

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Environmental Cost Recovery Clause

Docket No: 20180007-EI

Date: October 15, 2018

**FLORIDA POWER & LIGHT COMPANY'S THIRD REQUEST
FOR EXTENSION OF CONFIDENTIAL CLASSIFICATION OF
MATERIALS PROVIDED PURSUANT TO AUDIT NO. 13-015-4-1**

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 Third Request for Extension of Confidential Classification of Information Provided Pursuant to Audit No. 13-015-4-1 ("Confidential Information"). In support of this request, FPL states as follows:

1. On June 24, 2013 FPL filed a Request for Confidential Classification of the Confidential Information, which included Exhibits A, B, C and D ("June 24, 2013 Request"). By Order No. PSC-13-0483-CFO-EI, dated October 15, 2013 ("Order 0483"), the Commission granted FPL's June 24, 2013 Request. FPL adopts and incorporates by reference the June 24, 2013 Request and Order 0483.

2. By Order No. PSC-15-0404-CFO-EI, dated September 24, 2015 the Commission granted FPL's First Request for Extension of Confidential Classification.

3. On March 16, 2017 FPL filed its Second Request for Extension of Confidential Classification of the Confidential Information, which included Second Revised Exhibits C and D ("March 16, 2017 Request"). By Order No. PSC-17-0131-CFO-EI, dated April 13, 2017 ("Order 0131"), the Commission granted FPL's March 16, 2017 Request. FPL adopts and incorporates by reference the March 16, 2017 Request and Order 0131.

4. The period of confidential treatment granted by Order 0131 will soon expire. The Confidential Information that was the subject of FPL's March 16, 2017 Request and Order 0131 warrants continued treatment as proprietary and confidential business information within the

meaning of Section 366.093(3). Accordingly, FPL hereby submits its Third Request for Extension of Confidential Classification.

5. Included with the Request are Third Revised Exhibit C and Third Revised Exhibit D. Third Revised Exhibit C identifies Anthony Bartnick as a new declarant.

6. Third Revised Exhibit D contains the declarations of Scott E. Brown, Craig Arcari and Anthony Bartnick in support of this request.

7. 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.

8. As more fully described in the declarations included as Third Revised Exhibit D, certain documents provided by FPL constitute information concerning bids or other contractual data, the disclosure of which would impair FPL's efforts to contract for goods or services on favorable terms in the future. This information is protected by Section 366.093(3)(d), Fla. Stat.

9. Also, certain information contain or constitute information related to competitive interests of FPL, Georgia Power and/or their vendors, the disclosure of which would impair FPL's, Georgia Power's and/or their vendors' competitive business and their ability to contract for goods and services on favorable terms for the benefit of their customers. This information is protected by Section 366.093(3)(e), Fla. Stat.

10. Pursuant Section 366.093(4), Fla. Stat., the information for which confidential classification is granted remains protected from disclosure up to 18 months unless good cause is shown to grant protection from disclosure for a longer period. Currently, the Commission retains

audit reports for period of seven years at which time the audit materials are returned to FPL unless Commission staff or another affected person requests that these audit materials continue to be retained. The nature of these materials will not change in the next three years. Therefore, to promote administrative efficiency, FPL requests confidential classification for a period of thirty-six (36) months. 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) 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 supporting materials, Florida Power & Light Company respectfully requests that its Third Request for Extension of Confidential Classification be granted.

Respectfully submitted,

Maria J. Moncada
Senior Attorney
Florida Power & Light Company
700 Universe Boulevard
Juno Beach, FL 33408
Telephone: (561) 304-5795
Facsimile: (561) 691-7135
Email: maria.moncada@fpl.com

By: s/ Maria J. Moncada
Maria J. Moncada
Florida Bar No. 0773301

CERTIFICATE OF SERVICE
Docket No. 20180007-EI

I **HEREBY CERTIFY** that a true and correct copy of FPL's Third Request for Extension of Confidential Classification has been furnished by electronic service on this 15th day of October 2018 to the following:

Charles Murphy, Esq.
Office of the General Counsel
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850
Cmurphy@psc.state.fl.us

Paula K. Brown
Regulatory Coordination
Tampa Electric Company
P.O. Box 111
Tampa, Florida 33601
regdept@tecoenergy.com

James D. Beasley, Esquire
J. Jeffrey Wahlen, Esquire
Ausley & McMullen
P.O. Box 391
Tallahassee, Florida 32302
jbeasley@ausley.com
jwahlen@ausley.com
Attorneys for Tampa Electric Company

Jeffrey A. Stone
Rhonda J. Alexander
Gulf Power Company
One Energy Place
Pensacola, Florida 32520-0780
jastone@southernco.com
rjalexad@southernco.com

