

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Nuclear Cost)
Recovery Clause)

Docket No. 20190009-EI
Filed: December 6, 2019

**FLORIDA POWER & LIGHT COMPANY'S
THIRD REQUEST FOR EXTENSION OF CONFIDENTIAL CLASSIFICATION
OF AUDIT PA-13-010-4-1 WORK PAPERS**

Pursuant to Section 366.093, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, Florida Power & Light Company (“FPL”) requests continued confidential classification of certain material provided to the Staff of the Florida Public Service Commission (“Staff”) pursuant to Audit Control No. PA-13-010-4-1 (“the Audit”) and reflected in Staff’s work papers. In support of its request, FPL states as follows:

1. On November 6, 2015, in Docket No. 150009-EI, FPL filed its First Request for Extension of Confidential Classification of the Audit work papers (Confidential Document No. 03678-13). FPL’s request was granted by Order No. PSC-16-0226-CFO-EI, issued June 6, 2016.
2. On December 6, 2017, in Docket No. 20170009-EI, FPL filed its Second Request for Extension of Confidential Classification of the Audit work papers (Confidential Document No. 03678-13). FPL’s request was granted by Order No. PSC-2018-0302-CFO-EI, issued June 8, 2018. The period of confidential treatment granted by Order No. PSC-2018-0302-CFO-EI will soon expire. FPL has reviewed the confidential documents and determined that all the information that was the subject of Order No. PSC-2018-0302-CFO-EI warrants continued treatment as proprietary and confidential business information within the meaning of Section 366.093(3), Florida Statutes. Accordingly, FPL hereby submits its Second Request for Extension of Confidential Classification. Exhibits A and B from FPL’s June 28, 2013 filing are incorporated herein by reference. FPL’s Third Revised Exhibit C and Third Revised Exhibit D is included herewith.

2. FPL's Third Revised Exhibit C is a table containing the specific line, column and page references to the confidential information, and references to the specific statutory basis or bases for the claim of confidentiality and to the declarations in support of the continued confidential classification. FPL's Third Revised Exhibit D includes the declarations of Lis Fuca and Antonio Maceo in support of FPL's request.

3. The information that was granted confidential treatment by Order No. PSC-2018-0302-CFO-EI continues to be 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 in that the disclosure of the information would cause harm to customers or FPL's business operations, and its confidentiality has been maintained. Pursuant to Section 366.093, such information is entitled to confidential treatment and it is 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.

4. As the declarations included in Third Revised Exhibit D indicate, the information included in Exhibit A continues to be proprietary, confidential business information. Certain information contained in the Audit work papers is information related to reports of internal auditors. This information is protected by Section 366.093(3)(b), Florida Statutes. The work papers also contain information related to bids or contractual data, such as pricing or other terms, the public disclosure of which would violate nondisclosure provisions of FPL's contracts with certain vendors and impair FPL's ability to contract for goods or services on favorable terms in the future. Such information is protected from public disclosure by Section 366.093(3)(d),

Florida Statutes. The work papers also include competitively sensitive information which, if disclosed, could impair the competitive interests of the provider of the information. Such information is protected from public disclosure by Section 366.093(3)(e), Florida Statutes. Additionally, a few documents include competitively sensitive information related to certain employees' compensation. Public disclosure of compensation information would enable competing employers to meet or beat the compensation currently offered, resulting in the loss of talented employees, or conversely, the need to increase the level of compensation already paid in order to retain these employees and attract new talent. The quality of service and the cost of service implications would be detrimental to FPL and its customers. Such information is also protected by Section 366.093(3)(e), Florida Statutes. Lastly, included on these documents are employee cellular phone numbers. This employee information is unrelated to compensation, duties, qualifications, or responsibilities and is therefore protected from public disclosure pursuant to Section 366.093(3)(f), Florida Statutes.

5. Nothing has changed since the issuance of Order No. PSC-2018-0302-CFO-EI to render the confidential information stale or public, such that continued confidential treatment would not be appropriate.

6. Upon a finding by the Commission that the information referenced in Third Revised Exhibit C continues to be proprietary confidential business information, the information should not be declassified for a period of at least an additional eighteen (18) months and should be returned to FPL as soon as the information 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 supported by the materials and declarations included herewith, Florida Power & Light Company respectfully requests that its Third Request for Extension of Confidential Classification be granted.

