

**Eric Fryson**

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**From:** Moncada, Maria [Maria.Moncada@fpl.com]  
**Sent:** Monday, June 25, 2012 2:45 PM  
**To:** Filings@psc.state.fl.us  
**Subject:** Electronic Filing / Dkt 120015-EI / FPL's Motion for Temporary Protective Order  
**Attachments:** 6.25.12 - FPL's MTPO (OPC 12th pods 101).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 4 pages

e. The document attached for electronic filing is Florida Power & Light Company's Motion for Temporary Protective Order for Certain Confidential Information Provided in its Responses to the Office of Public Counsel's Twelfth Request for Production (No. 101).

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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FPSC-COMMISSION CLERK

**BEFORE THE  
FLORIDA PUBLIC SERVICE COMMISSION**

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

Docket No. 120015-EI  
June 25, 2012

**FLORIDA POWER & LIGHT COMPANY'S MOTION FOR  
TEMPORARY PROTECTIVE ORDER FOR CERTAIN CONFIDENTIAL  
INFORMATION PROVIDED IN ITS RESPONSES TO OFFICE OF  
PUBLIC COUNSEL'S TWELFTH REQUEST FOR PRODUCTION (No. 101)**

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 the Office of Public Counsel's ("OPC") Twelfth Request for Production of Documents (No. 101).

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 OPC's Twelfth Request for Production of Documents (No. 101) 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 the 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 OPC's Twelfth Request for Production of Documents (No. 101).

Respectfully submitted this 25th day of June 2012.

R. Wade Litchfield, Esq.  
Vice President and General Counsel  
John T. Butler, Esq.  
Assistant General Counsel-Regulatory  
Jordan A. White, Esq.  
Senior Attorney  
Maria J. Moncada, Esq.  
Principal Attorney  
Florida Power & Light Company  
700 Universe Boulevard  
Juno Beach, FL 33408  
Telephone: (561) 304-5802  
Fax: (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 25th day of June, 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  
Moyle Law Firm, P.A.  
118 North Gadsden Street  
Tallahassee, Florida 32301  
jmoyle@moylelaw.com  
vkaufman@moylelaw.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  
priphey@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

Thomas Saporito  
177 US Hwy 1N, Unit 212  
Tequesta, FL 33469  
saporito3@gmail.com

Paul Woods  
Quang Ha  
Patrick Ahlm  
Algenol Biofuels Inc.  
28100 Bonita Grande Drive, Suite 200  
Bonita Springs, FL 24135  
Telephone: (239) 498-2000  
Paul.woods@algenol.com  
Quang.ha@algenol.com  
Patrick.ahlm@algenol.com  
**Representatives for Algenol Biofuels Inc.**

Ms. Karen White  
Captain Samuel T. Miller  
USAF/AFLOA/JACL/ULFSC  
139 Barnes Drive, Suite 1  
Tyndall AFB, FL 32403-5317  
samuel.miller@tyndall.af.mil  
karen.white@tyndall.af.mil  
**Attorney for the Federal Executive Agencies**

By: s/ Maria J. Moncada  
Maria J. Moncada  
Florida Bar No. 0773301