



Maria Jose Moncada
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(561) 691-7135 (Facsimile)
E-mail: maria.moncada@fpl.com

September 5, 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

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 Sixth Request for Production of Documents, No. 15. 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 a declaration in support of FPL's request.

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

- COM _____
- AFD _____
- APA _____
- ECO _____
- ENG** Exh B
- GCL _____
- IDM _____
- CLK _____

Sincerely,

Maria J. Moncada

RECEIVED-FPSC
2019 SEP -5 PM 1:42
COMMISSION
CLERK

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: September 5, 2019

**FLORIDA POWER & LIGHT COMPANY'S REQUEST
FOR CONFIDENTIAL CLASSIFICATION OF INFORMATION PROVIDED
IN RESPONSE TO THE OFFICE OF PUBLIC COUNSEL'S SIXTH REQUEST FOR
PRODUCTION OF DOCUMENTS (No. 15)**

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 Sixth Request for Production of Documents, No. 15 (collectively, the "Confidential Documents"). In support of this Request, FPL states as follows:

1. FPL served its responses to the Office of Public Counsel's Sixth Request for Production of Documents, No 15, on September 5, 2019. This Request is being filed contemporaneously with service of the response in order to request confidential classification of certain information contained in its response to Request, No. 15, 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.

- 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 Declarants who supports the requested classification.
 - d. Exhibit D consists of the declaration of William F. Brennan and Dean J. Girard in support of this Request.
3. FPL submits that the highlighted information in Exhibit A are documents or materials that I have reviewed and which are asserted by FPL to be proprietary confidential business information constitute purchase and sales agreements, the disclosure of which would impair the efforts of FPL to contract for real estate at favorable terms. The documents or materials also contain pricing and sales information, the disclosure of which would impair FPL's competitive business. Specifically, the material consists of contractual terms related to the acquisition of land and pricing information related to property services.
4. As described in the Exhibit D declarations, certain information in these documents proprietary confidential business information constitutes purchase and sales agreements, the disclosure of which would impair the efforts of FPL to contract for real estate at favorable terms. This information is protected by Section 366.093(3)(d), Fla. Stat.
5. Also, the documents or material contain pricing and sales information, the disclosure of which would impair FPL's competitive business. Specifically, the material consists of contractual terms related to the acquisition of land and pricing information related to property services. This information is protected by Section 366.093(3)(e), Fla. Stat.

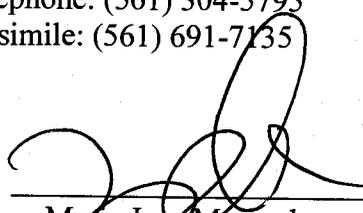
6. Upon a finding by the Commission that the information contained in the Confidential Documents is proprietary and confidential business information, the

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 5th day of September 2019.

Maria Jose Moncada
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Florida Power & Light Company
700 Universe Boulevard
Juno Beach, FL 33408
Telephone: (561) 304-5795
Facsimile: (561) 691-7135

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 5th day of September 2019 to the following:

Walter Trierweiler
Office of the General Counsel
Florida Public Service Commission
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Tallahassee, Florida 32399-0850
wtrierwe@psc.state.fl.us

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Mechanicsburg, PA 17050
(717) 795-2741
dwilliamson@spilmanlaw.com
Attorneys for Walmart, Inc.

By: _____

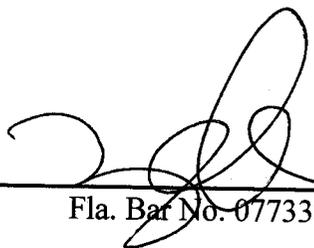

Fla. Bar No. 0773301

EXHIBIT B

REDACTED

EXHIBIT B

**FPL's Response to OPC's Sixth Set of
Production of Documents, No. 15
Bates No. FPL 000328-000330
Is confidential in its entirety**

EXHIBIT B

**FPL's Response to OPC's Sixth Set of
Production of Documents, No. 15
Bates No. FPL 000331-000333
Is confidential in its entirety**

EXHIBIT B

**FPL's Response to OPC's Sixth Set of
Production of Documents, No. 15
Bates No. FPL 000334-000366
Is confidential in its entirety**

EXHIBIT B

**FPL's Response to OPC's Sixth Set of
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Bates No. FPL 000367-000373
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Production of Documents, No. 15**

Bates No. FPL 000374-000377

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Bates No. FPL 000378-000403

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Bates No. FPL 000406-000407
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Bates No. FPL 000408-000409
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Bates No. FPL 000410-000437
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Bates No. FPL 000438-000439
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Bates No. FPL 000463-000466

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Bates No. FPL 000481-000488

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Bates No. FPL 000527-000556

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Bates No. FPL 000557-000587

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Bates No. FPL 000645-000647

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Bates No. FPL 000648-000673
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Bates No. FPL 000705-000707

