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March 18, 2019

VIA HAND DELIVERY

Adam Teitzman
Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

Re: Docket No. 20190001-EI

REDACTED

Dear Mr. Teitzman:

I enclose for filing in the above docket Florida Power & Light Company's ("FPL") Request for Confidential Classification of Information Provided in Response to Staff's First Set of Interrogatories (Nos. 1 and 2). 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.

- COM _____
- AFD 1
- APA _____
- ECO _____
- ENG _____
- GCL _____
- IDM _____
- CLK _____

Sincerely,

Maria J. Moncada

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Enclosure

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

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Fuel and purchase power cost recovery
clause with generating performance incentive
factor

Docket No: 20190001-EI

Date: March 18, 2019

**FLORIDA POWER & LIGHT COMPANY'S REQUEST
FOR CONFIDENTIAL CLASSIFICATION OF INFORMATION
PROVIDED IN RESPONSE TO THE STAFF OF THE FLORIDA PUBLIC
SERVICE COMMISSION'S FIRST SET OF INTERROGATORIES (Nos. 1 and 2)**

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 the Staff of the Florida Public Service Commission's ("Staff") First Set of Interrogatories (Nos. 1 and 2) ("Confidential Discovery Responses"). In support of its Request, FPL states as follows:

1. On February 15, 2019, Staff served its First Set of Interrogatories (Nos. 1-8) on FPL. FPL's Response to Staff's First Set of Interrogatories (Nos. 1 and 2) contains information of a confidential nature within the meaning of Section 366.093(3), Florida Statutes.

2. FPL served its responses to Staff's First Set of Interrogatories (Nos. 1-8) on March 18, 2019. This request is being filed contemporaneously with the service of the responses to Staff's discovery in order to request confidential classification of the Confidential Discovery Responses 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 Responses 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 Responses 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 Gerard J. Yupp 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 Responses provided by FPL contains information concerning bids or other contractual data, the disclosure of which would impair the efforts of FPL to contract for goods and services on favorable terms. This information is protected by Section 366.093(3)(d), Fla. Stat.

6. Additionally, this information 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.

7. 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 eighteen (18) months 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 Request for Confidential Classification be granted.

Respectfully submitted,

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By: 

Maria Jose Moncada
Florida Bar No. 773301

CERTIFICATE OF SERVICE

Docket No. 20190001-EI

I **HEREBY CERTIFY** that a true and correct copy of FPL's Request for Confidential Classification* has been furnished by electronic service this 18th day of March 2019 to the following:

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By: _____



Maria Jose Moncada
Florida Bar No. 773301

* The exhibits to this Request are not included with the service copies. Exhibit B was served with FPL's Response to Staff's First Set of Interrogatories, Nos. 1 and 2. Copies of Exhibits C and D are available upon request.

EXHIBIT A

CONFIDENTIAL

**FILED UNDER SEPARATE
COVER**

EXHIBIT B

REDACTED COPIES

QUESTION:

For each Request for Proposal (RFP) for coal issued in 2018 by or on behalf of FPL, list the bids received. For each bid, include the supplier, tonnage bid, coal quality, and delivered price information, as well as the method and route of delivery.

RESPONSE:

In 2018, FPL's coal fired generation consisted of the St. Johns River Power Park (SJRPP), Indiantown Co-Generation Plant and Scherer Unit 4.

In 2018, there were no RFPs issued for coal at SJRPP or Indiantown.

Coal is delivered to Plant Scherer exclusively by rail in unit trains of approximately 135 cars. The route of delivery is a two-line haul via the BNSF Railway Company and Norfolk Southern (NS) trackage. BNSF services mines in the Powder River Basin (PRB) of Montana and Wyoming where the coal purchased for Scherer is produced. BNSF transports the coal to Memphis, TN for interchange with NS which then delivers the coal to Plant Scherer near Juliette, GA.

February Spot RFP for April-June 2018 Delivery

	A	B	C	D
	Supplier	Tonnage Bid (tons/month)	Coal Quality (Btu/lb.)	Delivered Price (\$/MMBtu)
1		900,000	8350	2.347
2		1,425,000	8400	2.361
3		1,425,000	8300	2.383
4		1,425,000	8500	2.399
5		600,000	8425	2.399
6		1,425,000	8550	2.432
7		450,000	8600	2.45
8		712,500	8900	2.461
9		100,000	8850	2.472
10		712,500	8700	2.544
11		712,500	8800	2.591

