

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Review of Data Accuracy in Electric
Reliability Reporting by Florida IOUs

Docket No: 20150217-EI
Date: June 30, 2020

**FLORIDA POWER & LIGHT COMPANY'S THIRD
REQUEST FOR EXTENSION OF CONFIDENTIAL CLASSIFICATION**

Pursuant to Section 366.093, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, Florida Power & Light Company ("FPL") hereby submits its Third Request for Extension of Confidential Classification of certain material provided to the Staff of the Florida Public Service Commission ("Staff") pursuant to the Commission's Review of Data Accuracy in Electric Reliability Reporting by Florida Electric IOUs ("Confidential Information"). In support of this Request, FPL states as follows:

1. On July 27, 2015, FPL filed an Amended Request for Confidential Classification which included Exhibits A, B, C and D ("July 27, 2015 Request"). By Order No. PSC-15-0531-CFO-EI, dated November 13, 2015 ("Order 0531"), the Commission granted FPL's July 27, 2015 Request. FPL adopts and incorporates by reference the July 27, 2015 Request and Order 0531.

2. On April 10, 2017, FPL filed its First Request for Extension of Confidential Classification ("April 10, 2017 Request"). By Order No. PSC-17-0183-CFO-EI ("Order 0183") the Commission granted FPL's April 10, 2017 Request. FPL adopts and incorporates by reference the April 10, 2017 Request and Order 0183.

3. On November 16, 2018, FPL filed its Second Request for Extension of Confidential Classification ("November 16, 2018 Request"). By Order No. PSC-2019-0011-CFO-EI ("Order 0011") the Commission granted FPL's November 16, 2018 Request. FPL adopts and incorporates by reference the November 16, 2018 Request and Order 0011.

4. The period of confidential treatment granted by Order 0011 will soon expire. The Confidential Information that was the subject of FPL's November 16, 2018 Request and Order 0011 warrants continued treatment as proprietary and confidential business information within the meaning of Section 366.093(3), Fla. Stat. Accordingly, FPL hereby submits its Third Request for Extension of Confidential Classification.

5. All of the information designated in Exhibits A, B and C to the July 27, 2015 Request remain confidential. Accordingly, those exhibits will not be reproduced or reattached here.

6. Included as Third Revised Exhibit D is the declaration of Thomas Allain in support of this request.

7. The Confidential Information is intended to be and has been reared 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, Fla. Stat., such information is entitled to confidential treatment and 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.

5. As further detailed in the declaration included as Third Revised Exhibit D, certain documents contain information concerning internal auditing controls and reports of internal auditors. This information is protected by Section 366.093(3)(b), Fla. Stat.

6. In addition the documents or materials contain information concerning 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. Specifically, the information

contains benchmarking analyses which FPL is required to maintain as confidential by contractual agreement. This information is protected by Section 366.093(3)(d), Fla. Stat. This information also relates to competitive interests, the disclosure of which would impair the competitive business of the provider of the information. 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 a period of at least 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 more fully set forth in the supporting materials and affidavits included herewith, Florida Power & Light Company respectfully requests that its Third Request for Extension of Confidential Classification be granted.

Respectfully submitted,

Joel T. Baker, Esquire
Florida Power & Light Company
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By: /s/ Joel T. Baker
Joel T. Baker
Florida Bar No. 0108202

CERTIFICATE OF SERVICE
Docket No. 20150217-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 delivery on this 30th day of June, 2020 to the following:

Carl S. Vinson, Jr.
Public Utilities Supervisor
Office of Auditing and Performance Analysis
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850
cvinson@psc.state.fl.us

By: /s/ Joel T. Baker
Joel T. Baker
Florida Bar No. 0108202

DOCKET 20150217-EI

**THIRD REVISED
EXHIBIT D**

EXHIBIT D

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STATE OF FLORIDA)
) WRITTEN DECLARATION OF THOMAS ALLAIN
COUNTY OF BROWARD)

1. My name is Thomas Allain. I am currently employed by Florida Power & Light Company (“FPL”) as Director of Compliance and Regulatory – Power Delivery. 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 Confidential Classification for which I am identified as a declarant. The documents which are asserted by FPL to be proprietary confidential business information contain or constitute internal auditing controls and reports of internal auditors. In addition, the documents or materials contain information concerning 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. Specifically, the information contains references to benchmarking analyses which FPL is required to maintain as confidential by contractual agreement. This information also relates to competitive interests, the disclosure of which would impair the competitive business of the provider of the information. To the best of my knowledge, FPL has maintained the confidentiality of this information.

3. Nothing has occurred since the issuance of Order No. PSC-2019-0011-CFO-EI to render the designated information stale or public, such that continued confidential treatment would not be appropriate. Therefore, 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.

Thomas Allain

Thomas Allain

Date: June 30, 2020
