



David M. Lee
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December 17, 2021

Adam Teitzman
Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

REDACTED

RECEIVED-FPSC
2021 DEC 17 PM 12: 20
COMMISSION
CLERK

Re: Docket No. 20210007-EI

Dear Mr. Teitzman:

I enclose for filing in the above docket Florida Power & Light Company's ("FPL") Third Request for Extension of Confidential Classification of Materials Provided Pursuant to Audit No. 2015-014-4-1. 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 consists of the declarations in support of FPL's Request for Confidential Classification.

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

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

Sincerely,

David M. Lee

Enclosure

cc: Counsel for Parties of Record (w/ copy of FPL's Request for Confidential Classification)

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Environmental Cost Recovery Clause

Docket No: 20210007-EI

Date: December 17, 2021

**FLORIDA POWER & LIGHT COMPANY'S THIRD REQUEST
FOR EXTENSION OF CONFIDENTIAL CLASSIFICATION OF
MATERIALS PROVIDED PURSUANT TO AUDIT NO. 2015-014-4-1**

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. 2015-014-4-1 ("Confidential Information"). In support of this request, FPL states as follows:

1. On June 30, 2015, FPL filed a Request for Confidential Classification of the Confidential Information, which included Exhibits A, B, C and D ("June 30, 2015 Request"). By Order No. PSC-15-0484-CFO-EI, dated October 15, 2015 ("Order 0371"), the Commission granted FPL's June 30, 2015 Request. FPL adopts and incorporates by reference the June 30, 2015 Request and Order 0484.

2. On March 31, 2017 FPL filed its First Request for Extension of Confidential Classification of the Confidential Information which included First Revised Exhibits A, B, C and D ("March 31, 2017 Request"). By Order No. PSC-2017-0197-CFO-EG, dated May 19, 2017 ("Order 0197"), the Commission granted FPL's March 31, 2017 Request. FPL adopts and incorporates by reference the March 31, 2017 Request and Order 0197.

3. On November 19, 2018 FPL filed its Second Request for Extension of Confidential Classification of the Confidential Information which included Second Revised Exhibits C and D ("November 19, 2018 Request"). By Order No. PSC-2018-0600-CFO-EG, dated December 21, 2018 ("Order 0600"), the Commission granted FPL's November 19, 2018 Request. FPL adopts and incorporates by reference the November 19, 2018 Request and Order 0600.

4. The period of confidential treatment granted by Order 0600 will soon expire. The Confidential Information that was the subject of FPL's November 19, 2018 Second Request and Order 0600 warrants continued treatment as proprietary and confidential business information within the meaning of Section 366.093(3).

5. Included with this request are Second Revised Exhibit A, Second Revised Exhibit B, together with Third Revised Exhibit C to reduce the number of pages for which confidential treatment is sought. FPL has identified in Second Revised Exhibits A and B and Third Revised Exhibit C all the information in work papers that warrants continued confidential treatment. Third Revised Exhibit C is a table that identifies the specific pages, lines or columns that remain confidential. Any changes on Third Revised Exhibit C from the Second Revised Exhibit C are denoted in bold font. The table also references the specific statutory basis for confidentiality and the declarants who support the requested classification.

6. Also included as Third Revised Exhibit D are the declarations of Antonio Maceo, Lisa Fuca and Anthony Bartnick 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 explained more fully in the declaration included as Third Revised Exhibit D, certain documents contain information concerning internal auditing controls and reports of internal auditors. This information is protected by Section 366.093(3)(b), Fla. Stat.

9. Also, certain documents contain information concerning bids or other 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.

10. Additionally, certain documents contain information relating to competitive interests, the disclosure of which would impair the competitive business of FPL and its vendors. This information is protected by Section 366.093(3)(e), Fla. Stat.

11. Nothing has changed since the Commission entered Order 0600 to render the Confidential Information identified in Third Revised Exhibit C stale or public, such that continued confidential treatment would not be appropriate.

12. Pursuant to Section 366.093(4), F.S., the information for which confidential classification is granted remains protected from disclosure up to 18 months unless good cause is shown to grant protection from disclosure for a longer period. Currently, the Commission retains audit reports for period of seven years at which time the audit materials are returned to FPL unless Commission staff or another affected person requests that these audit materials continue to be retained. The nature of these materials will not change in the next three years. Therefore, to promote administrative efficiency, FPL requests confidential classification for a period of thirty-six (36) months. 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 thirty-six (36) 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 included with or incorporated in this Request, Florida Power & Light Company respectfully requests that its Third Request for Extension of Confidential Classification be granted.

