

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-**

**DATE:** May 1, 2025

**TO:** Division of Accounting and Finance, Office of Primary Responsibility

**FROM:** OFFICE OF COMMISSION CLERK

**RE:** CONFIDENTIALITY OF CERTAIN INFORMATION

DOCKET NO: 20250001-EI DOCUMENT NO: 03277-2025

DESCRIPTION: FPL (Lee) - (CONFIDENTIAL) Forms 423-1(a) for 2/25, and 3/25; and Forms 423-2, 2(a), and 2(b) for Plant Scherer for 1/25, 2/25, and 3/25.

SOURCE: Florida Power & Light Company

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.
- ☐ Portions of the material appear to be confidential in nature and are identified in the memorandum supporting this recommendation.
- ☒ The material is a periodic or recurring filing and each filing contains confidential information.

This response was prepared by /s/Joshua Cohn on 05/06/2025, a copy of which has been sent to the Office of Commission Clerk and the Office of General Counsel.

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TALLAHASSEE, FLORIDA 32399-0850

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

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**DATE:** May 6, 2025

**TO:** Ryan Sandy, Senior Attorney, Office of the General Counsel

**FROM:** Joshua Cohn, Public Utility Analyst, Division of Accounting & Finance

**RE:** CONFIDENTIALITY OF CERTAIN INFORMATION

DOCKET NO: 20250001-EI DOCUMENT NO: 03277-2025

DESCRIPTION: FPL (Lee) - (CONFIDENTIAL) Forms 423-1(a) for 2/25, and 3/25; and Forms 423-2, 2(a), and 2(b) for Plant Scherer for 1/25, 2/25, and 3/25.

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 or Company) requests confidential classification of certain information and motion for temporary protective order filed in the above-referenced docket, dated April 30, 2025.

The Company is claiming confidentiality of its filing under Section 366.093(3)(d), F.S. Per the Statute, propriety of confidential business information includes, but is not limited to: Subsection (d) "[i]nformation 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," and Subsection (e) "[i]nformation relating to competitive interests, the disclosure of which would impair the competitive business of the provider of the information."

More specifically, the information contains pricing data for coal purchases and transportation charges between FPL and various counterparties. The negotiated pricing/contracts are not publicly known, and disclosure of this information would negatively impact the Company's ability to negotiate favorable terms in the future, to the detriment of FPL and its customers. Furthermore, the Company requests that the confidential information be protected from disclosure for a period of 24 months.

Staff has reviewed the Company's information and confidentiality request. It is staff's opinion that the information subject to this request meets the criteria for confidentiality contained in Section 366.093(3)(d), F.S., and Section 366.093(3)(e), F.S.