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Bates No. FPL 000827-000854
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Bates No. FPL 000935-000938

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Bates No. FPL 000970-000985
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Bates No. FPL 000986-000987
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Bates No. FPL 000988-001010
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**FPL's Response to OPC's Sixth Set of
Production of Documents, No. 15
Bates No. FPL 001011-001029
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 Response to the Office of Public Counsel's Sixth Request for Production of Documents, Request No. 15
DATE: September 5, 2019

Set	Bates Number	Description	Line No./ Col. No.	Florida Statute 366.093(3) Subsection	Declarant
OPC 6 th Request for POD No. 15	FPL 000328-000330	Amendment to Purchase and Sale Agreement – Refranz Indiantown Dairy CONFIDENTIAL	All	(d) (e)	Dean J. Girard
OPC 6 th Request for POD No. 15	FPL 000331-000333	Buyer_Seller_Closing_Statement CONFIDENTIAL	All	(e)	Dean J. Girard
OPC 6 th Request for POD No. 15	FPL 000334-000366	Fully Executed Purchase and Sale Agreement – Indiantown Dairy Refranz CONFIDENTIAL	All	(d) (e)	Dean J. Girard
OPC 6 th Request for POD No. 15	FPL 000367-000373	10 Fully Executed 2nd Amendment 8-25-17 CONFIDENTIAL	All	(d) (e)	Dean J. Girard
OPC 6 th Request for POD No. 15	FPL 000374-000377	4 SIGNED BUYER AND SELLER STATEMENTS CONFIDENTIAL	All	(e)	Dean J. Girard
OPC 6 th Request for POD No. 15	FPL 000378-000403	8 Fully Executed POA CONFIDENTIAL	All	(d) (e)	Dean J. Girard
OPC 6 th Request for POD No. 15	FPL 000404-000405	9 Fully Executed Amendment to Purchase OptionAgr 7.24.17 CONFIDENTIAL	All	(d) (e)	Dean J. Girard
OPC 6 th Request for POD No. 15	FPL 000406-000407	Executed BUYER STATEMENT WITH ADDENDUM CONFIDENTIAL	All	(d) (e)	Dean J. Girard
OPC 6 th Request for POD No. 15	FPL 000408-000409	Fully Executed Amendment to PSA (Plum Creek-RGS Realty) CONFIDENTIAL	All	(d) (e)	Dean J. Girard

OPC 6 th Request for POD No. 15	FPL 000410- 000437	FULLY EXECUTED PSA – Plum CREEK Timberlands (Carl Duval) 4-14-16 CONFIDENTIAL	All	(d) (e)	Dean J. Girard
OPC 6 th Request for POD No. 15	FPL 000438- 000439	Fully Executed Second Amendment (RGS Realty-Plum Creek PSA) 8 23 16 CONFIDENTIAL	All	(d) (e)	Dean J. Girard
OPC 6 th Request for POD No. 15	FPL 000440- 000443	Closing Statement – FPL pf First Citrus II CONFIDENTIAL	All	(e)	Dean J. Girard
OPC 6 th Request for POD No. 15	FPL 000444- 000462	Final Purchase and Sale Agreement- First Citrus Grower II CONFIDENTIAL	All	(d) (e)	Dean J. Girard
OPC 6 th Request for POD No. 15	FPL 000463- 000466	fully executed amendment CONFIDENTIAL	All	(d) (e)	Dean J. Girard
OPC 6 th Request for POD No. 15	FPL 000467- 000468	Fully executed Fourth amend CONFIDENTIAL	All	(d) (e)	Dean J. Girard
OPC 6 th Request for POD No. 15	FPL 000469- 000471	FULLY EXECUTED Second Amendment (First Citrus Grower II) CONFIDENTIAL	All	(d) (e)	Dean J. Girard
OPC 6 th Request for POD No. 15	FPL 000472- 000477	Fully Executed Third Amendment CONFIDENTIAL	All	(d) (e)	Dean J. Girard
OPC 6 th Request for POD No. 15	FPL 000478- 000480	4 SIGNED BUYER STATEMENT CONFIDENTIAL	All	(e)	Dean J. Girard
OPC 6 th Request for POD No. 15	FPL 000481- 000488	6 Fully Executed 1st Amendment 12-19-17 CONFIDENTIAL	All	(d) (e)	Dean J. Girard
OPC 6 th Request for POD No. 15	FPL 000489- 000522	6 Fully Executed PSA 10-24-17 CONFIDENTIAL	All	(d) (e)	Dean J. Girard
OPC 6 th Request for POD No. 15	FPL 000523- 000526	4 SIGNED BUYER STATEMENT 2 CONFIDENTIAL	All	(e)	Dean J. Girard
OPC 6 th Request for POD No. 15	FPL 000527- 000556	7 Fully Executed Amendment Conversion to PSA 6-4-18 CONFIDENTIAL	All	(d) (e)	Dean J. Girard
OPC 6 th Request for POD No. 15	FPL 000557- 000587	7 Fully Executed LOA 6-30-17 CONFIDENTIAL	All	(d) (e)	Dean J. Girard
OPC 6 th Request for POD No. 15	FPL 000588- 000639	Fully Executed KSC Lease 12-19-18 CONFIDENTIAL	All	(d) (e)	Dean J. Girard

