulevard  
Juno Beach, Florida 33408  
(561) 304-5170  
(561) 691-7133 (fax)

By: \_\_\_\_\_

  
Kevin I.C. Donaldson  
Florida Bar No. 0833401

**CERTIFICATE OF SERVICE**

**Docket No. 20160251-EI**

I HEREBY CERTIFY that a true and correct copy of FPL's Request for Confidential Classification\* has been furnished by electronic mail this 11th day of May, 2018, to the following parties:

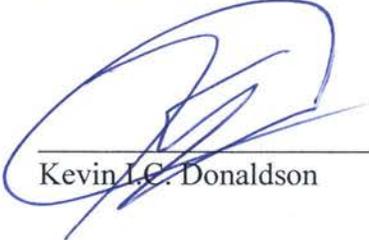
Suzanne Brownless  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-1400  
sbrownle@psc.state.fl.us  
**Office of the General Counsel  
Florida Public Service Commission**

J. R. Kelly, Public Counsel  
Patricia A. Christensen, Lead Counsel  
Charles J. Rehwinkel  
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  
**Attorneys for the Citizens  
of the State of Florida**

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**

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

By: \_\_\_\_\_

  
Kevin L.C. Donaldson

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

**EXHIBIT A**

**CONFIDENTIAL**

**FILED UNDER SEPARATE COVER**

**EXHIBIT B**

**REDACTED COPIES**

**FPL's response to  
OPC's 1st Set of Production of Documents  
No.9 (Attachments)  
Bates Nos. FPL 000251-000258,  
000417-000424, 000427-000438, 000442,  
000444, 000448-000483  
are confidential in their entirety**

# **EXHIBIT C**

## **JUSTIFICATION TABLE**

**EXHIBIT C**

**COMPANY:** Florida Power & Light Company  
**TITLE:** List of Confidential Documents  
**DOCKET NO:** 20160251-EI  
**DOCKET TITLE:** Petition for Limited Proceeding for Recovery of Incremental Storm Restoration Costs Related to Hurricane Matthew by Florida Power & Light Company  
**DATE:** May 11, 2018

Description / Discovery Set	Item Nos.	Bates Number	Conf. Y/N	Line/Column	Florida Statute 366.093(3) Subsection	Declarant
Staff's Comprehensive Exhibit List – Exhibit B (to OPC's First Set of Production of Documents)	9 (Attachments)	FPL 000251-000258, FPL 000417-000424, FPL 000427-000438, FPL 000442, FPL 000444, FPL 000448-000483	Y	ALL	(d), (e)	Elizabeth Fuentes

**EXHIBIT D**

**DECLARATION**

