

**Eric Fryson**

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**From:** Moncada, Maria [Maria.Moncada@fpl.com]  
**Sent:** Friday, April 27, 2012 12:24 PM  
**To:** Filings@psc.state.fl.us  
**Subject:** Electronic Filing / Dkt 120015-EI / FPL's Motion for Temporary Protective Order  
**Attachments:** 4.27.12 FPL Motion for Protective Order (OPC-EDR).pdf  
Electronic Filing

a. Person responsible for this electronic filing:

Maria J. Moncada, Esq.  
Florida Power & Light Company  
700 Universe Boulevard  
Juno Beach, FL 33408  
561-304-5795  
[Maria.Moncada@fpl.com](mailto:Maria.Moncada@fpl.com)

b. Docket No. 120015 – EI  
In re: Petition for rate increase by Florida Power & Light Company

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

d. There are a total of 3pages

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

Maria J. Moncada, Esq.  
Florida Power & Light Company  
700 Universe Boulevard  
Juno Beach, FL 33408  
561-304-5795  
[Maria.Moncada@fpl.com](mailto:Maria.Moncada@fpl.com)

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4/27/2012

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02665 APR 27 09  
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**BEFORE THE  
FLORIDA PUBLIC SERVICE COMMISSION**

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

Docket No. 120015-EI  
April 27, 2012

**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 Florida Public Service Commission (the "Commission"), through the Prehearing Officer, for a temporary protective order to exempt from section 119.07(1), Florida Statutes, confidential passwords that FPL will provide to the Office of Public Counsel ("OPC") for the purpose of accessing an electronic data room FTP site in which FPL will store its discovery responses.

1. OPC has requested that, consistent with modern discovery practices, FPL make its discovery responses accessible in an electronic data room in lieu of direct hard copy delivery.

2. FPL has agreed to OPC's request. Through a third party vendor, FPL has established an FTP site in which it will store its discovery responses. A separate user identification and confidential password will be required for each user in order to access the site. FPL will provide confidential passwords to OPC on a weekly basis.

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

4. Use of the confidential passwords is intended to limit access to discovery responses to the parties to this docket in the same manner as direct hard copy delivery.

5. FPL respectfully requests that the Commission enter a temporary protective order affording FPL the protection that is needed to provide OPC the confidential passwords, as described above.

6. 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 the confidential status of the materials.

WHEREFORE, for the foregoing reasons, FPL respectfully requests that the Commission enter a temporary protective order protecting against public disclosure of the confidential passwords referenced herein.

Respectfully submitted this 27th day of April 2012.

R. Wade Litchfield, Vice President and  
General Counsel  
John T. Butler, Assistant General Counsel-  
Regulatory  
Jordan White, Senior Attorney  
Maria J. Moncada, Principal Attorney  
Attorneys for Florida Power & Light Company  
700 Universe Boulevard  
Juno Beach, Florida 33408-0420  
Telephone: (561) 691-7101  
Facsimile: (561) 691-7135

By: s/Maria J. Moncada

Maria J. Moncada  
Florida Bar No. 0773301

## CERTIFICATE OF SERVICE

I **HEREBY CERTIFY** that a true and correct copy of the foregoing has been furnished electronically this 27th day of April 2012, to the following:

Caroline Klancke, Esquire  
Keino Young, Esquire  
Martha Brown, Esquire  
Office of the General Counsel  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-1400  
cklancke@psc.state.fl.us  
kyoung@psc.state.fl.us  
mbrown@psc.state.fl.us

Robert Scheffel Wright, Esquire  
John T. LaVia, III, Esquire  
Gardner, Bist, Wiener, Wadsworth, Bowden,  
Bush, Dee, LaVia & Wright, P.A.  
1399 Thomaswood Drive  
Tallahassee, Florida 32308  
schef@gbwlegal.com  
jlavia@gbwlegal.com  
**Attorneys for the Florida Retail Federation**

Jon C. Moyle, Jr., Esquire  
Vicki Gordon Kaufman, Esquire  
Keefe Anchors Gordon & Moyle, PA  
118 North Gadsden Street  
Tallahassee, Florida 32301  
jmoyle@kagmlaw.com  
vkaufman@kagmlaw.com  
**Attorneys for Florida Industrial  
Power Users Group**

John W. Hendricks  
367 S Shore Dr  
Sarasota, FL 34234  
jwhendricks@sti2.com

J. R. Kelly, Public Counsel  
Joseph A. McGlothlin, Associate Public Counsel  
Office of Public Counsel  
c/o The Florida Legislature  
111 W. Madison Street, Room 812  
Tallahassee, FL 32399-1400  
Kelly.jr@leg.state.fl.us  
mcglothlin.joseph@leg.state.fl.us  
Rehwinkel.charles@leg.state.fl.us  
Christensen.Patty@leg.state.fl.us  
Noriega.tarik@leg.state.fl.us  
Merchant.Tricia@leg.state.fl.us

Kenneth L. Wiseman, Esquire  
Mark F. Sundback, Esquire  
Lisa M. Purdy, Esquire  
William M. Rappolt, Esquire  
J. Peter Ripley, Esquire  
Andrews Kurth LLP  
1350 I Street NW, Suite 1100  
Washington, DC 20005  
kwiseman@andrewskurth.com  
msundback@andrewskurth.com  
lpurdy@andrewskurth.com  
wrappolt@andrewskurth.com  
pripely@andrewskurth.com  
**Attorneys for South Florida Hospital and  
Healthcare Association**

Mr. and Mrs. Daniel R. Larson  
16933 W. Harlena Drive  
Loxahatchee, FL 33470  
danlarson@bellsouth.net

By: s/Maria J. Moncada

Maria J. Moncada  
Florida Bar No. 0773301