OPC 6 th Request for POD No. 15	FPL 000640- 000642	4 SIGNED BUYERS STATEMENT_AD DENDUM CONFIDENTIAL	All	(d) (e)	Dean J. Girard
OPC 6 th Request for POD No. 15	FPL 000643- 000644	7 Fully Executed 1st Amendment 7- 19-17 CONFIDENTIAL	All	(d) (e)	Dean J. Girard
OPC 6 th Request for POD No. 15	FPL 000645- 000647	7 Fully Executed 2nd Amendment 4- 25-18 CONFIDENTIAL	All	(d) (e)	Dean J. Girard
OPC 6 th Request for POD No. 15	FPL 000648- 000673	7 Fully Executed POA 5-9-17 CONFIDENTIAL	All	(d) (e)	Dean J. Girard
OPC 6 th Request for POD No. 15	FPL 000674- 000676	10-Executed Amendment to contract CONFIDENTIAL	All	(d) (e)	Dean J. Girard
OPC 6 th Request for POD No. 15	FPL 000677- 000679	6-Buyer Signed Closing statement CONFIDENTIAL	All	(e)	Dean J. Girard
OPC 6 th Request for POD No. 15	FPL 000680- 000704	9-Executed contract CONFIDENTIAL	All	(d) (e)	Dean J. Girard
OPC 6 th Request for POD No. 15	FPL 000705- 000707	4-40463 SIGNED BUYER STATEMENT CONFIDENTIAL	All	(d) (e)	Dean J. Girard
OPC 6 th Request for POD No. 15	FPL 000708- 000709	4a-40463 SIGNED CLOSING STATEMENT ADDENDUM CONFIDENTIAL	All	(d) (e)	Dean J. Girard
OPC 6 th Request for POD No. 15	FPL 000710- 000711	7a-FULLY EXECUTED Amendment 9-15- 17 CONFIDENTIAL	All	(d) (e)	Dean J. Girard
OPC 6 th Request for POD No. 15	FPL 000712- 000714	7b-Second Amendment FPL 12-17-18 CONFIDENTIAL	All	(d) (e)	Dean J. Girard
OPC 6 th Request for POD No. 15	FPL 000715- 000741	7-FULLY EXECUTED Evans-FPL agreement (FL Maid) CONFIDENTIAL	All	(d) (e)	Dean J. Girard
OPC 6 th Request for POD No. 15	FPL 000742- 000743	4 Signed Seller and Buyer Statem CONFIDENTIAL	All	(e)	Dean J. Girard
OPC 6 th Request for POD No. 15	FPL 000744- 000776	7 Fully Executed PSA – Diamond Crawford – Rayonier CONFIDENTIAL	All	(d) (e)	Dean J. Girard
OPC 6 th Request for POD No. 15	FPL 000777- 000787	8 Executed Amendment to PSA – Crawford Diamond CONFIDENTIAL	All	(d) (e)	Dean J. Girard

