

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for rate increase by Florida Power & Light Company	Docket No. 160021-EI
In re: Petition for approval of 2016-2018 storm hardening plan, by Florida Power & Light Company	Docket No. 160061-EI
In re: 2016 depreciation and dismantlement study by Florida Power & Light Company	Docket No. 160062-EI
In re: Petition for limited proceeding to modify and continue incentive mechanism by Florida Power & Light Company	Docket No. 160088-EI Filed: May 23, 2016

FLORIDA POWER & LIGHT COMPANY’S MOTION FOR TEMPORARY PROTECTIVE ORDER FOR CERTAIN CONFIDENTIAL INFORMATION PROVIDED IN RESPONSE TO THE OFFICE OF PUBLIC COUNSEL’S EIGHTH REQUEST FOR PRODUCTION OF DOCUMENTS (NOS. 102 AND 115)

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”) Eighth Request for Production of Documents (Nos. 102 and 115).

1. OPC has requested that it be permitted to inspect or take possession of FPL’s confidential, proprietary information in FPL’s response to OPC’s Eighth Request for Production of Documents (Nos. 102 and 115) 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 OPC's Eighth Request for Production of Documents (Nos. 102 and 115).

Respectfully submitted this 23rd day of May, 2016.

John T. Butler
Assistant General Counsel-Regulatory
john.butler@fpl.com
Kevin I.C. Donaldson
Senior Attorney
kevin.donaldson@fpl.com
Attorneys for Florida Power & Light Company
700 Universe Boulevard
Juno Beach, Florida 33408
(561) 304-5170
(561) 691-7135 (fax)

By: s/ Kevin I.C. Donaldson
Kevin I.C. Donaldson
Florida Bar No. 0833401

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished

by electronic mail this 23rd day of May, 2016, to the following parties:

Martha Barrera
Suzanne Brownless
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-1400
mbarrera@psc.state.fl.us
sbrownle@psc.state.fl.us
**Office of the General Counsel
Florida Public Service Commission**

Jon C. Moyle, Jr.
Karen A. Putnal
Moyle Law Firm, PA
118 North Gadsden Street
Tallahassee, FL 32301
jmoyle@moylelaw.com
kputnal@moylelaw.com
**Attorneys for Florida Industrial
Power Users Group**

Kenneth L. Wiseman
Mark F. Sundback
William M. Rappolt
Kevin C. Siqueland
Andrews Kurth LLP
1350 I Street NW, Suite 1100
Washington, D.C. 20005
kwiseman@andrewskurth.com
msundback@andrewskurth.com
wrappolt@andrewskurth.com
ksiqueland@andrewskurth.com
**Attorneys for South Florida Hospital
and Healthcare Association**

J. R. Kelly, Public Counsel
Patricia A. Christensen, Lead Counsel
Charles J. Rehwinkel
Erik Sayler
Tricia Merchant
Stephanie Morse
Office of Public Counsel
c/o The Florida Legislature
111 West Madison Street, Room 812
Tallahassee, FL 32399-1400
Kelly.jr@leg.state.fl.us
Christensen.Patty@leg.state.fl.us
Rehwinkel.Charles@leg.state.fl.us
sayler.erik@leg.state.fl.us
merchant.tricia@leg.state.fl.us
morse.stephanie@leg.state.fl.us
**Attorneys for the Citizens
of the State of Florida**

Stephanie U. Roberts
Spilman Thomas & Battle, PLLC
110 Oakwood Drive, Suite 500
Winston-Salem, NC 27103
sroberts@spilmanlaw.com

Derrick P. Williamson
Spilman Thomas & Battle, PLLC
1100 Bent Creek Boulevard, Suite 101
Mechanicsburg, PA 17050
dwilliamson@spilmanlaw.com
**Attorneys for Wal-Mart Stores East, LP and
Sam's East, Inc. (Walmart)**

Federal Executive Agencies
Thomas A. Jernigan
AFCEC/JA-ULFSC
139 Barnes Drive, Suite 1
Tyndall Air Force Base, FL 32403
Thomas.Jernigan.3@us.af.mil
**Attorney for the Federal Executive
Agencies**

Robert Scheffel Wright
John T. Lavia, III
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**

Jack McRay, Advocacy Manager
AARP Florida
200 W. College Ave., #304
Tallahassee, FL 32301
jmcray@aarp.org

John B. Coffman
John B. Coffman, LLC
871 Tuxedo Blvd.
St. Louis, MO 63119-2044
john@johncoffman.net
Attorney for AARP

By: s/ Kevin I.C. Donaldson
Kevin I.C. Donaldson