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August 22, 2019

**VIA HAND DELIVERY**

Mr. Adam Teitzman  
Division of the Commission Clerk and Administrative Services  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850

RECEIVED-FPSC  
2019 AUG 22 PM 1:44  
COMMISSION  
CLERK

Re: Docket No. 20190061-EI

REDACTED

Dear Mr. Teitzman:

I enclose for filing in the above docket Florida Power & Light Company's ("FPL's") Request for Confidential Classification of Information Provided in Response to the Office of Public Counsel's Fifth Set of Interrogatories, No. 23 and Fourth Request for Production of Documents, No. 10. 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 declarations in support of FPL's request.

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

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- GCL \_\_\_\_\_
- IDM \_\_\_\_\_
- CLK \_\_\_\_\_

Sincerely,

Maria Jose Moncada

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 for approval of FPL SolarTogether program and tariff, by Florida Power & Light Company

Docket No: 20190061-EI

Date: August 22, 2019

**FLORIDA POWER & LIGHT COMPANY'S REQUEST FOR CONFIDENTIAL CLASSIFICATION OF INFORMATION PROVIDED IN RESPONSE TO OPC'S FIFTH SET OF INTERROGATORIES (No. 23) AND FOURTH REQUEST FOR PRODUCTION OF DOCUMENTS (No. 10)**

Pursuant to Section 366.093, Florida Statutes ("Section 366.093"), and Rule 25-22.006, Florida Administrative Code, Florida Power & Light Company ("FPL") hereby requests confidential classification of certain information provided in response to the Office of Public Counsel's ("OPC") Fifth Set of Interrogatories, No. 23 and OPC's Fourth Request for Production of Documents, No. 10 (collectively, the "Confidential Documents"). In support of this Request, FPL states as follows:

1. FPL served its responses to OPC's Fifth Set of Interrogatories, Nos. 23-28 and OPC's Fourth Request for Production of Documents, Nos. 7-10 on August 21, 2019. This Request is being filed contemporaneously with service of those responses in order to request confidential classification of certain information contained in its response to Interrogatory No. 23 and Request for Production No. 10, consistent with Rule 25-22.006, Florida Administrative Code.
2. The following exhibits are attached to and made a part of this Request:
  - a. Exhibit A consists of a copy of the Confidential Documents 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 Documents on which all information that FPL asserts is entitled to confidential treatment is redacted. Where the entire page is confidential, FPL includes an identifying cover page.
- c. Exhibit C is a table that identifies the information highlighted in Exhibit A and references the specific statutory basis for the claim of confidentiality and identifies the Declarant who supports the requested classification.
- d. Exhibit D consists of the declarations of William F. Brannen and Juan Enjamio in support of this Request.

3. FPL submits that the highlighted information in Exhibit A is proprietary and confidential business information, 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 declaration in Exhibit D, some of the confidential business information contains information relating 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.

5. Upon a finding by the Commission that the information contained in the Confidential Documents is proprietary and confidential business information, the information should not be declassified for at least 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, Florida Power & Light Company respectfully requests that its Request for Confidential Classification be granted.

Respectfully submitted this 22nd day of August 2019.

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By: \_\_\_\_\_

  
Maria Jose Moncada  
Florida Bar No. 0773301

**CERTIFICATE OF SERVICE**  
**Docket No. 20190061-EI**

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by electronic service on this 22nd day of August 2019 to the following:

Walter Trierweiler  
**Office of the General Counsel**  
Florida Public Service Commission  
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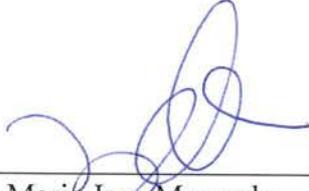
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*Attorneys for Walmart, Inc.*

