

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Evaluation of storm restoration costs for
Florida Power & Light Company related to
Hurricane Irma.

DOCKET NO. 20180049-EI
ORDER NO. PSC-2019-0263-CFO-EI
ISSUED: July 1, 2019

ORDER GRANTING JOINT MOTION FOR ADMISSION OF EXCERPTS OF
EXHIBIT HWS-3 AND REQUEST FOR CONFIDENTIAL
CLASSIFICATION (DOCUMENT NO. 05204-2019)

On June 27, 2019, Florida Power & Light Company (FPL) and the Office of Public Counsel (OPC) filed a Joint Motion for Admission of Excerpts of Exhibit HWS-3 and For Determination that Confidential Treatment be Afforded (Motion). The Motion requests that excerpts from pre-filed Exhibit HWS-3, which consists of the transcripts and exhibits of a two-day panel deposition of FPL witnesses Thomas Gwaltney, Ray Lozano, and Kristin Manz, be admitted into evidence. Further, FPL requests that this material be granted confidential treatment consistent with the Commission's prior decisions in Order Nos. PSC-2019-0051-CFO-EI and PSC-2019-0052-CFO-EI¹ to grant confidentiality to the complete transcripts and to Deposition Exhibits Nos. 2-10 and 12-33. The excerpts of pre-filed Exhibit HWS-3 are contained in Document No. 05204-2019.

At the May 20, 2019, Prehearing Conference, OPC and FPL were directed to confer in an effort to reach an agreement on the use of Exhibit HWS-3 for purposes of the final hearing. As a result of conversations held since that date, OPC and FPL have agreed that the specific transcript excerpts and deposition exhibits from Exhibit HWS-3, contained in Document No. 05204-2019, can be admitted into evidence. The parties have also agreed that the Exhibit HWS-3 transcript excerpts and deposition exhibits should continue to be granted confidential treatment. The Florida Industrial Power Users Group (FIPUG) supports the Motion and the Florida Retail Federation (FRF) takes no position on the Motion. Since OPC and FPL have reached agreement on the admissibility of these deposition excerpts and exhibits, and that there is no objection from any other party to this docket, Document No. 05204-2019 shall be placed on the Comprehensive Exhibit List and tendered for admission into evidence at the final hearing.

The November 15 and December 13, 2018, deposition transcripts of FPL's witnesses contain information regarding invoices and contract terms for storm restoration work performed for Hurricane Irma. Nothing has changed since the issuance of Order Nos. PSC-2019-0051-CFO-EI and PSC-2019-0052-CFO-EI which would modify the determination that this material is confidential and meets the criteria of Sections 366.093(3)(d) and (e), Florida Statutes (F.S.). Accordingly, the materials found in Document No. 05204-2019 shall continue to be treated as confidential pursuant to Section 366.093(3), F.S, and Order Nos. PSC-2019-0051-CFO-EI and PSC-2019-0052-CFO-EI.

¹ Order No. PSC-2019-0051-CFO-EI, issued January 31, 2019, in Docket No. 20180049-EI, In re: Evaluation of storm restoration costs for Florida Power & Light Company related to Hurricane Irma; Order No. PSC-2019-0052-CFO-EI, issued January 31, 2019, in Docket No. 20180049-EI, In re: Evaluation of storm restoration costs for Florida Power & Light Company related to Hurricane Irma.

Based on the foregoing, it is

ORDERED that the Joint Motion of the Office of Public Counsel and Florida Power & Light Company for Admission of Excerpts of Exhibit HWS-3 and for Determination that Confidential Treatment Shall be Afforded Pursuant to Prior Commission Orders is hereby granted. It is further

ORDERED that Document No. 05204-2019 shall be placed on the Comprehensive Exhibit List and tendered for admission into evidence at the final hearing. It is further

ORDERED that Document No. 05204-2019 shall continue to be treated as confidential pursuant to Section 366.093(3), F.S, and Order Nos. PSC-2019-0051-CFO-EI and PSC-2019-0052-CFO-EI.

By ORDER of Commissioner Julie I. Brown, as Prehearing Officer, this 1st day of July, 2019.



JULIE I. BROWN

Commissioner and Prehearing Officer
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Copies furnished: A copy of this document is provided to the parties of record at the time of issuance and, if applicable, interested persons.

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NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

Any party adversely affected by this order, which is preliminary, procedural or intermediate in nature, may request: (1) reconsideration within 10 days pursuant to Rule 25-22.0376, Florida Administrative Code; or (2) judicial review by the Florida Supreme Court, in the case of an electric, gas or telephone utility, or the First District Court of Appeal, in the case of a water or wastewater utility. A motion for reconsideration shall be filed with the Office of Commission Clerk, in the form prescribed by Rule 25-22.0376, Florida Administrative Code. Judicial review of a preliminary, procedural or intermediate ruling or order is available if review of the final action will not provide an adequate remedy. Such review may be requested from the appropriate court, as described above, pursuant to Rule 9.100, Florida Rules of Appellate Procedure.