A B C D
May Spot RFP for July-September 2018 Delivery

	Supplier	Tonnage Bid (tons/month)	Coal Quality (Btu/lb.)	Delivered Price (\$/MMBtu)
1	[REDACTED]	600,000	8350	2.364
2	[REDACTED]	1,800,000	8400	2.369
3	[REDACTED]	1,800,000	8300	2.4
4	[REDACTED]	1,800,000	8500	2.415
5	[REDACTED]	600,000	8425	2.416
6	[REDACTED]	600,000	8350	2.425
7	[REDACTED]	1,800,000	8550	2.433
8	[REDACTED]	300,000	8850	2.433
9	[REDACTED]	900,000	8900	2.446
10	[REDACTED]	150,000	8600	2.451
11	[REDACTED]	900,000	8700	2.529
12	[REDACTED]	900,000	8800	2.576

September Spot RFP for October-December 2018 Delivery

	Supplier	Tonnage Bid (tons/month)	Coal Quality (Btu/lb.)	Delivered Price (\$/MMBtu)
13	[REDACTED]	900,000	8400	2.385
14	[REDACTED]	600,000	8350	2.387
15	[REDACTED]	900,000	8500	2.428
16	[REDACTED]	600,000	8425	2.451
17	[REDACTED]	300,000	8850	2.46
18	[REDACTED]	900,000	8600	2.468
19	[REDACTED]	900,000	8900	2.48
20	[REDACTED]	450,000	8900	2.483
21	[REDACTED]	450,000	8700	2.502
22	[REDACTED]	450,000	8800	2.519

A B C D E

November Spot RFP for January-March 2019 Delivery

	Supplier	Tonnage Bid (tons/month)	Coal Quality (Btu/lb.)	Delivered Price (\$/MMBtu)
1				
2				
3				
4				
5				
6				
7				
8				


May Long Term RFP for Delivery in 2019, 2020, 2021 & 2022

	Supplier	Year	Tonnage Bid (Total tons)	Coal Quality (Btu/lb.)	Delivered Price (\$/MMBtu)
9					
10					
11					
12					
13					
14					
15					
16					
17					
18					
19					
20					
21					
22					
23					
24					

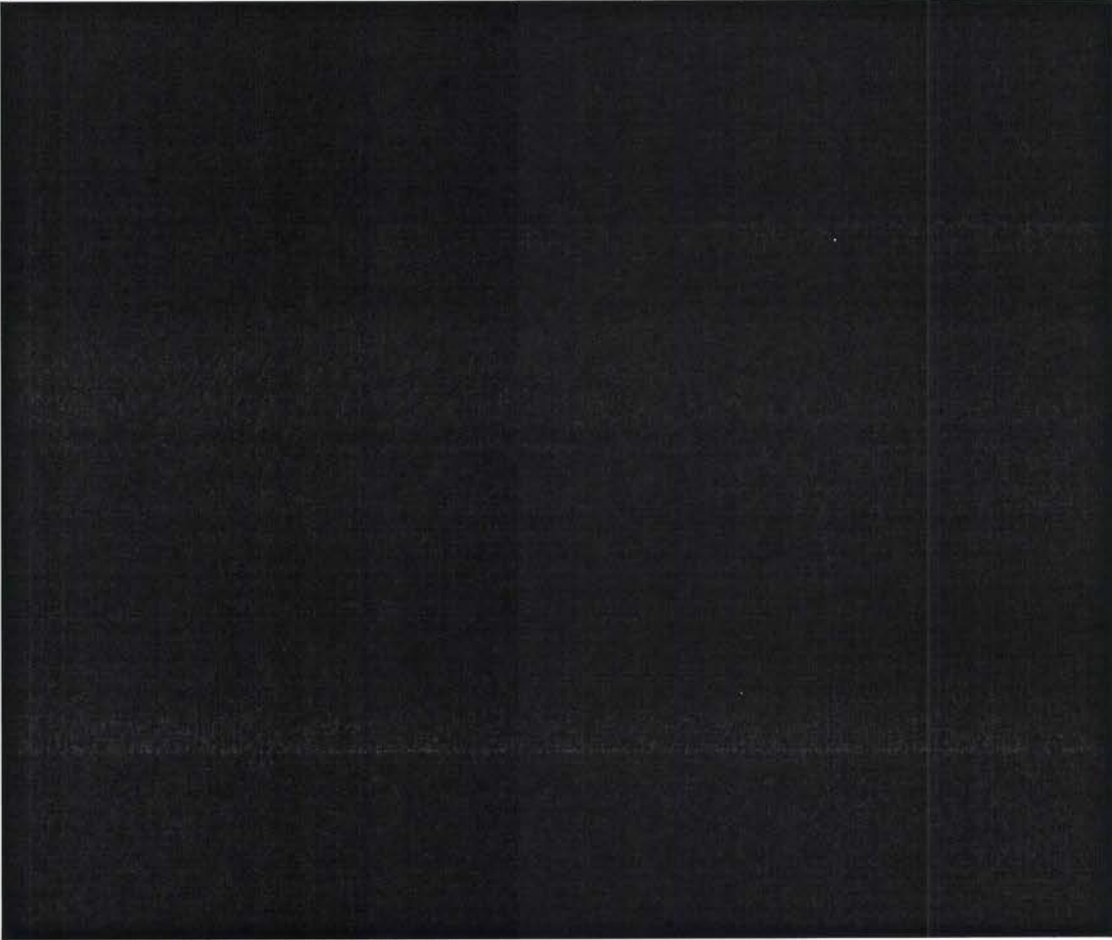
Florida Power & Light Company
Docket No. 20190001-EI
Staff's 1st Set of Interrogatories
Interrogatory No. 1
Page 4 of 6

