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May 24, 2021

**VIA HAND DELIVERY**

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

**Re: Docket No. 20210015-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 contained in FPL's Second Supplemental response to Office of Public Counsel's ("OPC") First Request for Production of Documents No. 36. The request includes Exhibits A, B (two copies), C and D.

Exhibit A consists of the document containing confidential information. Exhibit A is submitted for filing in an envelope marked "EXHIBIT A" – CONFIDENTIAL. Exhibit B is an edited version of Exhibit A, in which the information FPL asserts is confidential has been redacted. Exhibit A is confidential in its entirety. Therefore, FPL has included only identifying cover page in Exhibit B. Exhibit C is a justification table in support of FPL's Request for Confidential Classification. Exhibit D contains the declarations in support of FPL's Request. In accordance with Rule 25-22.006(3)(d), FPL requests confidential treatment of the information in Exhibit A pending disposition of FPL's Request for Confidential Classification.

Please contact me if you or your Staff has any questions regarding this filing.

Sincerely,

s/ Maria Jose Moncada  
Maria Jose 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: Petition by Florida Power & Light  
Company for Rate Unification and for Base  
Rate Increase

Docket No. 20210015-EI

Filed: May 24, 2021

**FLORIDA POWER & LIGHT COMPANY'S REQUEST FOR CONFIDENTIAL  
CLASSIFICATION OF CERTAIN INFORMATION PROVIDED IN ITS  
SECOND SUPPLEMENTAL RESPONSE TO OPC'S FIRST REQUEST  
FOR PRODUCTION OF DOCUMENTS, No. 36**

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 its second supplemental responses to OPC's First Request for Production of Documents No. 36 (the "Confidential Information"). In support of its Request, FPL states as follows:

1. FPL served its second supplemental responses to OPC's First Request for Production of Documents No. 36, ("POD") on May 24, 2021. This request is being filed contemporaneously with service of this second supplemental response to request confidential classification of certain information contained in its second supplemental response to OPC's First Request for Production of Documents Nos. 36, consistent with Rule 25-22.006, Florida Administrative Code.

2. The following exhibits are included with and made a part of this request:

a. Exhibit A consists of a copy of the confidential material on which all of the information that FPL asserts is entitled to confidential treatment has been highlighted. The attachment to FPL's Second Supplemental response to OPC's First Request for Production of Documents, No. 36, is voluminous and confidential in its entirety, and it is being provided electronically on disc.

b. As Exhibit A is confidential in its entirety, Exhibit B consists of only an identifying cover page with all confidential information removed.

c. Exhibit C is a table that identifies by column and line the information for which confidential treatment is being sought and references the specific statutory basis for the claim of confidentiality. Exhibit C also identifies the declarants who support the requested classification.

d. Exhibit D contains the declarations of the individuals who support the requested classification.

3. The Confidential Information is intended to be and has been treated 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, such materials are entitled to confidential treatment and are 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 described in the declarations included as Exhibit D, the Confidential Information consists of proprietary confidential business information relating to competitive interests, the disclosure of which would impair the competitive business of the provider of the information. Specifically, the information contains software that is proprietary to a third-party vendor who provides it to FPL as part of a subscription service. This information is protected by Sections 366.093(3) (e) Fla. Stat.

5. Upon a finding by the Commission that the Confidential Information is proprietary 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§ 399.093(4), Fla. Stat.

**WHEREFORE**, for the above and foregoing reasons, as more fully set forth in the supporting materials and declarations included herewith, FPL respectfully requests that its Request for Confidential Classification be granted.

Respectfully submitted,

FLORIDA POWER & LIGHT COMPANY

By: /s/ Maria Jose Moncada

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**CERTIFICATE OF SERVICE**  
**20210015-EI**

I **HEREBY CERTIFY** that a true and correct copy of the foregoing\* has been furnished by electronic mail this 24<sup>th</sup> day of May 2021 to the following parties:

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By: s/ Maria Jose Moncada  
Maria Jose Moncada  
Florida Bar No. 0773301

\* The exhibits to this Request are not included with the service copies, but copies of Exhibits B, C and D are available upon request.

# **EXHIBIT B**

**REDACTED**

The document responsive to OPC's First Request for Production of Documents No. 36, Second Supplemental, Bates No. 042976, is confidential in its entirety

# **EXHIBIT C**

## **JUSTIFICATION TABLE**

**EXHIBIT C**

**COMPANY:** Florida Power & Light Company  
**TITLE:** Petition by Florida Power & Light Company for Rate Unification and for Base Rate Increase  
**DOCKET NO.:** 20210015-EI  
**DATE:** May 24, 2021

Int/POD No.	Begin Bates Number	End Bates Number	Description	No. of Pages	Confidential	Line/Col	Florida Statute 366.093 (3) Subsection	Declarant
Second Supplemental response to OPC'S 1st Request for Production of Documents, No. 36	042976	042976	Integrated Resource Plan Modeling Software	1	Y	All	(e)	Steve Sim

# **EXHIBIT D**

# **DECLARATIONS**

**EXHIBIT D**

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Petition by Florida Power & Light Company  
for Rate Unification and for Base Rate Increase

Docket No: 20210015-EI

**DECLARATION OF STEVE SIM**

1. My name is Steve Sim. I am currently employed by Florida Power & Light Company ("FPL") as Director of Integrated Resource Planning. I have personal knowledge of the matters stated in this written declaration.

2. I have reviewed the documents referenced and incorporated in FPL's Request for Confidential Classification, specifically the materials provided in my response OPC's First Request for Production of Documents No. 36. The documents or materials that I have reviewed and which are proprietary confidential business information contain competitive business information the disclosure of which would impair the competitive business of the provider of the information. Specifically, the information contains software that is proprietary to a third party vendor who provides it to FPL as part of a subscription service. 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 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.



Steve Sim

Date: 5/21/2021