Respectfully submitted,

Maria Jose Moncada
Senior Attorney
Florida Bar No.: 0773301
David M. Lee
Senior Attorney
Florida Bar No.: 103152
Florida Power & Light Company
700 Universe Boulevard
Juno Beach, FL 33408
Telephone: (561) 691-7263
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By: 

David M. Lee
Florida Bar No.: 103152

CERTIFICATE OF SERVICE

Docket No. 20210007-EI

I HEREBY CERTIFY that a true and correct copy of the foregoing* has been furnished

by electronic service on this 17th day of December 2021 to the following:

Charles Murphy
Jacob Imig
Office of General Counsel
Florida Public Service Commission
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cmurphy@psc.state.fl.us
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By: 

David M. Lee
Florida Bar No. 103152

* The exhibits to this Request are not included with the service copies, but copies of Exhibits B, C and D are available upon request.

20210007-EI

FPL's Third Request for Extension of Confidential
Classification of Materials Provided Pursuant to
ACN 2015-014-4-1

SECOND REVISED EXHIBIT "B"

REDACTED VERSION OF CONFIDENTIAL DOCUMENTS

Environmental Audit Workpaper Number 9

[Pages 1]

Internal Audit Notes

Florida Power and Light Co. (E1802)
 Environmental Cost Recovery Clause
 Dkt.# 150007-EI, ACN 15-014-4-1
 TYE 12/31/2014

Attachment ECR-3P-15
 12 PAGES

Title Siemens CCO#6 Invoice

SIEMENS

and Justification **Stamatis Energy, Inc.**
 407-738-6368
 HQ.

Invoice
 Page 1 of 1

01/15/14 DM
 b/s

P.O. No: Martin Plant ESP Units 1 & 2		P.O. Date: 09/23/2014		Customer No: 000228		Invoice No: 06079418			
Payment Terms: Net 30 days		Order No: 40101032		Invoice Date: 09/24/2014					
Bill To: Florida Power and Light Company Invoice Processing P.O. BOX 029850 MIAMI FL 33102-0980 USA PO-4500636007				Ship To: FLORIDA POWER & LIGHT COMPANY 21600 SW World Blvd. INDIANTOWN FL 34956 USA				Bank To: SIEMENS ENERGY INC TAX ID: 18-0507280 Wiling International Mellon Bank, Pittsburgh, PA, PA 1520201 Account: Mellon Institution Dept.CH10100 P.A. AT&T INC. 60085 USA Please state in your remittance: Company No: Invoice No: <u>WIFE-0-26983</u>	
Ship To: Florida Power and Light Company Martin Plant 21600 SW World Blvd. INDIANTOWN FL 34956 USA				Sold To: FLORIDA POWER & LIGHT COMPANY				Invoice Notes: NEUS4000: FP&L - Martin ESP U. Location: Indiantown, FL. Scope of Work: Design, furnishing, installation, start-up, testing & performance of related work for the Electrical Reciprocator (ESP) @ MARTIN UNIT 1 & 2 Unit 1 @ \$41,020,229.00 & Unit 2 @ \$ 40,198,000.00 PR #... for completed milestones as outlined on attached Contract / Invoice Detail Sheet	
ITEM NO	MATERIAL NUMBER	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	AMOUNT IN US DOLLARS	TOTAL PRICE		
10	EMILE	Environmental Equipment Milestone INVOICING NOTES: Change Order No. 0 ITEM 10 CONTRACT PRICE ADJUSTMENT FOR MISCELLANEOUS WORK PERFORMED SUBTOTAL TAXES TOTAL AMOUNT DUE	1	ST	<u>19-4</u>	<u>19-4</u>	<u>2</u>		

*These commodities are sold for direct consumption. Any export of these commodities must be made in compliance with applicable U.S. laws. We hereby certify that these goods were produced in compliance with all applicable requirements of Section 907 and 12 of the Export Administration Act, as amended, and orders of the United States Department of Labor, United States Department of State, and the United States Trade Representative. Please refer to the following our company policy may be based upon price(s) in effect at time of shipment; invoice may not be the same as the price on your order.

