

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Environmental cost recovery clause.

DOCKET NO. 070007-EI  
ORDER NO. PSC-07-0580-CF0-EI  
ISSUED: July 13, 2007

ORDER GRANTING FLORIDA POWER & LIGHT COMPANY'S  
MOTION FOR TEMPORARY PROTECTIVE ORDER (DN 09357-06)


On October 9, 2006, Florida Power & Light Company (FPL) filed a Motion for Temporary Protective Order pursuant to Rule 25-22.006(6)(c), Florida Administrative Code (F.A.C.) and Section 366.093(3), Florida Statutes (F.S.) to protect from public disclosure the information contained in FPL's response to the Office of Public Counsel's (OPC) Second Request for Production of Documents (Nos. 5-9) in docket number 060007-EI. FPL stated that OPC's Request No. 9 asks FPL to produce documents that support its sale of emission allowances, the disclosure of which would compromise bids or other contractual data, impair FPL's efforts to sell allowances on favorable terms, and impair its competitive business. FPL also stated that the information is protected by Section 366.093(3)(d) and (e), F.S., and that OPC did not object to the granting of this motion.

FPL's Motion for Temporary Protective Order of the confidential documents provided in response to the Office of Public Counsel's Second Request to Produce Documents No. 9 relating to FPL's sale of emission allowances is granted. The information has been granted confidential classification and will be protected from disclosure pursuant to Rule 25-22.006(6), F.A.C.

Based on the foregoing, it is

ORDERED by Commissioner Matthew M. Carter II, as Prehearing Officer, that the Motion for Temporary Protective Order filed by Florida Power & Light Company is granted.

By ORDER of Commissioner Matthew M. Carter II, as Prehearing Officer, this 13th day of July, 2007.

  
MATTHEW M. CARTER II  
Commissioner and Prehearing Officer

( S E A L )

MCB/pe

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

Any party adversely affected by this order, which is preliminary, procedural or intermediate in nature, may request: (1) reconsideration within 10 days pursuant to Rule 25-22.0376, Florida Administrative Code; or (2) judicial review by the Florida Supreme Court, in the case of an electric, gas or telephone utility, or the First District Court of Appeal, in the case of a water or wastewater utility. A motion for reconsideration shall be filed with the Commission Clerk, Office of Commission Clerk, in the form prescribed by Rule 25-22.060, Florida Administrative Code. Judicial review of a preliminary, procedural or intermediate ruling or order is available if review of the final action will not provide an adequate remedy. Such review may be requested from the appropriate court, as described above, pursuant to Rule 9.100, Florida Rules of Appellate Procedure.