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 Sent: Wednesday, September 06, 2006 1:34 PM
 To: Filings@psc.state.fl.us
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 Subject: Electronic Filing for Docket No. 060001-EI -- FPL's motion for temporary protective order
 Attachments: Motion for TPO (FCR projection exhibits).doc



Motion for TPO
(FCR projection...

Electronic Filing

a. Person responsible for this electronic filing:

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b. Docket No. 060001-EI

c. Document is being filed on behalf of Florida Power & Light Company.

d. There is a total of pages.

e. The document attached for electronic filing is Florida Power & Light Company's Motion for Temporary Protective Order.

(See attached file: Motion for TPO (FCR projection exhibits).doc)

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 FPSC-COMMISSION CLERK

**BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION**

In re: Fuel and Purchased Power)
Cost Recovery Clause and Generating)
Performance Incentive Factor)
_____)

DOCKET NO. 060001-EI

FILED: September 6, 2006

**FLORIDA POWER & LIGHT COMPANY'S
MOTION FOR TEMPORARY PROTECTIVE ORDER**

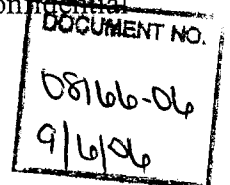
Pursuant to Section 366.093(3), Florida Statutes, and Rule 25-22.006(6)(c), Florida Administrative Code, Florida Power & Light Company ("FPL"), hereby moves the Commission, through the Prehearing Officer, for a temporary protective order to exempt from Section 119.07(1) the documents identified below that FPL has filed with the Commission on a confidential basis in this docket (the "Confidential Filings"), and in support states:

1. The Office of Public Counsel ("OPC") has made a general request to take possession of all Confidential Filings that FPL has made in this docket.

2. FPL recently made the following Confidential Filings, which are referenced as they appear in the Commission's electronic docket list:

- 08058-06 09/01/2006 FPL (Butler) - (CONFIDENTIAL) Exhibits GJY-3, GJY-4, GJY-5, and GJY-6 to prepared testimony of G. Yupp.
- 08057-06 09/01/2006 FPL (Butler) - (CONFIDENTIAL) Schedule E12, Pg 7 of Exhibit KMD-6 to prepared testimony of K. M. Dubin.

3. The Confidential Filings listed in Paragraph 2 above constitute: information concerning bids or other contractual data, the disclosure of which would impair FPL's efforts to contract for goods or services on favorable terms for the benefit of its customers; and information relating to competitive interests, the disclosure of which would impair the competitive businesses of FPL and/or its counterparties. Accordingly, those Confidential



Filings are protected by Sections 366.093(3) (d) and (e) of the Florida Statutes.

4. Rule 25-22.006(6)(c) provides in relevant part:

[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, then Public Counsel shall return the information to the utility in accordance with the record retention requirements of the Department of State.

5. FPL respectfully requests that the Commission enter a temporary protective order affording FPL the protection that is needed in order to allow OPC to take possession of the Confidential Filings.

6. FPL has been authorized by counsel for OPC to represent that OPC does not object to the granting of this motion.

WHEREFORE, FPL respectfully requests that the Commission enter a temporary protective order protecting the Confidential Filings, as described above, against public disclosure.

Respectfully submitted,

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By: /s/ John T. Butler
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Fla. Bar No. 283479

CERTIFICATE OF SERVICE

Docket No. 060001-EI

I HEREBY CERTIFY that a true and correct copy of the foregoing Motion for Temporary Protective Order has been furnished by electronic delivery on this 6th day of September 2006, to the following:

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