Customer Copy-Original

Source: DRR # 30 Follow-up 1, PBC

AP Scanned Invoice: 9/25/2014

CONFIDENTIAL

1 of 12 19-4
2-2P1

Title Siemens CCO#6 Invoice
 and Justification

6/15/14
 BFM
 6/15

**Engineering & Construction
 Martin ESP Units 1 & 2
 Invoice Routing Sheet**

Vendor: Siemens Energy, Inc. Period Ending: 9/24/2014
 Purchase Order #: 4500636007 Invoice Date: 9/24/2014
 Invoice #: 96079412 Net: 3 Invoice Due: 9/27/2014

Account Distribution:

Internal Order:	<u>PB0000033001</u>	Cost Element:	<u>5750700</u>	Line:	<u> </u>	Non-Taxable:	\$ <u> </u>
						Taxable:	<u> </u>
Internal Order:	<u> </u>	Cost Element:	<u> </u>	Line:	<u> </u>	Non-Taxable:	<u> </u>
						Taxable:	<u> </u>
Internal Order:	<u> </u>	Cost Element:	<u> </u>	Line:	<u> </u>	Non-Taxable:	<u> </u>
						Taxable:	<u> </u>
Retention:	<u>Short Term</u>	% Retained:	<u>0%</u>			Less Retention:	\$ <u> </u>
						Net:	\$ <u> </u>

Expense Budgeted:
 Yes No If no, explain: _____

Invoice and Documentation reviewed in accordance with Contract Documents and verified complete.

Project Controls
 Matt Belger

Authorization / Approvals Required

<p>N/A</p> <p>Construction Manager <u>Mark Ashley</u></p> <p>Project Manager <u>Paul Callahan</u></p> <p>Director - Construction <u>Tom Young - Director</u></p> <p>Senior Director - Construction <u>Steve Rohlfzski</u></p>	<p><u>Tom Broad</u> Vice President - E&C Tom Broad</p> <p>Approval Limits \$50,000 - Lead Professional \$100,000 - Managing Professional \$500,000 - Sr. Manager / Director \$1,000,000 - Sr. Director No Limit - Vice President</p>
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SAP Stamp

201409248

RECEIVED

SEP 25 2014

Marilyn Wiseman
 Administrative Tech.

Source: DIR # 30 Follow Up I, PBC

CONFIDENTIAL

REDACTED VERSION OF CONFIDENTIAL DOCUMENTS

Environmental Audit Workpaper Number 19-4/2-2

[Pages 3 through 12]

Siemens CCO#6

Invoice and Justification

FPL
 2nd Round O&M Sample from DRR 15, Sample Items 8-11
 TYE 12/31/2014

Florida Power and Light Co. (E1802)
 Environmental Cost Recovery Clause
 Dkt.# 150007-EI, ACN 15-014-4-1
 TYE 12/31/2014

43-2
 1 p1

Title Salinity Reduction Costs Testing

- Attributes
- 1 Proper Amount
 - 2 Proper Support
 - 3 Proper Classification
 - 4 ECRC Related

