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June 27, 2019

-VIA HAND DELIVERY-

Adam Teitzman
Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

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COMMISSION
CLERK

RE: Docket 20190015-EG

REDACTED

Dear Mr. Teitzman:

I enclose for filing in the above docket Florida Power & Light Company's ("FPL") Request for Confidential Classification of Information Provided in Response to Staff's Fifth Set of Interrogatories (No. 67). The request includes Exhibits A, B (two copies), C, and D.

Exhibit A consists of the confidential documents, and all the information that FPL asserts is entitled to confidential treatment has been highlighted. Exhibit B is an edited version of Exhibit A, in which the information FPL asserts is confidential has been redacted. Exhibit C is a justification table in support of FPL's Request for Confidential Classification. Exhibit D contains the declaration in support of FPL's request.

- COM _____
- AFD _____
- APA _____
- ECO _____
- ENG 1 *cc h B*
- GCL _____
- IDM _____
- CLK _____

If there are any questions regarding this transmittal, please contact me at (561)304-5662.

Sincerely,

William P. Cox
Senior Attorney
Fla. Bar 0093531

cc: Parties of Record

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Commission Review of numeric
conservation goals of (Florida Power & Light
Company)

Docket No. 20190015-EG

Filed: June 27, 2019

**FLORIDA POWER & LIGHT COMPANY'S REQUEST FOR
CONFIDENTIAL CLASSIFICATION OF INFORMATION PROVIDED
IN RESPONSE TO STAFF OF THE FLORIDA PUBLIC SERVICE
COMMISSION'S FIFTH SET OF INTERROGATORIES (NO. 67)**

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 response to the Staff of the Florida Public Service Commission's ("Staff") Fifth Set of Interrogatories (No. 67) ("Confidential Discovery Responses"). In support of its Request, FPL states as follows:

1. On June 7, 2019, Staff served its Fifth Set of Interrogatories (No. 64-67) on FPL. FPL's Responses to Staff's Fifth Set of Interrogatories (No. 67) contain information of a confidential nature within the meaning of Section 366.093(3), Florida Statutes.

2. FPL served its responses to Staff's Fifth Set of Interrogatories (No. 64-67) on June 27, 2019. This request is being filed contemporaneously with the service of the responses to Staff's discovery in order to request confidential classification of the Confidential Discovery Responses consistent with Rule 25-22.006, Florida Administrative Code.

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

a. Exhibit A consists of a copy of the Confidential Discovery Responses on which all information that FPL asserts is entitled to confidential treatment is highlighted.

b. Exhibit B consists of an edited version of the Confidential Discovery Responses on which all information that FPL asserts is entitled to confidential treatment is redacted.

c. Exhibit C is a table containing a page-and-line identification of the information highlighted in Exhibit A and a brief description of the Confidential Information. Exhibit C also references the specific statutory bases for the claim of confidentiality and identifies the declarants who support the requested classification.

d. Exhibit D contains the declaration of Dr. Steven R. Sim in support of this Request.

4. FPL submits that the highlighted information in Exhibit A is proprietary confidential business information within the meaning of Section 366.093(3), Florida Statutes. This information is intended to be and is treated by FPL as private, and its confidentiality has been maintained. Pursuant to Section 366.093, such information is entitled to confidential treatment and is exempt from the disclosure provisions of the public records law. Thus, once the Commission determined 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 the description included in Exhibit C and the declarations included in Exhibit D indicate, the Confidential Discovery Responses provided by FPL contain information concerning trade secrets, the disclosure of which would impair the competitive business of FPL's vendor. This information is protected by Section 366.093(3)(a), Fla. Stat.

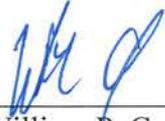
6. Additionally, this information relates to competitive interests of FPL's vendor, the disclosure of which would impair the competitive business of the provider of this information. This information is protected by Section 366.093(3)(e), Fla. Stat.

7. Upon a finding by the Commission that the Confidential Information remains proprietary and confidential business information, the information should not be declassified for 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.

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 Request for Confidential Classification be granted.

Respectfully submitted,

William P. Cox
Senior Attorney
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Juno Beach, FL 33408
Telephone: (561) 304-5662
Facsimile: (561) 691-7135
Email: Will.P.Cox@fpl.com

By: 
William P. Cox
Florida Bar No. 0093531

**CERTIFICATE OF SERVICE
DOCKET NO. 20190015-EG**

I HEREBY CERTIFY that a true and correct copy of the foregoing was served by electronic delivery this 27th day of June, 2019 to the following:

