

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Nuclear Cost)
Recovery Clause)

Docket No. 150009-EI
Date Filed: July 8, 2015

**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 Late Filed Deposition Exhibits 9 and 10 to the deposition of Steven Scroggs, and states:

1. The Office of Public Counsel (“OPC”) has requested a copy of Late Filed Deposition Exhibits 9 and 10 to the deposition of Steven Scroggs taken on June 30, 2015. 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.

2. The confidential information includes information concerning bids or other contractual data, including vendor pricing terms, the disclosure of which would impair the efforts of FPL to contract for goods or services on favorable terms. This information is exempt from the Public Records Act pursuant to Section 366.093(3)(d), Florida Statutes. This information is also

related to competitive interests, the disclosure of which could harm the competitive business of the provider of the information. Such information is exempt from the Public Records Act pursuant to Section 366.093(3)(e), Florida Statutes. FPL respectfully requests that the Commission enter a temporary protective order affording FPL the protection that is needed to provide OPC the confidential exhibits.

3. 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 Late Filed Deposition Exhibits 9 and 10 to the deposition of Steven Scroggs.

Respectfully submitted this 8th day of July, 2015.

Jessica A. Cano
Senior Attorney
Florida Power Light Company
700 Universe Boulevard
Juno Beach, FL 33408
Telephone: (561) 304-5226
Facsimile: (561) 691-7135

By: s/ Jessica A. Cano
Jessica A. Cano
Fla. Bar No. 0037372

**CERTIFICATE OF SERVICE
DOCKET NO. 150009-EI**

I HEREBY CERTIFY that a true and correct copy of the foregoing Motion for Temporary Protective Order was served electronically this 8th day of July, 2015, to the following:

Martha F. Barrera, Esq.
Kyesha Mapp, Esq.
Division of Legal Services
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850
mbarrera@psc.state.fl.us
kmapp@psc.state.fl.us

J.R. Kelly, Esq.
Charles R. Rehwinkel, Esq.
Patricia A. Christensen, Esq.
Erik L. Sayler, Esq.
Associate Public Counsel
Office of Public Counsel
The Florida Legislature
111 West Madison Street, Room 812
Tallahassee, Florida 32399
kelly.jr@leg.state.fl.us
rehwinkel.charles@leg.state.fl.us
christensen.patty@leg.state.fl.us
sayler.erik@leg.state.fl.us
Attorney for the Citizens of the State of Fla.

J. Michael Walls, Esq.
Blaise N. Gamba, Esq.
Carlton Fields Jordan Burt, P.A.
P.O. Box 3239
Tampa, Florida 33601-3239
mwalls@cfjblaw.com
bgamba@cfjblaw.com
Attorneys for Duke Energy Florida, Inc.

Dianne M. Triplett, Esq.
299 First Avenue North
St. Petersburg, Florida 33701
dianne.triplett@duke-energy.com
Attorney for Duke Energy Florida, Inc.

Matthew Bernier, Esq., Sr. Counsel
106 East College Ave., Suite 800
Tallahassee, Florida 32301-7740
Matthew.bernier@duke-energy.com
Attorney for Duke Energy Florida, Inc.

James W. Brew, Esq.
Owen J. Kopon, Esq.
Laura A. Wynn, Esq.
Brickfield, Burchette, Ritts & Stone, P.C.
1025 Thomas Jefferson Street, N.W.
8th Floor, West Tower
Washington, D.C. 20007
jbrew@bbrslaw.com
owen.kopon@bbrslaw.com
laura.wynn@bbrslaw.com
*Attorneys for White Springs Agricultural
Chemicals, Inc., d/b/a PCS Phosphate-White
Springs*

Robert Scheffel Wright, Esq.
John T. LaVia, III, Esq.
Gardner Bist Bowden Bush Dee
LaVia & Wright, P.A.
1300 Thomaswood Drive
Tallahassee, FL 32308
Schef@gbwlegal.com
Jlavia@gbwlegal.com
Attorneys for the Florida Retail Federation

George Cavros, Esq.
120 E. Oakland Park Blvd., Suite 105
Fort Lauderdale, FL 33334
george@cavros-law.com
Attorney for Southern Alliance for Clean Energy

Victoria Méndez, City Attorney
Matthew Haber, Assistant City Attorney
City of Miami
444 Southwest 2nd Avenue
Miami, FL 33130
vmendez@miamigov.com
mshaber@miamigov.com
aidagarcia@miamigov.com (secondary email)
Attorneys for City of Miami

Jon C. Moyle, Jr., Esq.
Moyle Law Firm, P.A.
118 North Gadsden Street
Tallahassee, Florida 32301
jmoyle@moylelaw.com
Attorney for Fla. Industrial Power Users Group

By: s/ Jessica A. Cano
Jessica A. Cano
Fla. Bar No. 0037372