Line No	Order Cost Elem.	Cost element name	Name	Document Header Text	Document No	Doc Typ	Total quantity	Val.in rep.cur.	Postg Date	Staff Description	1	2	3	4
1	5750700	Out Serv-Othr		Security Friday 8/29/14	32231005	ZM	0.000	413.40	09/05/2014					
2	5750700	Out Serv-Othr		FRRSPESALARY/CANCELTION	32231197	ZM	0.000	626.04	09/05/2014					
3	5750700	Out Serv-Othr	PTN 344 STREET PIPE CROSSING - CONSULTANT FOR L-31	933636300000 PTN	32388010	XF	0.000	34,000.00	09/10/2014					
4	5750700	Out Serv-Othr		SECURITY-SATURDAY 9/6/14	32367230	ZM	0.000	2,003.40	09/11/2014					
5	5750700	Out Serv-Othr	PTN 344 STREET PIPE CROSSING - CONSULTANT FOR L-31	213536300000 PTN	32486614	XF	0.000	6,000.00	09/15/2014					
6	5750700	Out Serv-Othr	REMOVE AND INSTALL 344 ST AND L-31 ROAD CROSSING	164636300000 PTN	32512522	XF	0.000	66,300.00	09/16/2014	Environmental Performance Systems services on the Canal Transfer to Cooling Canal Project: 1) Cut, remove, and install 16'x22' of asphalt pavement for crossing @ 344 ST Canal. 2) Disassemble, remove, and re-install four sections of guardrail and post 3) Excavate and backfill a 16'x40'x5' deep trench with limestone according to FDOT standards				
7	5750700	Out Serv-Othr	PHASE 2 WORK FOR L-31 SUPPORT	211936300000 PTN	32714760	XF	0.000	27,700.00	09/25/2014		Y	Y	Y	Y
8	5750700	Out Serv-Othr	REMOVE AND INSTALL 344 ST AND L-31 ROAD CROSSING	745836300000 PTN	32714802	XF	0.000	13,095.00	09/25/2014					
9	5750700	Out Serv-Othr		SECURITY FRIDAY 09/05/14	35270105	ZM	0.000	699.50	10/16/2014					
10	5750700	Out Serv-Othr		WALLACE-CC 9/25/14 US BAN	33321917	ZM	0.000	212.93	10/17/2014					
11	5750700	Out Serv-Othr		PERMIT#06-14-487FIRE RESC	33601900	ZM	0.000	6,586.43	10/31/2014					
12	5750700	Out Serv-Othr	RENT 2 FP 900 FLOATING PUMPS AND OPERATIONAL SUPPO	637246300000 PTN	33855092	XF	0.000	157,415.50	11/10/2014					
13	5750700	Out Serv-Othr	RENT 3 PUMPS FOR 6 WKS, FUEL FOR 2 WKS AND OPERATI	284046300000 PTN	34292586	XF	0.000	353,476.00	11/24/2014	Layne Christensen Co. work on the Canal Transfer to Cooling Canal Project: Item 4) Pump equipment rental for 4 week and Item 5) fuel supply for rental pumps for 2 weeks. Fixed PO at [REDACTED] 1				
14	5750700	Out Serv-Othr	INSTALL AND REMOVE L-31 PIPING	674046300000 PTN	34294429	XF	0.000	913,452.00	11/24/2014	Layne Christensen Co. work on the Canal Transfer to Cooling Canal Project: Item 1) North L-31 fresh water intake & South L-31 wetlands crossing - Installations fixed at [REDACTED] to furnish rental pumps with power units and fuel tanks, remote monitoring system, and light tower, pipe discharge line beneath SW 344th Street, air release valves, pipes, etc. 2				
15	5750700	Out Serv-Othr	PTN L-31 - Layne Install Oct billing Contract #2329	PRJ VENDOR SRVCS ACCR NOV	34294376	YY	0.000	294,960.00	11/24/2014	Layne Christensen Co. work on the Canal Transfer to Cooling Canal Project: Balance due on Install Contract Item 1 (see item above) and Change Order Additional Cost of \$193,438 to modify 30" pipe lines. Lines were shorten to accommodate the Right of Way permit covered under DERM wetland permit				

SOURCE Created from responses to Dkt # 15, 209, 306 Follow-up

CONFIDENTIAL

THIRD REVISED EXHIBIT C

COMPANY: Florida Power & Light Company
 TITLE: List of Confidential Workpapers
 AUDIT: FPL Environmental Audit
 AUDIT CONTROL NO: 15-014-4-1
 DOCKET NO: 20210007-EI
 DATE: December 17, 2021

Bold denotes revision to reduce the amount of confidential classification previously requested or a new declarant

Workpaper No.	Description	No. of Pages	Conf Y/N	Line No./Column No.	Florida Statute 366.093 (3) Subsection	Declarant
9	Internal Audit Notes	1	Y	ALL	(b)	A. Maceo
16-3/2	Sample Testing of Items 1 -5, 12 & 13	3	N			
16-3/2-1	Sample # 1 Explanation	1	N			
16-3/2-2	Sample # 2 Explanation	1	N			
16-3/2-2/1	Printer Reclass	1	N			
16-3/2-3	Sample # 3 to 5 Explanation	1	N			
19-4/2-1	ESI Invoice: 3% Discount Issue	3	N			
19-4/2-2	Siemens CCO #6 Invoice and Justification	12	Y	Pg. 1, Cols. A and B, Line 1 Col. C, Lns. 1-3 (Bank Acct Number redacted on Exhibits A and B) Pg. 2, Col. A, Lns. 1-2 Pgs. 3-12, ALL	(d), (e)	A. Bartnick
21-2	FERC Form 1 SO2 and NOx	4	N			
41-1	Revenue Rec. to Books	1	N			
43-1	O&M Costs Per SAP	6	N			
43-1/1	O&M Costs by Account	2	N			
43-2	O&M Testing w/o Scherer	6	N			
43-2/1	Salinity Reduction Costs Testing	4	Y	Pg. 1, Col. A, Lns. 1, 2 Pgs. 2-4	(d)	L. Fuca
43-2/2	O&M Explanations for #1-3 and #53-57	1	N			
43-2/3	O&M Explanations for #42-49 and #51	2	N			
43-3	Plant Scherer O&M Expenses	12	N			
43-3/1	Plant Scherer Cost Summary for Sample Items # 12-32, 50, 60-75	1	N			
43-3/2	Scherer O&M Testing	2	N			