By: \_\_\_\_\_

  
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Fla. Bar No. 0773301

**EXHIBIT B**

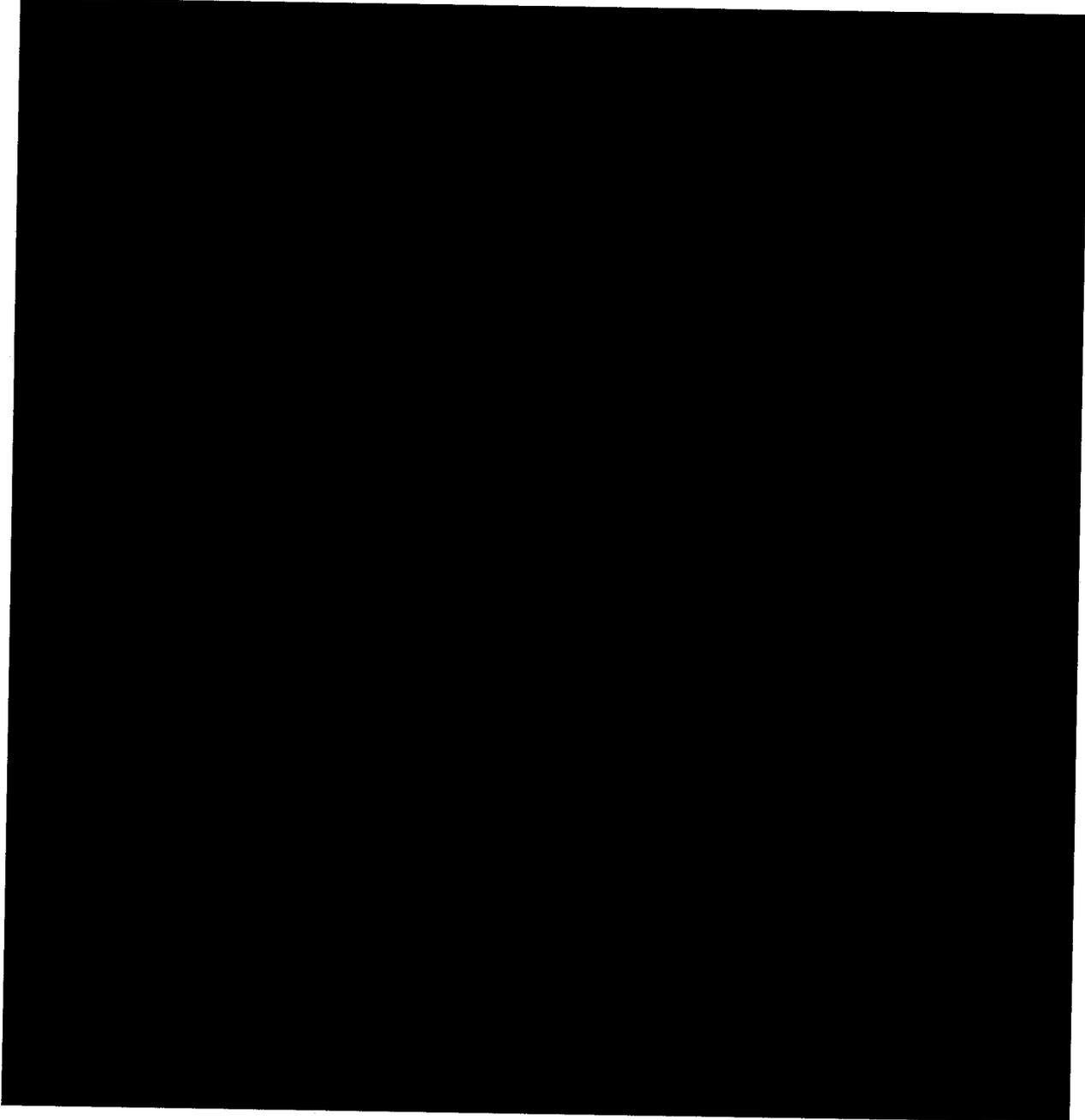
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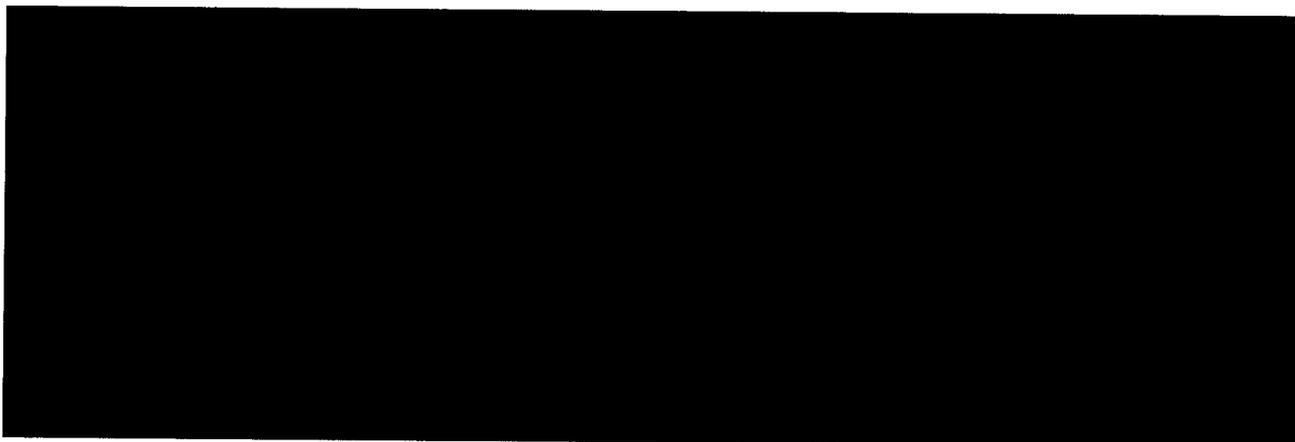
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QUESTION:

