

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 FIRST REQUEST FOR PRODUCTION OF DOCUMENTS (No. 1)

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”) for a temporary protective order to exempt from section 119.07(1), Florida Statutes, certain confidential information included in FPL’s responses to the Office of Public Counsel’s (“OPC”) First Request for Production of Documents (No. 1), served in Docket No. 160088-EI, *In re: Petition for limited proceeding to modify and continue incentive mechanism by Florida Power & Light Company*.¹

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 First Request for Production of Documents (No. 1).

¹ At the time OPC served the subject discovery, FPL’s Petition for limited proceeding to modify and continue incentive mechanism was a separate docket. FPL maintained the numbering convention set forth in the discovery requests as originally served.

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 First Request for Production of Documents (No. 1), served in Docket No. 160088-EI.

Respectfully submitted this 23rd day of May 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 23rd day of May 2016 to the following parties:

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