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## Public Service Commission

May 2, 2018

W. Rappolt/Andrews Law Firm  
1350 I Street NW, Suite 1100, Washington, DC 20005

**Re: Docket No. 20160021**

Dear W. Rappolt:

Please find attached a document that we were unsuccessful in transmitting to you via email. The email address we have on record for you is [wrappolt@andrewskurth.com](mailto:wrappolt@andrewskurth.com). Please confirm your email address with [Clerk@psc.state.fl.us](mailto:Clerk@psc.state.fl.us). Also, please ensure that the following addresses are placed on your email whitelist, so that you may continue to receive electronic notifications from the Florida Public Service Commission: [Clerk@psc.state.fl.us](mailto:Clerk@psc.state.fl.us) and [rarfax2@psc.state.fl.us](mailto:rarfax2@psc.state.fl.us). **Please include the docket number referenced above in your communications with this office.**

Should you have any questions, please contact us at 850/413-6770.

Sincerely,

A handwritten signature in blue ink that reads "Carlotta S. Stauffer".

/css

Attachment

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for rate increase by Florida  
Power & Light Company.

DOCKET NO. 20160021-EI  
ORDER NO. PSC-2018-0191-CFO-EI  
ISSUED: April 23, 2018

**ORDER GRANTING FLORIDA POWER & LIGHT COMPANY'S  
FIRST REQUEST FOR EXTENSION OF CONFIDENTIAL CLASSIFICATION  
(DOCUMENT NO. 03148-16, X-REF. 02689-16, 04833-16)**

On February 5, 2018, pursuant to Section 366.093, Florida Statutes (F.S.), and Rule 25-22.006, Florida Administrative Code (F.A.C.), Florida Power & Light Company (FPL) filed a request for extension of confidential classification for its responses to: Office of Public Counsel's (OPC) First Request for Production of Documents, Nos. 2, 8, 10, 15, 19, 28, 34, 36 and 38; OPC's Third Request for Production of Documents No. 89; Commission staff's First Set of Interrogatories No. 3; Commission staff's Third Set of Interrogatories Nos. 89 and 114; and Commission staff's Third Request for Production of Documents Nos. 15, 18, and 20. (Document No. 03148-16, x-ref. 02689-16). FPL originally requested that Columns A through L on lines 97 through 145 on both pages of OPC's First Request for Production of Documents No. 19 be classified as confidential. However, on July 13, 2016, FPL restricted its request for confidentiality to Column C on these two pages (Document No. 04833-16). Order No. PSC-16-0312-CFO-EI, issued on August 3, 2016 originally granted confidentiality to these materials. No objections have been filed to this request.

**Request for Confidential Classification**

FPL contends that information contained in its responses to: OPC's First Request for Production of Documents, Nos. 2, 8, 10, 15, 19, 28, 34, 36 and 38; OPC's Third Request for Production of Documents No. 89; Commission staff's First Set of Interrogatories No. 3, Commission staff's Third Set of Interrogatories Nos. 89 and 114; and Commission staff's Third Request for Production of Documents Nos. 15, 18, and 20, continue to constitute proprietary confidential business information entitled to protection under Section 366.093, F.S., and Rule 25-22.006, F.A.C. FPL asserts that this information is intended to be and is treated by FPL as private and has not been publicly disclosed.

The information for which FPL seeks confidentiality consists of its responses to the following discovery requests:

A. OPC's Requests for Production of Documents

No. 2 – These are documents which contain employee information and third party reports used in developing the projected employee benefit costs<sup>1</sup> for the 2017 and 2018 test years.

<sup>1</sup> Retirement income, active employee health care, retiree health and welfare, active employee welfare (death and disability benefits), and time off with pay.



No. 8 – This is an actuarial valuation report for NextEra Energy, Inc. (NextEra) for the period ending December 31, 2014, regarding its retiree benefits plan.

No. 10 – These are power point slides that discuss: Moody's Investment Service reports and ratings for NextEra Energy for 2014; Standard and Poor's Ratings Services reports for 2015 for NextEra for 2015; Fitch Ratings Annual Update for 2016; Standard and Poor's Ratings update for 2016; and various proprietary long-term and short-term NextEra and FPL forecasts regarding sales, operation and maintenance (O&M) expenses, revenue requirements, cash flow, negotiated rating agency fees, potential investments and/or divestitures, and general financial strategies.

No. 15 – These materials consist of an audit report on NextEra's retirement benefit costs as of December 31, 2010 and Aon Hewitt reports on retirement benefit obligations as of December 31, 2011, 2012, 2013, 2014 and 2015.

No. 19 – This information is marked Bates Number pages OPC 007357 and 007358 and includes the allocation of executive salaries for corporate services provided by FPL to other NextEra companies.

No. 28 – This information consists of a draft of Form 1120 of FPL's 2014 corporate income tax return and a calculation of deferred severance percentages for Section 199 deductions.

No. 34 – This information consists of communications between credit rating agencies (Moody's, Fitch, Standard & Poor's) and NextEra and/or FPL regarding NextEra's and FPL's financial forecasts, potential investments/divestitures and financial strategies for 2015 and 2016.

No. 36 – This information consists of e-mails regarding the funding of term loans negotiated between FPL and Scotia Bank and CIBC, and e-mails securing a bi-lateral revolving line of credit with TD Bank for the purposes of supporting FPL's liquidity.

No. 38 – This information consists of schedules related to the development of life or net salvage parameters associated with major component replacement parts for generating units used in the development of depreciation rates.

No. 89 – This information consists of contract information for Burns & McDonnell, the Gunster law firm, and the Radey law firm used in the development of FPL's rate case expense.

**B. Commission Staff's Interrogatories**

No. 3 – This information consists of a summary of the negotiated terms and conditions of purchase agreements for various parcels of real estate owned by FPL for which a closing has not yet taken place.