



James S. King
Senior Attorney
Florida Power & Light Company
700 Universe Boulevard
Juno Beach, FL 33408-0420
(561) 304-5170
(561) 691-7135 (Facsimile)
E-mail: James.King@fpl.com

October 1, 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-FPSC
2018 OCT -1 PM 3:06
COMMISSION
CLERK

Re: **Docket No. 20180143-EI**

REDACTED

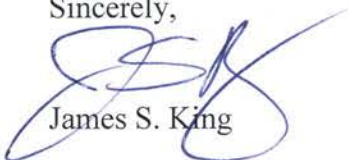
Dear Ms. Stauffer:

I enclose for filing in the above docket Florida Power & Light Company's ("FPL's") Request for Confidential Classification of Information Provided in Response to OPC's First Set of Interrogatories (No. 5). 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 is the declaration in support of FPL's request.

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

Sincerely,



James S. King

Enclosure

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

COM ___
AFD ___
APA ___
ECO ___
ENG ___
GCL 1 Exh B
IDM ___
CLK ___

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition to initiate rulemaking to revise
and amend portions of Rule 25-6.0426, F.A.C.,

Docket No: 20180143-EI

Date: October 1, 2018

**FLORIDA POWER & LIGHT COMPANY'S REQUEST
FOR CONFIDENTIAL CLASSIFICATION OF INFORMATION
PROVIDED IN RESPONSE TO OFFICE OF PUBLIC COUNSEL'S
FIRST SET OF INTERROGATORIES (No. 5)**

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 response to Office Public Counsel's ("OPC") First Set of Interrogatories (No. 5) ("Confidential Discovery Response"). In support of its Request, FPL states as follows:

1. On September 4, 2018, OPC served its First Set of Interrogatories (Nos. 1-7) on FPL. FPL's Response to OPC's First Set of Interrogatories (No. 5) contains information of a confidential nature within the meaning of Section 366.093(3), Florida Statutes.

2. FPL served its responses to OPC's First Set of Interrogatories (Nos. 1-7) on October 1, 2018. This request is being filed contemporaneously with the service of the responses to OPC's discovery in order to request confidential classification of the Confidential Discovery Response consistent with Rule 25-22.006, Florida Administrative Code.

3. The following exhibits are made a part of this request:

a. Exhibit A consists of a copy of the Confidential Discovery Response on which all information that FPL asserts is entitled to confidential treatment is highlighted.

b. Exhibit B consists of an edited version of the Confidential Discovery Response on which all information that FPL asserts is entitled to confidential treatment is redacted.

c. Exhibit C is a table containing a page-and-line identification of the information highlighted in Exhibit A 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 is the declaration of Tiffany C. Cohen in support of this Request.

4. 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 determined 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.

5. As the descriptions included in Exhibit C and the declaration included in Exhibit D indicate, the Confidential Discovery Response provided by FPL contains information that relates to the competitive interests of FPL and its vendors, the disclosure of which would impair their competitive interests. This information is protected by Section 366.093(3)(e), Fla. Stat.

6. 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 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 materials and declaration included herewith, Florida Power & Light Company respectfully requests that its Request for Confidential Classification be granted.

Respectfully submitted,

James S. King
FL Auth. House Counsel No. 1007148
Senior Attorney
Florida Power & Light Company
700 Universe Boulevard
Juno Beach, FL 33408
Telephone: (561) 304-5170
Facsimile: (561) 691-7135
Email: James.King@fpl.com

By: _____


James S. King
FL Auth. House Counsel No. 1007148

CERTIFICATE OF SERVICE
Docket No. 20180143-EI

I **HEREBY CERTIFY** that a true and correct copy of FPL's Request for Confidential Classification* has been furnished by electronic service this 1st day of October 2018 to the following:

Lauren Davis, Esq.
Rosanne Gervasi, Esq.
Office of the General Counsel
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

By: 
James S. King
FL Auth. House Counsel No. 1007148

* The exhibits to this Request are not included with the service copies. Exhibit B was served with FPL's Response to OPC's First Set of Interrogatories, No. 5. Copies of Exhibits C and D are available upon request.

EXHIBIT A

CONFIDENTIAL

FILED UNDER SEPARATE COVER

EXHIBIT B

REDACTED COPIES

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QUESTION:

Please provide the dollar amounts based on gross annual income associated with the following percentages:

9

a. 0.175% in 2020;

10

b. 0.2% in 2021;

11

c. 0.225% in 2022; and

12

d. 0.25% in 2023.

13

RESPONSE:

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FPL interprets that OPC as requesting these amounts as a percentage of forecast gross revenue rather than based upon 2017 ESR Operating Revenue as utilized in the Petition.

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The dollar amounts based on the current forecast of Jurisdictional Operating Revenue associated with 95 percent of the gradually escalated percentage for the promotion of economic development are as follows:

19

a. 0.175% in 2020 = ^(A) [REDACTED]

20

b. 0.2% in 2021 = ^(A) [REDACTED]

21

c. 0.225% in 2022 = ^(A) [REDACTED]

22

d. 0.25% in 2023 = ^(A) [REDACTED]

EXHIBIT C

JUSTIFICATION TABLE

EXHIBIT C

COMPANY: Florida Power & Light Company
TITLE: List of Confidential Documents
DOCKET NO: 20180143-EI
DOCKET TITLE: Petition to Initiate Rulemaking to Revise and Amend Portions of Rule 25-6.0426, F.A.C., by Florida Power & Light Company, Gulf Power Company, and Tampa Electric Company
DATE: October 1, 2018

Discovery Set	No.	No. of Pages	Conf. Y/N	Line / Column	Florida Statute 366.093(3) Subsection	Declarant
20180143 - OPC's First Set of Interrogatories	5	1	Y	Pg. 1, Lns. 19A, 20A, 21A, 22A	(e)	Tiffany Cohen

EXHIBIT D

DECLARATION

EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition to Initiate Rulemaking to Revise
and Amend Portions of Rule 25-6.0426, F.A.C by
Florida Power & Light Company, Gulf Power
Company, and Tampa Electric Company to

Docket No. 20180143-EI

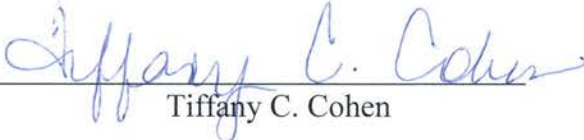
DECLARATION OF TIFFANY C. COHEN

1. My name is Tiffany C. Cohen. I am currently employed by Florida Power & Light Company ("FPL") as the Director of Rates & Tariffs. I have personal knowledge of the matters stated in this written declaration.

2. I have reviewed the document 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 document that I have reviewed and which is asserted by FPL to be proprietary confidential business information contains proprietary and material non-public earnings information that if disclosed could impair FPL's competitive position to the detriment of 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.



Tiffany C. Cohen

Date: 9/18/18