THIRD REVISED EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Environmental Cost Recovery Clause

Docket No: 20210007-EI

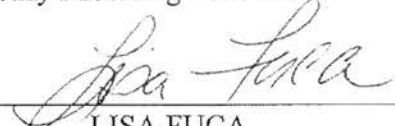
DECLARATION OF LISA FUCA

1. My name is Lisa Fuca. I am currently employed by Florida Power & Light Company ("FPL") as Principal Business Analyst, Nuclear Business Operations. I have personal knowledge of the matters stated in this written declaration.

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. 15-014-4-1 for which I am identified as the declarant. The documents that I have reviewed and which are asserted by FPL to be proprietary confidential business information contain or constitute information concerning bids and/or contractual data, the disclosure of which would impair the efforts of FPL and its vendors to contract for goods and services on favorable terms. Specifically the information relates to pricing for work provided at the Turkey Point cooling canal. To the best of my knowledge, FPL has maintained the confidentiality of these documents and materials.

3. Nothing has occurred since the issuance of Order No. PSC-2018-0600-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 not less than 36 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.



LISA FUCA

Date: 12/13/2021

THIRD REVISED EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Environmental Cost Recovery Clause

Docket No: 20210007-EI

DECLARATION OF ANTONIO MACEO

1. My name is Antonio Maceo. I am currently employed by Florida Power & Light Company ("FPL") as Senior Manager, Internal Auditing. I have personal knowledge of the matters stated in this written declaration.

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. 15-014-4-1 for which I am identified as the declarant. Such documents or materials that I have reviewed and which, in whole or in part, are asserted by FPL to be proprietary confidential business information, contain or constitute internal auditing controls, reports or notes of internal auditors, or information relating to internal auditing reports issued in 2014. Full and frank disclosure of information to the Internal Auditing department is essential for the department to fulfill its role, and the confidential status of internal auditing scope, process, findings, and reports supports such disclosure. The release of information related to reports of internal auditors would be harmful to FPL and its customers because it may affect the effectiveness of the Internal Auditing department itself. To the best of my knowledge, FPL has maintained the confidentiality of these documents and materials.

3. Nothing has occurred since the issuance of Order No. PSC-2018-0600-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 not less than 36 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.



ANTONIO MACEO

Date: 12/14/21

THIRD REVISED EXHIBIT D

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Environmental Cost Recovery Clause

Docket No: 20210007-EI

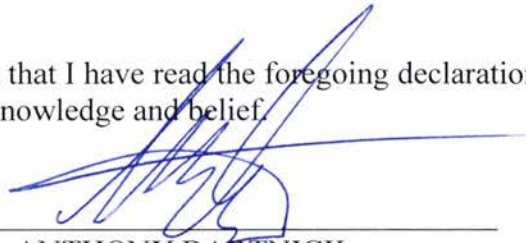
DECLARATION OF ANTHONY BARTNICK

1. My name is Anthony Bartnick. I am currently employed by Florida Power & Light Company ("FPL") as Senior Manager of Cost and Performance, Engineering & Construction. I have personal knowledge of the matters stated in this declaration.

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. 15-014-4-1 for which I am identified as the declarant. Such documents or materials that I have reviewed and which, in whole or in part, are asserted by FPL to be proprietary confidential business information, contain or constitute information concerning bids and contractual data, the disclosure of which would impair the efforts of FPL and its vendors to contract for goods and services on favorable terms. Additionally, the data contain information related to competitive interests, the disclosure of which would impair the competitive business of FPL and Siemens Energy. Specifically the information relates to pricing for the design, fabrication, procurement, delivery and construction of Electrostatic Precipitators for integration in oil-fired power generation facility which was negotiated between FPL and Siemens Energy. To the best of my knowledge, FPL has maintained the confidentiality of these documents and materials.

3. Nothing has occurred since the issuance of Order No. PSC-2018-0600-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 not less than 36 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.



ANTHONY BARTNICK

Date: _____

12/13/21