OPC 6 th Request for POD No. 15	FPL 000788- 000791	3 Buyers Closing Statement CONFIDENTIAL	All	(e)	Dean J. Girard
OPC 6 th Request for POD No. 15	FPL 000792- 000820	5 Fully Executed POA 4-24-18 CONFIDENTIAL	All	(d) (e)	Dean J. Girard
OPC 6 th Request for POD No. 15	FPL 000821- 000824	4 Buyers Settlement Statement_Addend um CONFIDENTIAL	All	(d) (e)	Dean J. Girard
OPC 6 th Request for POD No. 15	FPL 000825- 000826	7 Fully Executed Amendment to Purchase option Agreement 3-27-17 CONFIDENTIAL	All	(d) (e)	Dean J. Girard
OPC 6 th Request for POD No. 15	FPL 000827- 000854	7 Fully Executed POA 11-15-16 CONFIDENTIAL	All	(d) (e)	Dean J. Girard
OPC 6 th Request for POD No. 15	FPL 000855- 000856	Fully Executed 1st Amendment 5-18- 18 CONFIDENTIAL	All	(d) (e)	Dean J. Girard
OPC 6 th Request for POD No. 15	FPL 000857- 000879	Fully Executed POA 2-15-18 CONFIDENTIAL	All	(d) (e)	Dean J. Girard
OPC 6 th Request for POD No. 15	FPL 000880- 000883	4 SIGNED BUYER STATEMENT 3 CONFIDENTIAL	All	(e)	Dean J. Girard
OPC 6 th Request for POD No. 15	FPL 000884- 000887	7 Fully Executed 1st Amendment 7- 26-17 CONFIDENTIAL	All	(d) (e)	Dean J. Girard
OPC 6 th Request for POD No. 15	FPL 000888- 000891	7 Fully Executed 2nd Amendment 8- 2-18 CONFIDENTIAL	All	(d) (e)	Dean J. Girard
OPC 6 th Request for POD No. 15	FPL 000892- 000934	7 Fully Executed POA 7-11-17 – Skinner CONFIDENTIAL	All	(d) (e)	Dean J. Girard
OPC 6 th Request for POD No. 15	FPL 000935- 000938	4 Buyer-Seller Settlement Statement and Addendum CONFIDENTIAL	All	(d) (e)	Dean J. Girard
OPC 6 th Request for POD No. 15	FPL 000939- 000945	7 Fully Executed Amendment 5-11- 18 CONFIDENTIAL	All	(d) (e)	Dean J. Girard
OPC 6 th Request for POD No. 15	FPL 000946- 000969	7 Fully Executed PSA 12-18-17 CONFIDENTIAL	All	(d) (e)	Dean J. Girard
OPC 6 th Request for POD No. 15	FPL 000970- 000985	Fully Executed Agreement CONFIDENTIAL	All	(d) (e)	Dean J. Girard
OPC 6 th Request for POD No. 15	FPL 000986- 000987	Buyer signed closing statement CONFIDENTIAL	All	(e)	Dean J. Girard
OPC 6 th Request for POD No. 15	FPL 000988- 001010	Executed SPA 1444 acres 11.16.18 CONFIDENTIAL	All	(d) (e)	Dean J. Girard

OPC 6 th Request for POD No. 15	FPL 001011- 001029	OPCs Sixth Set of Production of Documents 5- Question (Brannen) CONFIDENTIAL	All	(d) (e)	William F. Brannon
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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

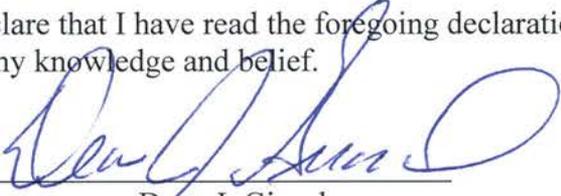
STATE OF FLORIDA)
)
PALM BEACH DADE COUNTY) **WRITTEN DECLARATION OF DEAN J. GIRARD**

1. My name is Dean J. Girard. I am currently employed by Florida Power & Light Company ("FPL") as Director of Corporate Real Estate. My business address is 700 Universe Blvd., Juno Beach, Florida 33408. I have personal knowledge of the matters stated in this written declaration.

2. I have reviewed the documents that are included in FPL's Request for Confidential Classification regarding OPCs Sixth Set of Production of Documents No. 15, for which I am listed as the declarant on Exhibit C. The documents or materials that I have reviewed and which are asserted by FPL to be proprietary confidential business information constitute purchase and sales agreements, the disclosure of which would impair the efforts of FPL to contract real estate on favorable terms. The documents or materials also contain buyer / seller closing statements, the disclosure of which would impair FPL's competitive business. Specifically, the material consists of contractual terms related to the acquisition of land and pricing information related to property services. 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 at least an additional eighteen months (18) months. In addition, 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. 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.



Dean J. Girard

Date: 8/30/19

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

STATE OF FLORIDA)
)
PALM BEACH DADE COUNTY)

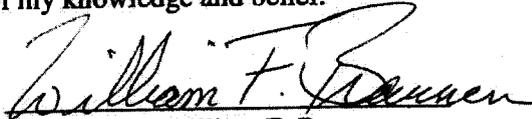
**WRITTEN DECLARATION OF
WILLIAM F. BRANNEN**

1. My name is William F. Brannen. I am currently employed by Florida Power & Light Company ("FPL") as Senior Director of Due Diligence. My business address is 700 Universe Blvd., Juno Beach, Florida 33408. I have personal knowledge of the matters stated in this written declaration.

2. I have reviewed the documents that are included in FPL's Request for Confidential Classification regarding OPCs Sixth Set of Production of Documents No. 15, for which I am listed as the declarant on Exhibit C. The documents or materials that I have reviewed and which are asserted by FPL to be proprietary confidential business information constitute purchase and sales agreements, the disclosure of which would impair the efforts of FPL to contract real estate on favorable terms. The documents or materials also contain pricing and sales information, the disclosure of which would impair FPL's competitive business. Specifically, the material consists of contractual terms related to the acquisition of land and pricing information related to property services. 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 at least an additional eighteen months (18) months. In addition, 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. 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: 8/31/2019