<p>Margo A. DuVal, Esq. Ashley Weisenfeld, Esq. Division of Legal Services Florida Public Service Commission 2540 Shumard Oak Blvd. Tallahassee, Florida 32399-0850 Mduval@psc.state.fl.us Aweisenf@psc.state.fl.us</p>	<p>J.R. Kelly, Esq. Patricia Christensen, Esq. Office of the Public Counsel c/o The Florida Legislature 111 W. Madison Street, Rm 812 Tallahassee FL 32399 christensen.patty@leg.state.fl.us kelly.jr@leg.state.fl.us</p>
<p>George Cavros, Esq. Southern Alliance for Clean Energy 120 E. Oakland Park Blvd., Suite 105 Fort Lauderdale, FL 33334 george@cavros-law.com Attorney for SACE</p>	<p>Bradley Marshall, Esq. Bonnie Malloy, Esq. Earthjustice 111 S. Martin Luther King Jr. Blvd. Tallahassee, FL 32301 bmarshall@earthjustice.org bmalloy@earthjustice.org Attorneys for SACE</p>
<p>Joan T. Matthews, Esq. / Allan J. Charles, Esq. / Kelley F. Corbari, Esq. Florida Department of Agriculture & Consumer Services Office of General Counsel The Mayo Building 407 S. Calhoun Street, Suite 520 Tallahassee, FL 32399-0800 joan.matthews@freshfromflorida.com allan.charles@freshfromflorida.com kelley.corbari@freshfromflorida.com</p>	<p>Jon C. Moyle, Jr./Karen A. Putnal/Ian E. Waldick c/o Moyle Law Firm, PA 118 North Gadsden Street Tallahassee FL 32301 iwaldick@moylelaw.com jmoyle@moylelaw.com kputnal@moylelaw.com mqualls@moylelaw.com Attorneys for FIPUG</p>
<p>Stephanie U. Eaton 110 Oakwood Drive, Suite 500 Winston-Salem NC 27103 seaton@spilmanlaw.com Attorneys for Walmart Inc.</p>	<p>Derrick Price Williamson/Barry A. Naum 1100 Bent Creek Boulevard, Suite 101 Mechanicsburg PA 17050 dwilliamson@spilmanlaw.com bnaum@spilmanlaw.com Attorneys for Walmart Inc.</p>

By: s/ William P. Cox
William P. Cox
Florida Bar No. 0093531

EXHIBIT B

REDACTED

1 QUESTION:

2 Please refer to FPL's Responses to Staff's Second Set of Interrogatories, No. 33(b).

3 a. Please state if the beginning date/first-year of Carbon Dioxide (CO₂) costs used in FPL's
4 Economic Potential analysis for both the base- and high-case scenarios are consistent.

5 b. In the response to (a.) is negative, please discuss why the beginning dates of CO₂ costs
6 are not consistent between the base- and high-case scenarios.

7 RESPONSE:

8 a. Please note that FPL only used one forecast of CO₂ compliance in its Economic Potential
9 Analysis. This forecast was an average of FPL's CO₂ compliance costs and Duke Energy
10 Florida's CO₂ compliance costs. FPL's base case assumption for the Economic Potential
11 analysis was a zero CO₂ compliance cost, as directed by Commission Staff.

12 FPL's CO₂ compliance cost forecast used a probability-weighted average between zero CO₂
13 compliance costs, "medium" compliance costs, and "high" compliance costs. As the
14 probability for the high case is estimated at 0% until 2028, CO₂ costs under the high case do
15 not start until then. The projected probability for the medium case begins earlier and
16 therefore starts in 2026.

17 b.  A

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EXHIBIT C

JUSTIFICATION TABLE

EXHIBIT C

COMPANY: Florida Power & Light Company
TITLE: List of Confidential Documents
DOCKET TITLE: Commission review of numeric conservation goals (Florida Power & Light Company)
DOCKET NO.: 20190015-EG

Set	Bates No.	Conf. Y/N	Line	Florida Statute 366.093(3) Subsection	Declarant
Staff's 5 th Interrogatory No. 67	FPL 003923	Y	Lines: 17A - 34	(a), (e)	Steven R. Sim

EXHIBIT D

DECLARATIONS

EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Commission review of numeric
conservation goals (Florida Power & Light
Company)

Docket No. 20190015-EG

DECLARATION OF DR. STEVEN R. SIM

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

2. I have reviewed the document and information included in Exhibit A to FPL's Request for Confidential Classification filed this date, for which I am listed as the declarant on Exhibit C. The document that FPL seeks to have protected contains proprietary information that was produced for FPL by outside consultants. Specifically, the information consists of FPL's CO₂ compliance cost forecast, which is developed by a third party, ICF. This vendor requested confidential treatment of this information and FPL is contractually obligated to maintain the information as confidential. Disclosure of the proprietary forecast would impair the vendor's competitive interests and would be a contractual breach on the part of FPL. FPL treats these documents as confidential and proprietary. FPL has previously and successfully sought confidential treatment of these materials at the Commission.

3. 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.



Steven R. Sim

Date: 6/25/2019