

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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

Docket No. 160021-EI
Filed: April 27, 2016

**FLORIDA POWER & LIGHT COMPANY'S MOTION FOR TEMPORARY
PROTECTIVE ORDER FOR CERTAIN CONFIDENTIAL INFORMATION
PROVIDED IN RESPONSE TO THE STAFF OF THE FLORIDA PUBLIC SERVICE
COMMISSION'S THIRD REQUEST FOR PRODUCTION OF DOCUMENTS
(NOS. 15, 18, and 20)**

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 Staff of the Florida Public Service Commission's ("Staff") Third Request for Production of Documents (Nos. 15, 18, and 20).

1. OPC has requested that it be permitted to inspect or take possession of FPL's confidential, proprietary information in FPL's response to Staff's Third Request for Production of Documents (Nos. 15, 18, and 20) in this docket.

2. Rule 25-22.006(6)(c), Florida Administrative Code, provides in pertinent part as follows with respect to a utility allowing OPC to inspect or take possession of the utility's information:

- a. [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 reserves 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 Staff's Third Request for Production of Documents (Nos. 15, 18, and 20).

Respectfully submitted this 27th day of April, 2016.

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by electronic mail this 27th day of April 2016, to the following parties:

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