

**Eric Fryson**

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**From:** Leon, Jack [Jack.Leon@fpl.com]  
**Sent:** Tuesday, May 29, 2012 12:51 PM  
**To:** Filings@psc.state.fl.us  
**Cc:** Litchfield, Wade; Butler, John; Lee, David; Moncada, Maria; White, Jordan  
**Subject:** FPL's Motion for Temporary Protective Order Regarding SFHHA's 4th Request for Production of Documents - Docket No. 120015-EI  
**Attachments:** Motion for Temporary Protective Order Re SFHHA's 4th POD\_5-29-12\_.pdf

**Electronic Filing**

a. Person responsible for this electronic filing:

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b. Docket No. 120015-EI

In re: Petition for rate increase by Florida  
Power & Light Company

c. Documents are being filed on behalf of Florida Power & Light Company.

d. There are a total of 4 pages in the attached document.

e. The document attached for electronic filing is Florida Power & Light Company's Motion for Temporary Protective Order Regarding SFHHA's 4th Request for Production of Documents.

Thank you for your attention and cooperation to this request.

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**BEFORE THE  
FLORIDA PUBLIC SERVICE COMMISSION**

In re: Petition for increase in rates by Florida  
Power & Light Company

Docket No. 120015-EI  
May 29, 2012

**FLORIDA POWER & LIGHT COMPANY'S MOTION FOR  
TEMPORARY PROTECTIVE ORDER FOR CERTAIN CONFIDENTIAL  
INFORMATION PROVIDED IN RESPONSE TO SOUTH FLORIDA HOSPITAL AND  
HEALTHCARE ASSOCIATION'S FOURTH REQUEST FOR PRODUCTION (NO. 131)**

Pursuant to section 366.093(3), Florida Statutes, and Rule 25-22.006(6)(c), Florida Administrative Code, Florida Power & Light Company ("FPL"), hereby moves the Florida Public Service Commission (the "Commission"), through the Prehearing Officer, for a temporary protective order to exempt from section 119.07(1), Florida Statutes, certain confidential information included in FPL's Response to South Florida Hospital and Healthcare Association's ("SFHHA") Fourth Request for Production of Documents (No. 131).

1. OPC has requested that it be permitted to inspect or take possession of FPL's confidential, proprietary information included in FPL's Response to SFHHA's Fourth Request for Production of Documents (No. 131) in this docket.

2. Subsection (6)(c) of Rule 25-22.006, Florida Administrative Code, provides in relevant part as follows with respect to a utility allowing OPC to take possession of the utility information:

[T]he utility may request a temporary protective order exempting the information from Section 119.07(1), Florida Statutes. If the information is to be used in a proceeding before the Commission, then the utility must file a specific request for a protective order under paragraph (a) above. If the information is not to be used in a proceeding before the Commission, the Public Counsel shall return the information to the utility in accordance with the record retention requirements of the Department of State.

3. The confidential information includes, but is not limited to, information related to competitive interests, the disclosure of which could harm the competitive business of the provider of the information (exempt from the Public Records Act pursuant to section 366.093(3)(e), Florida Statutes).

4. FPL respectfully requests that the Commission enter a temporary protective order affording FPL the protection that is needed to provide OPC the confidential information included in this response.

5. FPL has been authorized by counsel for OPC to represent that OPC does not object to the granting of this motion but preserves the right to contest confidentiality of the subject documents.

WHEREFORE, for the foregoing reasons, FPL respectfully requests that the Commission enter a temporary protective order protecting against public disclosure the confidential information contained in FPL's Response to SFHHA's Fourth Request for Production of Documents (No. 131).

Respectfully submitted this 29th day of May 2012.

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By s/ Jordan A. White  
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Authorized House Counsel No. 93704

## CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished electronically this 29th day of May, 2012, to the following:

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By: *s/ Jordan A. White*  
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