Russell A. Badders, Esquire
Steven R. Griffin, Esquire
Beggs & Lane
P.O. Box 12950
Pensacola, Florida 32591-2950
rab@beggslane.com
srg@beggslane.com
Attorneys for Gulf Power Company

J. R. Kelly, Esq.
Patricia Christensen, Esq.
Charles Rehwinkel, Esq.
Office of Public Counsel
c/o The Florida Legislature
111 West Madison Street, Room 812
Tallahassee, Florida 32399
kelly.jr@leg.state.fl.us
christensen.patty@leg.state.fl.us
rehwinkel.charles@leg.state.fl.us

Dianne Triplett, Esquire
Duke Energy Florida, Inc.
299 First Avenue North
St. Petersburg, Florida 33701
dianne.triplett@duke-energy.com

Matthew R. Bernier, Senior Counsel
Duke Energy Florida, Inc.
106 East College Avenue
Suite 800
Tallahassee, Florida 32301
Matthew.bernier@duke-energy.com
Attorneys for Duke Energy Florida, Inc.

Jon C. Moyle, Jr., Esquire
The Moyle Law Firm, P.A.
118 N. Gadsden Street
Tallahassee, Florida 32301
jmoyle@moylelaw.com
Attorneys for Florida Industrial Power Users Group

George Cavros, Esq.
120 E. Oakland Park Blvd, Suite 105
Fort Lauderdale, FL 33334
george@cavros-law.com
Attorney for Southern Alliance for Clean Energy

James W. Brew, Esq.
Laura A. Wynn, Esq.
Stone, Mattheis, Xenopoulos & Brew, P.C.
1025 Thomas Jefferson Street, N.W.
Eighth Floor, West Tower
Washington, D.C. 20007
jbrew@smxblaw.com
law@smxblaw.com
**Attorneys for White Springs Agricultural
Chemicals, Inc. d/b/a/ PCS Phosphate –
White Springs**

By: s/ Maria J. Moncada
Maria J. Moncada
Florida Bar No. 0773301

6890463

EXHIBIT C

JUSTIFICATION TABLE

THIRD REVISED EXHIBIT C

COMPANY: Florida Power & Light Company
TITLE: List of Confidential Workpapers
AUDIT: FPL Environmental
AUDIT CONTROL NO: 13-015-4-1
DOCKET NO: 20180007-EI
DATE: October 15, 2018

Bold denotes a new declarant

Workpaper No.	Description	No. of Pages	Conf Y/N	Line No./Column No.	Florida Statute 366.093 (3) Subsection	Declarant
16-1/29	Reconciliation of Plant to Filing	1	N			
16-3	Supporting Documentation Explanation of Sample Items	2	N			
16-3/1	File of GPC transactions	12	N			
16-3/1-1	Sample of GPC transactions-SCR	1	N			
16-3/2	File of GPC transactions-FGD	23	N			
16-3/2-1	CAIR Project Sample	2	Y	Pg. 1, Col. A Col. B, Lns. 1-2 Col. C, Lns. 3-11 Pg. 2, Col. A Col. B, Lns. 1-10	(d), (e)	S. Brown
16-4/1	Sample- CAIR Project	3	N			
16-4/1-1	Display Actual Cost Line Items-CAIR sample	11	N			
16-4/1-1/1	Backup for CAIR sample	1	N			
16-5/1	Sample-800 MW ESP Project	2	N			
16-5/2	Sample- 800 MW ESP Project support	2	N			
16-5/2-1	Appendix B Compensation-Sample support	10	Y Y Y Y N Y	Pg. 1, Lns. 8A, 9A, 11A, 12A, 13A, 14A, 24A, 31A Pg. 2, Lns. 9A, 21A, 32A Pg. 3, Lns. 10A, 23A, 36A Pg. 4, Lns. 10A Pg. 5 Pgs. 6-10, ALL	(d), (e)	A. Bartnick
16-5/3	Budget Trend Report	1	N			
16-5/3-1	Sample-800 MW ESP Project	1	Y	Col. A Lns. 1-9	(d), (e)	A. Bartnick

