

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Fuel and Purchase Power Cost Recovery
Clause with Generating Performance Incentive
Factor

Docket No: 140001-EI
Date: August 7, 2014

**FLORIDA POWER AND LIGHT COMPANY'S
AMENDED MOTION FOR TEMPORARY PROTECTIVE
ORDER REGARDING ITS 2015 RISK MANAGEMENT PLAN**

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, the confidential information contained in FPL's 2015 Risk Management Plan ("Hedging Plan"), which is Appendix III (Exhibit GJY-3) to the 2014 actual/estimated true-up petition filed in this docket on July 25, 2014.

1. OPC has requested that it be permitted to inspect or take possession of FPL's confidential 2015 Hedging Plan, which was filed on July 25, 2014.

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 contained in the Hedging Report is identified with particularity in *FPL's Request for Confidential Classification of Certain Information on FPL's 2015 Risk Management Plan* filed July 25, 2014 (Document No. 03996-14 on FPSC Clerk's Electronic

Docket) (the “RFCC”). FPL’s RFCC also sets forth the statutory bases for the confidential designations 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 FPL’s confidential 2015 Hedging Plan.

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 confidential 2015 Hedging Plan.

Respectfully submitted this 7th day of August 2014.

Respectfully submitted,

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CERTIFICATE OF SERVICE
Docket No. 140001-EI

I **HEREBY CERTIFY** that a true and correct copy of the foregoing Amended Motion for Temporary Protective Order has been furnished by electronic mail this 7th day of August 2014 to the following:

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