Respectfully submitted,

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**CERTIFICATE OF SERVICE
DOCKET NO. 20190009-EI**

I HEREBY CERTIFY that a true and correct copy of the foregoing * was served by electronic mail this 6th day of December, 2019 to the following:

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By: s/ David M. Lee
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*Exhibits are not included with the service copies, but Third Revised Exhibits C and D are available upon request.

Third Revised Exhibit C
Company: Florida Power and Light Company
Title: List of Confidential Workpapers Audit #13-010-4-1
Docket No. 20190009-EI

Bold denotes revision to reduce the amount of confidential classification previously requested or a new declarant

Document	Description	No. of Pages	Conf. Y/N	Line No./Col. No.	Florida Statute 366.093 (3) Subsection	Declarant
Index	Confidential Index	4	N			
5-4	Generation- Description of WBS and IO	39	N			
5-5	Description of Cost Elements	46	N			
5-6	Transmission Descriptions	1	N			
9-1	Internal Audit – Jan-Jun 2012	2	Y	All	(b)	Antonio Maceo
9-1/1	Internal Audit – Jan-Jun 2012 Notes	4	Y	All	(b)	Antonio Maceo
9-2	Internal Audit – Jul – Sep 2012	1	Y	All	(b)	Antonio Maceo
9-2/1	Internal Audit – Jul – Sep 2012 Notes	10	Y	All	(b)	Antonio Maceo
9-3	Internal Audit – Oct – Dec 2012	1	Y	All	(b)	Antonio Maceo
12	2011 and 2012 B/S Comparison	4	N			
12-1	CWIP Additions by Business Area	1	N			
12-2	Rec to EPU Excerpt	1	N			
12-2/1	2012 EPU Work Order Listed w/ Total Bal. at 2012	1	N			
12-2/2	2012 EPU Work Order Listed w/ Total Bal. at 2011	1	N			
12-2/3	AFUDC	2	N			
12-3/1	O&M Excerpt	1	N			
12-3/2	Trans Per Ledger	2	N			
12-4	O&M Additions	1	N			
12-5	2012 O&M Rec to Filing	1	N			
15-2/1	January Base Rate Rev Req	1	N			
15-2/2	March Base Rate Rev Req	2	N			
15-2/3	April Base Rate Rev Req	2	N			
15-2/4	June Base Rate Rev Req	1	N			

Document	Description	No. of Pages	Conf. Y/N	Line No./Col. No.	Florida Statute 366.093 (3) Subsection	Declarant
15-2/5	July Base Rate Rev Req	3	N			
15-2/6	August Base Rate Rev Req	3	N			
15-2/7	September Base Rate Rev Req	5	N			
15-2/8	November Base Rate Rev Req	7	N			
15-2/9	December Base Rate Rev Req	1	N			
15-3	Post In Service Base Rate Rev Req	1	N			
15-3/1	Feb Post In Service	1	N			
15-3/2	Apr Post In Service	2	N			
15-3/3	May Post In Service	2	N			
15-3/4	July Post In Service	1	N			
15-3/5	Aug Post In Service	3	N			
15-3/6	Sept Post In Service	3	N			
15-3/7	Oct post In Service	5	N			
15-3/8	Dec Post In Service	7	N			
15-3/9	Cash Flows	1	N			
15-4	Contractor Change Adj	1	N			
15-4/1	Adjustments	6	N			
15-4/1-1	Sales and Use Tax Adj	5	Y N	Page 1 Lines 1-5 Page 2 Line 1 Page 3 Lines 1-5 Pages 4-5	(d) (e)	Lisa Fuca
15-4/2	Contractor Adj Recal	2	N			
15-5	Sales Tax Entry Adj	1	N			
15-5/1	Sales Tax Adj Recal	2	N			
15-6	Revenue Req Recal	16	N			
15-7	Post In Service Rev Req	17	N			
15-7/1	WO Post In Service Bal	2	N			
15-7/2	Amortization	1	N			
15-7/2-1	Follow-up Questions	1	N			
19-3	Gen CWIP Test	15	Y	Page 1 Lines 1-9 Page 2 Lines 1-10 Page 3 Lines 1-12 Page 4 Lines 1-12	(d) (e)	Lisa Fuca

