

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Fuel and Purchase Power Cost Recovery
Clause with Generating Performance Incentive
Factor

Docket No. 150001-EI
Dated: April 9, 2015

**FLORIDA POWER & LIGHT COMPANY'S THIRD REQUEST
FOR EXTENSION OF CONFIDENTIAL CLASSIFICATION
OF INFORMATION PROVIDED PURSUANT TO AUDIT NO. 08-221-4-1**

Pursuant to Section 366.093, Florida Statutes ("Section 366.093"), and Rule 25-22.006, Florida Administrative Code, Florida Power & Light Company ("FPL") hereby submits its Third Request for Extension of Confidential Classification of Information Provided Pursuant to Audit No. 08-221-4-1 ("Confidential Information"). In support of this request, FPL states as follows:

1. On December 10, 2008 FPL filed a Request for Confidential Classification of the Confidential Information, which included Exhibits A, B, C, and D ("December 10, 2008 Request"). By Order No. PSC-10-0214-CFO-EI, dated April 5, 2010 ("Order 0214"), the Commission granted FPL's December 10, 2008 Request. FPL adopts and incorporates by reference the December 10, 2008 Request and Order 0214.

2. By Order No. PSC-12-0150-CFO-EI, dated March 29, 2012, the Commission granted FPL's First Request for Extension of Confidential Classification.

3. On August 13, 2013, FPL filed a Second Request for Extension of Confidential Classification of the Confidential Information, which included Second Revised Exhibit D ("August 13, 2013 Request"). By Order No. PSC-13-0460-CFO-EI, dated October 14, 2013 ("Order 0460"), the Commission granted FPL's August 13, 2013 Request. FPL adopts and incorporates by reference the August 13, 2013 Request and Order 0460.

4. The period of confidential treatment granted by Order 0460 will soon expire. The Confidential Information that was the subject of FPL's August 13, 2013 Request and Order 0460

warrants continued treatment as proprietary and confidential business information within the meaning of Section 366.093(3). Accordingly, FPL hereby submits its Third Request for Extension of Confidential Classification.

5. All of the information designated in Exhibit A, Exhibit B to the and First Revised Exhibit C to the October 5, 2011 Request remains confidential. Accordingly, those exhibits will not be reproduced or reattached here.

6. Included herewith and made a part hereof is Third Revised Exhibit D. Third Revised Exhibit D contains the affidavits of Maria V. Besada and Gerard J. Yupp in support of this request.

7. 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.

8. As the affidavits included in Third Revised Exhibit D indicate, the Confidential Information includes contractual data, the disclosure of which would impair the efforts of FPL to contract for goods or services on favorable terms. This information is protected by Section 366.093(3)(d), Fla. Stat.

9. Also, certain documents contain information relating to competitive interests, the disclosure of which would impair the competitive business of FPL or FPLES, the provider of the information. This information is protected by Section 366.093(3)(e), Fla. Stat.

10. Upon a finding by the Commission that the Confidential Information remains proprietary and confidential business information, the information should not be declassified for at least an additional eighteen (18) month period and should be returned to FPL as soon as it is no longer necessary for the Commission to conduct its business. *See* § 366.093(4), Fla. Stat. (2014).

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,

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

CERTIFICATE OF SERVICE
Docket No. 150001-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 this 9th day of April, 2015 to the following:

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By: s/ Maria J. Moncada
Maria J. Moncada

EXHIBIT D

THIRD REVISED EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Fuel and Purchase Power Cost
Recovery Clause with Generating
Performance Incentive Factor

Docket No. 150001-EI

STATE OF FLORIDA)

AFFIDAVIT OF MARIA V. BESADA

MIAMI-DADE COUNTY)

BEFORE ME, the undersigned authority, personally appeared Maria V. Besada who, being first duly sworn, deposes and says:

1. My name is Maria V. Besada. I am currently employed by FPL Energy Services, Inc. (FPLES) as Director, Support Services. I have personal knowledge of the matters stated in this affidavit.

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. 08-221-4-1 for which I am identified as the affiant. Such documents or materials that I have reviewed and which, in whole or in part, are asserted by FPLES to be proprietary confidential business information, contain or constitute contractual vendor data, such as pricing and other terms, the disclosure of which would impair the efforts of FPLES to contract for goods or services on favorable terms in the future. Specifically, these documents contain commodity pricing and natural gas sales agreement. This information also relates to FPLES's competitive interest, and the disclosure such information could impair the competitive business of FPLES or the provider of the information. To the best of my knowledge, FPLES has maintained the confidentiality of these documents and materials.

3. Nothing has occurred since the issuance of Order No. PSC-13-0460-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 at least an additional eighteen (18) months. These materials 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. Affiant says nothing further.

M Besada

Maria V. Besada

SWORN TO AND SUBSCRIBED before me this 7 day of April 2015, by Maria V. Besada, who is personally known to me and who did take an oath.

SRB

Notary Public, State of Florida

My Commission Expires

7/20/17



THIRD REVISED EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Fuel and Purchase Power Cost
Recovery Clause with Generating
Performance Incentive Factor

Docket No. 150001-EI

STATE OF FLORIDA)
)
PALM BEACH COUNTY)

AFFIDAVIT OF GERARD J. YUPP

BEFORE ME, the undersigned authority, personally appeared Gerard J. Yupp who, being first duly sworn, deposes and says:

1. My name is Gerard J. Yupp. I am currently employed by Florida Power & Light Company ("FPL") as Senior Director of Wholesale Operations in the Energy Marketing and Trading Division. I have personal knowledge of the matters stated in this affidavit.

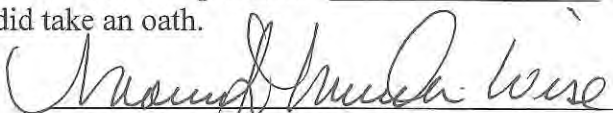
2. I have reviewed the documents referenced and incorporated in FPL's Third Request for Extension of Confidential Classification of Information Obtained in Connection with Audit No. 08-221-4-1 for which I am identified as the affiant. The information that FPL asserts is proprietary and confidential business information includes contractual data such as pricing and other terms, payment records, and vendor and supplier rates for oil and gas procurement, the disclosure of which would impair the efforts of FPL to contract for gas and oil procurement on favorable terms for the benefit of its customers and would impair the competitive interests of FPL and its vendors. Certain information in these documents and materials would also place FPL at a disadvantage when coupled with other information that is publicly available.

3. Nothing has occurred since the issuance of Order No. PSC-13-0460-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 at least an additional eighteen (18) months. These materials 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. Affiant says nothing further.


Gerard J. Yupp

SWORN TO AND SUBSCRIBED before me this 3 day of April 2015, by Gerard J. Yupp, who is personally known to me or who has produced _____ (type of identification) as identification and who did take an oath.


Notary Public, State of Florida

My Commission Expires:

