



REDACTED

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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 11:57
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 declarations 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 1 Redacted only
APA _____
ECO _____
ENG _____
GCL _____
IDM _____
CLK _____

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 A, which contains FPL's confidential responses to the Office of Public Counsel's ("OPC") First Set of Interrogatories Nos. 18-20 and 34. In support of this request, FPL states as follows:

1. On March 17, 2016, OPC served its First Set of Interrogatories Nos. 1-35 on FPL. FPL filed a Motion for Temporary Protective Order for certain confidential information contained in FPL's Response Nos. 18-20, 22, 34. Staff has requested from FPL that a subset of FPL's confidential information in these interrogatories be included in Staff Comprehensive Exhibit List, Exhibit A, for the hearing scheduled on May 22-23, 2018. Accordingly, FPL files this Request for Confidential Classification for FPL Response Nos. 18-20, 34.

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 declarations of David Bromley and 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.

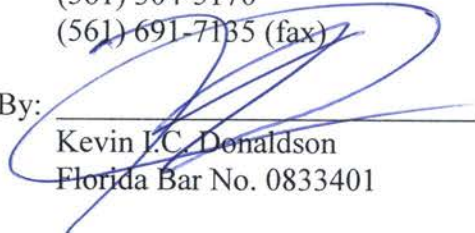
5. Also, certain information in these documents concern FPL's competitive interests, the disclosure of which would impair the competitive business of FPL and its vendors. This information is protected by Section 366.093(3)(e), Fla. Stat.

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 11th day of May, 2018.

John T. Butler
Assistant General Counsel-Regulatory
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Kenneth Rubin
Senior Counsel
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Kevin I.C. Donaldson
Senior Attorney
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(561) 691-7135 (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
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jlavia@gbwlegal.com
Florida Retail Federation

By:


Kevin J. 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 Interrogatories No.18
(Attachment No.1)
Bates Nos. FPL 030289-030294
are confidential in their entirety**

CONFIDENTIAL

Florida Power & Light Company
Docket No. 20160251-EI
OPC's First Set of Interrogatories
Interrogatory No. 19
Page 1 of 1

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QUESTION:

Contractors. Identify the contractors that performed the thermovision follow up, identify the number of distribution system miles this procedure was performed on, the cost of the thermovision work performed and identify what other costs were included in the follow up.

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RESPONSE:

[REDACTED] and [REDACTED] performed thermovision inspections on approximately 2,600 miles of FPL facilities. Total thermovision inspection costs were approximately \$365,000. Costs (includes labor, equipment and materials) included in Distribution follow up costs are primarily associated with follow up inspections/patrols and the necessary repairs and replacement of equipment/facilities (includes streetlights) identified by the inspections/patrols to restore FPL's facilities to their pre-storm condition.

**FPL's response to
OPC's 1st Set of Interrogatories No.20
(Attachment No.1)
Bates No. FPL 030287
is confidential in its entirety**

**FPL's response to
OPC's 1st Set of Interrogatories No.34
(Attachment No.1)
Bates Nos. FPL 009923-009925
are confidential in their entirety**

**FPL's response to
OPC's 1st Set of Interrogatories No.34
(Attachment No.2)
Bates Nos. FPL 009926-009929
are confidential in their entirety**

**FPL's response to
OPC's 1st Set of Interrogatories No.34
(Attachment No.3)
Bates Nos. FPL 009930-009931
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 A (to OPC's First Set of Interrogatories)	18 (Attachment No.1)	FPL 030289-030294	Y	ALL	(d), (e)	Elizabeth Fuentes
	19	FPL 009932	Y	Lns. 13a,13b	(d), (e)	David Bromley
	20 (Attachment No.1)	FPL 030287	Y	ALL	(d), (e)	
	34 (Attachment No.1)	FPL 009923-009925	Y	ALL	(d), (e)	Elizabeth Fuentes
	34 (Attachment No.2)	FPL 009926-009929	Y	ALL		
	34 (Attachment No.3)	FPL 009930-009931	Y	ALL		

EXHIBIT D

DECLARATIONS

EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for limited proceeding for recovery of incremental storm restoration costs related to Hurricane Matthew by Florida Power & Light Company.

Docket No: 20160251-EI

STATE OF FLORIDA)
)
COUNTY OF PALM BEACH)

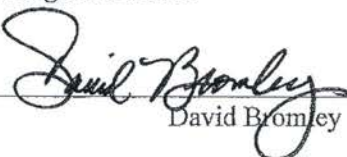
WRITTEN DECLARATION OF DAVID BROMLEY

1. My name is David Bromley. I am currently employed by Florida Power & Light Company ("FPL") as Manager of Regulatory Services. 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 filed this date, for which I am listed as the declarant on Exhibit C. The documents that I have reviewed and which are asserted by FPL to be proprietary confidential business information contain or constitute contractual data. This information relates to competitive interests, the disclosure of which would impair the competitive business of FPL, its affiliates or its vendors. Specifically, the documents, testimony, and exhibits contains the names, rates, quantity, and invoices of our third-party contractors, lodging suppliers, and vendors along with specific prepayment provisions that were agreed upon exclusively with these contractors, vendors, and suppliers. Disclosure of this information could impair our contractor, vendor, and suppliers relationships, and negate the significant leverage these entities have during a storm event (in a seller's market) to secure critical construction, restoration, and logistical resources and availability necessary to perform storm restoration. It also impacts the efforts of FPL or its affiliates to contract for goods and services on favorable terms in the future, which in turn increases costs to FPL and its customers. To the best of my knowledge, FPL has maintained the confidentiality of this information.

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



David Bromley

Date: 5/9/18

EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for limited proceeding for recovery of incremental storm restoration costs related to Hurricane Matthew by Florida Power & Light Company.

Docket No: 20160251-EI

STATE OF FLORIDA)
COUNTY OF PALM BEACH)

WRITTEN DECLARATION OF ELIZABETH FUENTES

1. My name is Elizabeth Fuentes. I am currently employed by Florida Power & Light Company ("FPL") as Senior Director of Regulatory Accounting. 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 filed this date, for which I am listed as the declarant on Exhibit C. The documents that I have reviewed and which are asserted by FPL to be proprietary confidential business information contain or constitute contractual data. This information relates to competitive interests, the disclosure of which would impair the competitive business of FPL, its affiliates or its vendors. Specifically, the documents and exhibits contains the names, rates, quantity, and invoices of our third-party contractors, lodging suppliers, and vendors along with specific prepayment provisions that were agreed upon exclusively with these contractors, vendors, and suppliers. Disclosure of this information could impair our contractor, vendor, and suppliers relationships, and negate the significant leverage these entities have during a storm event (in a seller's market) to secure critical construction, restoration, and logistical resources and availability necessary to perform storm restoration. It also impacts the efforts of FPL or its affiliates to contract for goods and services on favorable terms in the future, which in turn increases costs to FPL and its customers. To the best of my knowledge, FPL has maintained the confidentiality of this information.

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

Elizabeth Fuentes
Elizabeth Fuentes

Date: 5/9/18