Document	Description	No. of Pages	Conf. Y/N	Line No./Col. No.	Florida Statute 366.093 (3) Subsection	Declarant
				Page 5 Lines 1-14 Page 6 Lines 1-13 Page 7 Lines 1-10 Page 8 Lines 1-9 Page 9 Lines 1-10 Page 10 Column A Page 11 Column A Page 12 Lines 1-12 Page 13 Lines 1-11 Page 14 Lines 1-7 Page 15 Lines 1-10		
19-3/1	Sample #23	5	Y	Page 1 Lines 1-8 Page 2 Columns A-G and Line 1 Page 3 Column A Page 4 Column A Page 5 Column A	(d) (e)	Lisa Fuca
19-3/1-1	Sample #23	6	Y	Page 1 Lines 1-2 and Columns A-C Page 2 Columns A-F Page 3 Columns A-F Page 4 Columns A-O Page 5 Columns A-F Page 6 Lines 1-4 and Columns A-C	(d) (e)	Lisa Fuca
19-3/2	Sample #24	5	Y	Page 1 Lines 1-8 Page 2 Columns A-E and Line 1 Page 3 Column A Page 4 Column A Page 5 Column A	(d) (e)	Lisa Fuca

Document	Description	No. of Pages	Conf. Y/N	Line No./Col. No.	Florida Statute 366.093 (3) Subsection	Declarant
19-3/2-1	Sample #24	13	Y	Page 1 Columns A-C Page 2 Columns A-C Page 3 Columns A-C Page 4 Columns A-F Page 5 Columns A-C Page 6 Columns A-F Page 7 Columns A-O Page 8 Columns A-F Page 9 Columns A-C Page 10 Columns A-O Page 11 Columns A-F Page 12 Columns A-F Page 13	(d) (e)	Lisa Fuca
19-3/2-1/1	Sample #24	2	Y	Page 1 Column A Page 2 Column A and Line 1	(d) (e)	Lisa Fuca
19-3/3	Sample #34	6	Y	Page 1 Lines 1-8 Page 2 Lines 1-4 Page 3 Columns A-G and Line 1 Page 4 Column A Page 5 Column A Page 6 Column A	(d) (e)	Lisa Fuca
19-3/3-1	Sample #34	10	Y	Page 1 Columns A-C Page 2 Columns A-F Page 3 Columns A-F Page 4 Lines 1-4 and Columns A-C Page 5 Columns A-F Page 6 Lines 1-3 and Columns A-F	(d) (e)	Lisa Fuca

Document	Description	No. of Pages	Conf. Y/N	Line No./Col. No.	Florida Statute 366.093 (3) Subsection	Declarant
				Pages 7 Columns A-C Page 8 Columns A-O Page 9 Columns A-L Page 10 Columns A-F and Lines 1-2		
19-3/4	Sample #62	5	Y	Page 1 Lines 1-7 Page 2 Columns A-G and Line 1 Page 3 Column A Page 4 Column A Page 5 Columns A-C	(d) (e)	Lisa Fuca
19-3/4-1	Sample #62	18	Y	Pgs. 1-18 Cols. A-C	(d) (e)	Lisa Fuca
19-3/5	Sample #24 – 3 rd Qtr	3	Y	Page 1 Lines 1-3 Page 2 Columns A-H and Line 1 Page 3 Column A	(d) (e)	Lisa Fuca
19-3/6	Sample #10 – 4 th Qtr	3	Y	Page 1 Column A Page 2 Lines 1-2 Page 3 Lines 1-22	(d) (e)	Lisa Fuca
19-3/7	Sample #5 4 th Qtr	1	Y	Page 1 Lines 1-18	(d) (e)	Lisa Fuca
19-3/8	Follow-up Questions	1	N			
19-4	Transmission Test	9	Y	Page 1 Column A Page 2 Lines 1-12 Page 3 Column A Page 4 Lines 1-17 Page 5 Lines 1-16 Page 6 Column A Page 7 Lines 1-10 Pages 8-9 Column A	(d) (e)	Lisa Fuca
19-6/1	Appendix E Adj	2	N			

