

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Evaluation of storm restoration costs for
Florida Power & Light Company related to
Hurricane Irma.

Docket No: 20180049-EI

Date: May 10, 2019

**FLORIDA POWER & LIGHT COMPANY'S MOTION FOR
TEMPORARY PROTECTIVE ORDER FOR CERTAIN CONFIDENTIAL
INFORMATION PROVIDED WITH FPL'S ANSWER TO THE OFFICE OF PUBLIC
COUNSEL'S TWELFTH SET OF INTERROGATORIES (NO. 213)**

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 produced with FPL's Answer to the Office of Public Counsel's ("OPC") Twelfth Set of Interrogatories (No. 213).

1. OPC has requested that it be permitted to inspect or take possession of FPL's confidential, proprietary information produced with FPL's Answer to OPC's Twelfth Set of Interrogatories (No. 213).

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: trade secrets; information concerning bids or other contractual data, the disclosure of which would impair the efforts of the company or its affiliates to contract for goods or services on favorable terms; and 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)(a),(c) and (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 and identified in this motion for temporary protective order to be produced in connection with its Answer to OPC's Twelfth Set of Interrogatories (No. 213).

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 produced in connection with FPL's Answer to OPC's Twelfth Set of Interrogatories (No. 213).

Respectfully submitted this 10th day of May, 2019.

Kenneth M. Rubin
Assistant General Counsel
ken.rubin@fpl.com
Kevin I. C. Donaldson
Senior Attorney
Kevin.donaldson@fpl.com
Christopher T. Wright
Senior Attorney
Christopher.Wright@fpl.com
Florida Power & Light Company
700 Universe Boulevard
Juno Beach, FL 33408
Telephone: (561) 304-5170
Facsimile: (561) 691-7135

By: s/ Kenneth M. Rubin
Kenneth M. Rubin
Florida Bar No. 349038

CERTIFICATE OF SERVICE

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

by electronic service on this 10th day of May, 2019 to the following:

Suzanne S. Brownless, Esq.
Special Counsel
Ashley Weisenfeld, Esq.
Office of General Counsel
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850
sbrownle@psc.state.fl.us
aweisenf@psc.state.fl.us
Florida Public Service Commission

J. R. Kelly, Esq.
Stephanie Morse, Esq.
Charles J. Rehwinkel, Esq.
c/o The Florida Legislature
111 West Madison Street, Room 812
Tallahassee, Florida 32399
kelly.jr@leg.state.fl.us
Morse.Stephanie@leg.state.fl.us
rehwinkel.charles@leg.state.fl.us
Office of Public Counsel

Robert Scheffel Wright, Esq.
John T. LaVia, III, Esq.
Gardner, Bist, Bowden, Bush, Dee,
LaVia, & Wright, P.A.
1300 Thomaswood Drive.
Tallahassee, Florida 32308
schef@gbwlegal.com
jlavia@gbwlegal.com
Florida Retail Federation

Jon C. Moyle, Jr./Karen A. Putnal
c/o Moyle Law Firm, P.A.
118 North Gadsden Street
Tallahassee, Florida 32301
jmoyle@moylelaw.com
kputnal@moyle.com
Florida Industrial Power Users Group

By: s/ Kenneth M. Rubin
Kenneth M. Rubin