

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Petition by Florida Power & Light  
Company for Base Rate Increase

Docket No: 20250011-EI

Date: June 18, 2025

**FEDERAL EXECUTIVE AGENCIES' REQUEST FOR CONFIDENTIAL  
CLASSIFICATION OF INFORMATION PROVIDED IN RESPONSE TO  
FLORIDA POWER AND LIGHT'S REQUEST FOR PRODUCTION OF  
DOCUMENTS (NO. 3)**

Pursuant to Section 366.093, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, the Federal Executive Agencies ("FEA") hereby requests confidential classification of certain documents and information provided in its responses to Florida Power and Light's (FP&L) First Request for Production of Documents (No. 3) ("Confidential Information"). In support of its request, the FEA states as follows:

1. FEA served responses to FP&L's First Request for Production of Documents (No. 3) on June 18, 2025. Consistent with Rule 25-22.006, Florida Administrative Code, this request is being filed contemporaneously with the service of those responses to request confidential classification of certain information contained therein.

2. The following exhibits are attached to and made a part of this Request:

- a. FPL-FEA POD 3\_5 Confidential are Confidential workpapers. This information includes rating agency reports prepared by Moody's Investor Services (Moody's) and S&P Global Ratings (S&P), which include confidential information that provided to FP&L pursuant to terms that prohibit public disclosure. The confidential information independently derived by Moody's and S&P and/or uniquely compiled by these companies. Such information is competitively sensitive and a trade secret because competitors may use such data to gain a competitive advantage

over Moody's and S&P. The confidential information is not available or ascertainable by competitors through normal or proper means. If the confidential information were publicly disclosed, other persons could obtain its economic value without having to obtain a license for or otherwise agree to limit further dissemination of the confidential information. Such public disclosure would have an adverse effect upon the commercial value of the copyrighted material for which FEA pays a fee to access. In such a case, FEA, Moody's, S&P, and FP&L would be at a competitive disadvantage.

3. The FEA submits that the Confidential Information is intended to be and has been treated and maintained by the FEA, and its disclosure would cause harm to BAI, FEA, FP&L, Moody's, and S&P Capital. Pursuant to Section 366.093, Florida Statutes, 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. Upon a finding by the Commission that the Confidential Information is proprietary and confidential business information, the information should not be declassified for at least eighteen (18) month period and should be returned to the FEA as soon as it is no longer necessary for the Commission to conduct its business. *See* Section 366.093(4), Florida Statutes.

**WHEREFORE**, for the above and foregoing reasons, as more fully set forth in the supporting materials, the FEA respectfully requests that its Request for Confidential Classification be granted.

Respectfully submitted this 18th day of June, 2025,

By:

/s/ Michael A. Rivera  
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**Attorney for Federal Executive Agencies**

## CERTIFICATE OF SERVICE

**Docket Nos. 20250011-EI**

**I HEREBY CERTIFY** that a true and correct copy of the foregoing has been furnished by electronic mail this 18<sup>th</sup> day of June, to the following:

<b>Florida Public Service Commission Office of the General Counsel</b> Timothy Sparks Shaw Stiller 2540 Shumard Oak Boulevard Tallahassee, Florida 32399 tsparks@psc.state.fl.us SStiller@psc.state.fl.us	<b>Florida Power &amp; Light Company</b> Kenneth A. Hoffman John T. Burnett 134 West Jefferson Street Tallahassee, Florida 32301 Ken.hoffman@fpl.com John.T.Burnett@fpl.com
<b>Earthjustice Florida Rising, Inc. LULAC Florida, Inc. Environmental Confederation of Southwest Florida, Inc.</b> Bradley Marshall Jordan Luebke 111 S. Martin Luther King Jr. Blvd. Tallahassee, Florida 32301 bmarshall@earthjustice.org jluebke@earthjustice.org flcaseupdates@earthjustice.org discovery-gcl@psc.state.fl.us	<b>Florida Retail Federation</b> James W. Brew Laura Baker Joseph R. Briscar Sarah B. Newman Stone Mattheis Xenopoulos & Brew, PC 1025 Thomas Jefferson St., N.W., Ste 800 West Washington, DC 20007 jbrew@smxblaw.com lwb@smxblaw.com jrb@smxblaw.com sbn@smxblaw.com
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<p><b>Electrify America, LLC</b></p> <p>Stephen Bright  Jigar J. Shah  1950 Opportunity Way, Suite 1500  Reston, Virginia 20190  Phone: (781) 206-7979  Steve.Bright@electrifyamerica.com  Jigar.Shah@electrifyamerica.com  Robert E. Montejo, Esq.  Duane Morris LLP  201 S. Biscayne Boulevard, Suite 3400  Miami, Florida 33131-4325  Phone: (202) 776-7827  REMontejo@duanemorris.com</p>	<p><b>Federal Executive Agencies</b></p> <p>Leslie Newton  Ashley George  Michael Rivera  Thomas Jernigan  Ebony M. Payton  James Ely  AFLOA/JAOE-ULFSC  139 Barnes Drive, Suite 1  Tyndall Air Force Base, FL 32403  Leslie.Newton.1@us.af.mil  Ashley.George.4@us.af.mil  Michael.Rivera.51@us.af.mil  Thomas.Jernigan.3@us.af.mil  Ebony.Payton.ctr@us.af.mil  James.Ely@us.af.mil</p>

/s/ Michael A. Rivera

Michael A. Rivera, Capt, USAF

***Attorney for FEA***