Document	Description	No. of Pages	Conf. Y/N	Line No./Col. No.	Florida Statute 366.093 (3) Subsection	Declarant
20-3	2011 Tax Return	4	Y	Page 1 Line 1 Page 2 Lines 1-4 Pages 3-4 Columns A-E	(e)	Lisa Fuca
20-4	Tax Deduction Summary	1	Y	Lines 1-14	(e)	Lisa Fuca
20-4/1	Tax Deduction Footnote H & K	1	Y	Lines 1-13	(e)	Lisa Fuca
20-4/2	Tax Deduction May 2011	1	Y	Lines 1-9	(e)	Lisa Fuca
21-1	Schedule T-7A	8	Y	Pages 1-8 Columns A-D	(d) (e)	Lisa Fuca
21-1/1	T-7B Contract #200059776	1	Y	Line 1	(d) (e)	Lisa Fuca
21-1/1-1	Contract # 200059776 Per Books	1	Y	Column A	(d) (e)	Lisa Fuca
21-1/1-2	PO# 200059776	5	N Y	Page 1 Page 2 Lines 1-14 Page 3 Lines 1-17 Page 4 Lines 1-2 Page 5 Lines 1-3	(d) (e) (f)	Lisa Fuca
21-1/2	PO# 118206 Sch T-7B	1	Y	Line 1	(d) (e)	Lisa Fuca
21-1/2-1	PO# 118206	13	Y Y Y Y N Y N Y N Y	Page 1 Lines 1-16 Page 2 Lines 1-9 Page 3 Lines 1-5 Page 4 Line 1 Page 5 Page 6 Line 1 Page 7 Page 8 Lines 1-3 Page 9 Pages 10-13 ALL	(d) (e) (f)	Lisa Fuca

THIRD REVISED EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Nuclear Cost Recovery Clause

Docket No: 20190009-EI

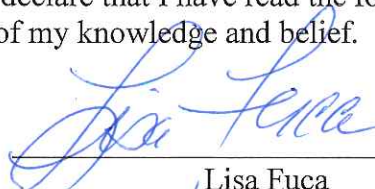
DECLARATION OF LISA FUCA

1. My name is Lisa Fuca. I am currently employed by Florida Power & Light Company ("FPL") as Principal Business Analyst, Nuclear Business 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. PA-13-010-4-1 for which I am identified as the declarant. The documents and materials that I have reviewed contain proprietary confidential business information, including contractual data and competitively sensitive data. Disclosure of this information would violate FPL's contract with its vendors, work to the detriment of FPL's competitive interests, impair the competitive interests of its vendors and/or impair FPL's efforts to enter into contracts on commercially favorable terms. Additionally, certain of these materials contain competitively sensitive information related to certain employees' compensation. Public disclosure of compensation information for particular positions would enable competing employers to meet or beat the compensation offered by FPL, resulting in the loss of talented employees, or conversely, the need to increase the level of compensation already paid in order to retain these employees and attract new talent. The quality of service and the cost of service implications would be detrimental to FPL and its customers. Finally, these documents include employee cell phone numbers which FPL has an obligation to maintain as confidential. To the best of my knowledge, FPL has maintained the confidentiality of these documents and materials.

3. No significant changes have occurred since the issuance of Order No. PSC-2018-0302-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 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.



Lisa Fuca

Date: _____

11/13/19

THIRD REVISED EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Nuclear Cost Recovery Clause

Docket No: 20190009-EI

DECLARATION OF ANTONIO MACEO

1. My name is Antonio Maceo. I am currently employed by Florida Power & Light Company ("FPL") as Manager of Internal Auditing. I have personal knowledge of the matters stated in this 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. PA-13-010-4-1 for which I am identified as the declarant. The documents that I have reviewed contain information related to reports of internal auditors. Full and frank disclosure of information to the Internal Auditing department is essential for the department to fulfill its role, and the confidential status of internal auditing scope, process, findings, and reports supports such disclosure. The release of information related to reports of internal auditors would be harmful to FPL and its customers because it may affect the effectiveness of the Internal Auditing department itself. To the best of my knowledge, FPL has maintained the confidentiality of these documents and materials.

3. No significant changes have occurred since the issuance of Order No. PSC-2018-0302-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 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.



Antonio Maceo

Date: _____

11/13/19