Workpaper No.	Description	No. of Pages	Conf Y/N	Line No./Column No.	Florida Statute 366.093 (3) Subsection	Declarant
16-5/4	Invoice Routing Sheet	2	Y	Pg. 1, Col. A, Lns. 8A, 11A (Note: 9A and 10A were already redacted in the Staff's workpapers) Pg. 2, Col. A, Lns. 1-3 Col. B Col. C, Lns. 1-3	(d), (e)	A. Bartnick
16-5/5	Support for Sample-800 MW ESP Project	1	N			
43-2/1	Sample of O & M Transactions	7	Y	Pgs. 1-5, Col. A Pg. 6, Col. A, Lns. 33-36 Pg. 7, Col. A, Lns. 39-40	(d), (e)	C. Arcari
43-2/1-1	Support for Sample Item 43 -Explanations	3	N Y	Pgs. 1-2 Pg. 3, Cols. A-B	(d), (e)	C. Arcari
43-2/2	Summary of SAP Sheets	7	N Y N Y	Pg. 1 Pg. 2, Cols. A-C, Lns. 1-30 Pg. 3, Cols. A-C, Lns. 1-35 Pg. 4, Cols. A-C, Lns. 1-35 Pgs. 5-6 Pg. 7, Cols. A-C, Lns. 1-30	(d), (e)	C. Arcari
43-2/2-1	Entry related to Sample Item	2	N			
43-2/2-1/1	Explanations of Sample item	4	N Y N	Pg. 1 Pg. 2, Cols. A-C, Lns. 1-35 Pgs. 3-4	(d), (e)	S. Brown
43-3/1	Sample of Martin Solar Project	7	Y	Pg. 1, Col. A Pg. 2, Col. A Col. B, Lns. 1-3 Pg. 3, Col. A Pg. 4, Col. A Col. B, Lns. 1-7 Pg. 5, Col. A Pg. 6, Col. A, Lns. 1A-12A Pg. 7, Col. A, Lns. 1A-5A	(d), (e)	C. Arcari

FIRST REVISED

EXHIBIT D

DECLARATION

THIRD REVISED EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Environmental Cost Recovery Clause

Docket No: 20180007-EI

DECLARATION OF SCOTT E. BROWN

1. My name is Scott E. Brown. I am currently employed by Florida Power & Light Company ("FPL") as Production Manager, Scherer and St. Johns River Power Park in the Power Generation Division. I have personal knowledge of the matters stated in this written declaration.

2. I have reviewed the documents referenced and incorporated in FPL's Third Request for Extension of Confidential Classification of Information Obtained in Connection with Audit No. 13-015-4-1. The contractual documents and invoice materials that I have reviewed and which are asserted by FPL to be proprietary confidential business information contain or constitute information related to competitive interests of FPL and Georgia Power, the disclosure of which would impair FPL's and Georgia Power's competitive business and its ability to contract for goods and services on favorable terms for the benefit of its customers. Specifically, this information relates to environmental projects of Scherer Unit 4 (jointly owned by FPL and Georgia Power), which are designed to reduce sulfur dioxide, mercury and nitrogen oxide implemented in compliance with Georgia's Multi-pollutant Rule. Disclosure of this information would also place FPL and Georgia Power at a disadvantage when coupled with other information that is publicly available. 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-17-0131-CFO-EI 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.



SCOTT E. BROWN

Date: 01/21/2018

THIRD REVISED EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Environmental Cost Recovery Clause

Docket No: 20180007-EI

DECLARATION OF CRAIG ARCARI

1. My name is Craig Arcari. I am currently employed by Florida Power & Light Company ("FPL") as Vice President of Power Generation, FPL Operations. I have personal knowledge of the matters stated in this written declaration.

2. I have reviewed the documents referenced and incorporated in FPL's Third Request for Extension of Confidential Classification of Information Obtained in Connection with Audit No. 13-015-4-1. The documents or materials that I have reviewed and which are asserted by FPL to be proprietary confidential business information contain or constitute concerning bids or other contractual data, the disclosure of which would impair FPL's efforts to contract for goods or services on favorable terms in the future. Additionally, the documents contain information relating to competitive interests, the disclosure of which would impair FPL's competitive business. Specifically, the information provided by FPL contains pricing information for the solar equipment, installation and maintenance at the Martin Plant, which if disclosed, would impair FPL's ability to contract for these goods and services on favorable terms in the future, to the detriment of FPL and its customers. 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-17-0131-CFO-EI 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.


CRAIG ARCARI

C.R.A.

Date: 10/11/2018

THIRD REVISED EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Environmental Cost Recovery Clause

Docket No: 20180007-EI

DECLARATION OF ANTHONY BARTNICK

1. My name is Anthony Bartnick. I am currently employed by Florida Power & Light Company ("FPL") as Project Controls & Scheduling Manager, in the Project Controls Department. I have personal knowledge of the matters stated in this written declaration.

2. I have reviewed the documents referenced and incorporated in FPL's Third Request for Extension of Confidential Classification of Information Obtained in Connection with Audit No. 13-015-4-1. The documents or materials that I have reviewed and which are asserted by FPL to be proprietary confidential business information contain or constitute information relating to competitive interests and contractual data, the disclosure of which would impair FPL's competitive business. Specifically, the information relates to compensation and other negotiated amounts paid for equipment and work performed at the FPL's Manatee Plant associated with environmental compliance projects. This information, if made public, would impair FPL's efforts to obtain commercially favorable pricing and terms for similar goods and services in the future. 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-17-0131-CFO-EI 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.



ANTHONY BARTNICK

Date: 10/12/18