

State of Florida



# Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD  
TALLAHASSEE, FLORIDA 32399-0850

**-M-E-M-O-R-A-N-D-U-M-**

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**DATE:** January 13, 2020

**TO:** Walter Trierweiler, Senior Attorney, Office of the General Counsel  
Kristen Simmons, Senior Attorney, Office of the General Counsel

**FROM:** Douglas Wright, Engineering Specialist I, Division of Engineering 

**RE:** CONFIDENTIALITY OF CERTAIN INFORMATION

DOCKET NO: 20190061-EI

DOCUMENT NO: 00190-2020

DESCRIPTION: FPL (Moncada) - (CONFIDENTIAL) Information provided in the deposition transcript of William F. Brannen.

SOURCE: Florida Power & Light Company

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Pursuant to Section 366.093, Florida Statutes (F.S.), and Rule 25-22.006, Florida Administrative Code, Florida Power & Light Company (FPL) requests confidential classification of certain information provided in the deposition transcript of William F. Brannen. FPL requests confidentiality under Section 366.093(3)(a), F.S.: "Trade secrets," and Section 366.093(3)(d), F.S.: "Information concerning bids or other contractual data, the disclosure of which would impair the efforts of the public utility or its affiliates to contract for goods or services on favorable terms."

The information for which FPL seeks confidentiality can be described as contractual terms related to developing utility scale solar generation projects, or purchasing solar energy from the same, as well as negotiation methodologies used in pursuit of purchase contracts. Staff has reviewed the information that FPL has filed, as well as its confidentiality request, and believes the information that is the subject of the request meets the criteria for confidentiality under Section 366.093(3)(d), F.S., and Section 366.093(3)(e), F.S.: "Information relating to competitive interests, the disclosure of which would impair the competitive business of the provider of the information."

cc: Office of Commission Clerk (Docket No. 20190061-EI)



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**DATE:** January 13, 2020

**TO:** Division of Engineering, Office of Primary Responsibility

**FROM:** OFFICE OF COMMISSION CLERK

**RE:** CONFIDENTIALITY OF CERTAIN INFORMATION  
DOCKET NO: 20190061-EI DOCUMENT NO: 00190-2020  
DESCRIPTION: FPL (Moncada) - (CONFIDENTIAL) Information provided in the deposition transcript of William F. Brannen.  
SOURCE: Florida Power & Light Company

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The above confidential material was filed along with a request for confidential classification. Please complete the following form by checking all applicable information and forward it to the attorney assigned to the docket, along with a brief memorandum supporting your recommendation.

- The document(s) is (are), in fact, what the utility asserts it (them) to be.
- The utility has provided enough details to perform a reasoned analysis of its request.
- The material has been received incident to an inquiry.
- The material is confidential business information because it includes:
  - (a) Trade secrets;
  - (b) Internal auditing controls and reports of internal auditors;
  - (c) Security measures, systems, or procedures;
  - (d) Information concerning bids or other contractual data, the disclosure of which would impair the efforts of the public utility or its affiliates to contract for goods or services on favorable terms;
  - (e) Information relating to competitive interests, the disclosure of which would impair the competitive business of the provider of information;
  - (f) Employee personnel information unrelated to compensation, duties, qualifications, or responsibilities;
- The material appears to be confidential in nature and harm to the company or its ratepayers will result from public disclosure.
- The material appears not to be confidential in nature.
- The material is a periodic or recurring filing and each filing contains confidential information.

This response was prepared by Douglas Wright on January 13, 2019, a copy of which has been sent to the Office of Commission Clerk and the Office of General Counsel.