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**Subject:** Electronic Filing - Docket No. 120009-EI / FPL's Motion for Temporary Protective Order  
**Attachments:** Florida Power & Light's Motion for Temporary Protective Order.pdf

**Electronic Filing**

a. Person responsible for this electronic filing:

Jessica A. Cano, Esq.  
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b. Docket No. 120009-EI

In Re: Nuclear Power Plant Cost Recovery Clause

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

d. There are a total of four (4) pages.

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

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DOCUMENT NUMBER DATE  
 05265 AUG-2 02  
 FPSC-COMMISSION CLERK



**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Nuclear Power Plant )  
Cost Recovery Clause )

Docket No. 120009-EI  
Date Filed: August 2, 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 information included in the supplemental testimony of Terry O. Jones and Exhibit TOJ-28, and states:

1. The Office of Public Counsel ("OPC") has requested a copy of the confidential version of the supplemental testimony and exhibits filed on August 1, 2012.
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 confidential 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.

3. The supplemental testimony includes information related to internal auditing controls and reports of internal auditors. This information is exempt from the Public Records Act pursuant to Section 366.093(3)(b), Florida Statutes. Exhibit TOJ-28 includes contractual data, the disclosure of which would impair the efforts of FPL to contract for goods or services on favorable terms. Public disclosure of this information would also violate nondisclosure

DOCUMENT NUMBER-DATE

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provisions of FPL's contract with its vendor, Siemens. This information is exempt from the Public Records Act pursuant to Section 366.093(3)(d), Florida Statutes. FPL respectfully requests that the Commission enter a temporary protective order affording FPL the protection that is needed to provide OPC this confidential information.

4. FPL has been authorized by counsel for OPC to represent that OPC does not object to the granting of this motion and that OPC is reserving its right to contest confidentiality at a later date if warranted.

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 supplemental testimony of Terry O. Jones and Exhibit TOJ-28.

Respectfully submitted this 2<sup>nd</sup> day of August, 2012.

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By: s/ Jessica A. Cano  
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**CERTIFICATE OF SERVICE  
DOCKET NO. 120009-EI**

I HEREBY CERTIFY that a true and correct copy of FPL's Motion for Temporary Protective Order was served by electronic mail this 2<sup>nd</sup> day of August, 2012 to the following:

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