	A	B	C	D	E
	Supplier	Year	Tonnage Bid (Total tons)	Coal Quality (Btu/lb.)	Delivered Price (\$/MMBtu)
1					
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Florida Power & Light Company
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Staff's 1st Set of Interrogatories
Interrogatory No. 1
Page 5 of 6

	A	B	C	D	E
	Supplier	Year	Tonnage Bid (Total tons)	Coal Quality (Btu/lb.)	Delivered Price (\$/MMBtu)
1					
2					
3					
4					
5					
6					

September Long Term RFP for Delivery in 2019, 2020, 2021 & 2022

	Supplier	Year	Tonnage Bid (Total tons)	Coal Quality (Btu/lb.)	Delivered Price (\$/MMBtu)
7					
8					
9					
10					
11					
12					
13					
14					
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16					
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Florida Power & Light Company
Docket No. 20190001-EI
Staff's 1st Set of Interrogatories
Interrogatory No. 1
Page 6 of 6

	A	B	C	D	E
	Supplier	Year	Tonnage Bid (Total tons)	Coal Quality (Btu/lb.)	Delivered Price (\$/MMBtu)
1					
2					
3					
4					
5					
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QUESTION:

Please describe the action taken for each bid identified in response to Interrogatory No. 1. Include in your response an explanation of the evaluation process and how successful proposals were selected.

RESPONSE:

Bids to supply spot coal to Scherer are evaluated on the basis of delivered cost. Regarding the February RFP for April - June 2018 delivery of spot coal, FPL elected to make no purchases. Regarding the May RFP for July - September 2018 FPL elected to purchase approximately 426,600 tons from Buckskin, the low evaluated bidder. Regarding the September RFP for October - December 2018 FPL elected to purchase approximately 425,595 tons from Buckskin, the low evaluated bidder. FPL also elected to purchase 66,356 tons from Buckskin based on the September RFP pricing matrix for November-December 2018, due to additional projected needs.

1
2

Bids to supply long-term coal to Scherer are evaluated on an NPV basis. Regarding the May RFP for delivery of long-term coal in 2019 through 2022, FPL elected to make no purchases.

3
4

EXHIBIT C

JUSTIFICATION TABLE

EXHIBIT C

COMPANY: Florida Power & Light Company
TITLE: List of Confidential Documents
DOCKET NO.: 20190001-EI
DOCKET TITLE: Fuel and Purchased Power Cost Recovery Clause with Generating Performance Incentive Factor
SUBJECT: FPL's Responses to Staff's First Set of Interrogatories
DATE: March 18, 2019

Staff's 1st Set of Interrogs.	Pg Nos.	Description	Line No./ Col. No.	Florida Statute 366.093(3) Subsection	Declarant
Int. No. 1	1 - 6	Requests for Proposal bids for coal received by FPL	Pg. 1, Col. A, Lns. 1-11 Pg. 2, Cols. A-D, Lns. 1-22 Pg. 3, Cols. A-D, Lns. 1-24 Col. E, Lns. 9-24 Pg. 4, Cols. A-E, Lns. 1-35 Pg. 5, Cols. A-E, Lns. 1-30 Pg. 6, Cols. A-E, Lns. 1-25	(d), (e)	G. Yupp
Int. No. 2	1	Bid evaluation process	Lines 1-4	(d), (e)	G. Yupp

FIRST REVISED
EXHIBIT D
DECLARATION

EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Fuel and Purchase Power Cost Recovery
Clause with Generating Performance Incentive
Factor

Docket No: 20190001-EI

DECLARATION OF GERARD J. YUPP

1. My name is Gerard J. Yupp. I am currently employed by Florida Power & Light Company ("FPL") as Senior Director of Wholesale Operations in the Energy Marketing and Trading Division. 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. The documents and materials in Exhibit A which are asserted by FPL to be proprietary confidential business concern bids and other contractual data, as well as the competitive interests of FPL and its suppliers, the public disclosure of which would impair the efforts of FPL to contract for goods or services on favorable terms. Specifically, the documents contain information regarding bids received from FPL's coal suppliers, including proposed volumes, quality, pricing, and delivery methods. Disclosure of this information would impair the competitive interests of FPL and its suppliers, and would place FPL at a competitive 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. 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.


GERARD J. YUPP

Date: 3/10/19