Please provide a detailed explanation of the process used by FPL to select solar module bids made in response to each of the Solar Module RFPs that FPL has issued for the SolarTogether projects.

RESPONSE:





**FPL's responses to  
OPC's Fourth Request for Production of  
Documents**

**No. 10 - Attachment No.1  
Bates No. 000229-237**

**is confidential in its entirety**

# EXHIBIT C

## JUSTIFICATION TABLE

**EXHIBIT C**

**COMPANY:** Florida Power & Light Company  
**TITLE:** List of Confidential Documents  
**DOCKET NO.:** 20190061-EI  
**DOCKET TITLE:** FPL Petition for approval of FPL SolarTogether Program and Tariff  
**SUBJECT:** FPL's Responses to OPC's Fifth Set of Interrogatories, No. 23 and OPC's Fourth Request for Production of Documents, No. 10  
**DATE:** August 22, 2019

Set	Bates Number	Description	Line No./ Col. No.	Florida Statute 366.093(3) Subsection	Declarant
OPC's 5th Interrogatory No. 23	000239-000240	Module Procurement Process	Page 1: Lines 11-40  Page 2: ALL	(e)	W. Brannen
OPC's 4th Request for Production of Document No. 10	000229-000237	On CD: Solar Profile Model File Name: 20190061-EI OPC's 4th POD No. 10 - Attachment 1	ALL	(e)	J. Enjamio

# **EXHIBIT D**

# **DECLARATIONS**

**EXHIBIT D**

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Petition by Florida Power & Light  
Company for Approval of FPL  
SolarTogether Program and Tariff

Docket No: 20190061-EI

**DECLARATION OF WILLIAM F. BRANNEN**

1. My name is William F. Brannen. I am currently employed by NextEra Energy Resources, LLC (“NEER”) as a Senior Director of Due Diligence. I have personal knowledge of the matters stated in this declaration.

2. I have reviewed the documents and information included in Exhibit A to Florida Power & Light Company’s (“FPL’s”) Request for Confidential Classification, for which I am listed as the declarant on Exhibit C. The documents that I have reviewed and which are asserted by FPL to be proprietary confidential business information contain or constitute information concerning competitive interests. Specifically, the information constitutes proprietary economic analytical processes, which, if disclosed publicly, would provide third parties information that could hinder FPL’s ability to obtain favorable pricing for customers. To the best of my knowledge, FPL has maintained the confidentiality of this information.

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.

  
William F. Brannen

Date: 3/20/2019

**EXHIBIT D**

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Petition by Florida Power & Light  
Company for Approval of FPL SolarTogether  
Program and Tariff

Docket No: 20190061-EI

**DECLARATION OF JUAN E. ENJAMIO**

1. My name is Juan E. Enjamio. I am currently employed by Florida Power & Light Company ("FPL") as Manager of Analytics in the Finance Department. I have personal knowledge of the matters stated in this declaration.

2. I have reviewed the documents and information included in Exhibit A to FPL's Request for Confidential Classification, for which I am listed as the declarant on Exhibit C. The documents that I have reviewed and which are asserted by FPL to be proprietary confidential business information contain or constitute information concerning projected solar generation profiles and solar firm capacity values which are based on proprietary modeling performed by a third party. Disclosure of this proprietary information could place FPL and the provider in a competitive disadvantage. To the best of my knowledge, FPL has maintained the confidentiality of this information.

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.

  
\_\_\_\_\_  
Juan E. Enjamio

Date: Aug 19, 2019