

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition of Florida Power and Light Company to determine need for electrical power plant - Lauderdale repowering. ) DOCKET NO. 890973-EI )  
) ORDER NO. 22850 )  
) ISSUED: 4-23-90 )

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In re: Petition of Florida Power and Light Company for determination of need for proposed electrical power plant and related facilities - Martin Expansion project. ) DOCKET NO. 890974-EI )  
) ORDER NO. 22850 )  
) ISSUED: 4-23-90 )

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ORDER DENYING CONFIDENTIALITY

On March 20, 1990, Florida Power & Light Company (FPL) filed a notice of its intent to request specified confidentiality for materials which it was simultaneously providing in response to Staff's First Request for Production of Documents (POD), Item No. 1. This notice was identified as Document No. 2476-90 by the Office of General Counsel. In its notice, FPL stated that it would file a detailed request for specified confidentiality for those materials in accord with Section 366.093, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, on or before April 10, 1990. On April 10, 1990, FPL filed its conforming request which was identified as Document No. 3120-90 by the Office of General Counsel.

At the hearing in these dockets held on March 21-23, 1990, all of the documents provided in response to Staff POD Item No. 1 were entered into the record and marked as Composite Exhibit 33. At that hearing all parties agreed that any references made in the parties' briefs to the documents contained in Exhibit 33 would be segregated in a separate document and given confidential treatment pending a formal request for specified confidentiality by FPL and a ruling disposing of such request. Broward County, an intervenor in these dockets, followed this agreed upon procedure and filed an appendix which discussed materials in Exhibit 33 (Appendix C).

DOCUMENT NUMBER-DATE

03467 APR 23 1990

FPC-RECORDS/REPORTING

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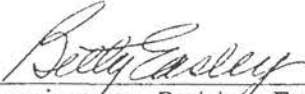
In its formal request for confidentiality filed on April 10, 1990, FPL has requested specified confidentiality for portions of only one document which it previously produced: Strategic Energy Information, Tropicana Products Inc., Florida Power and Light Study, June 6, 1988. Broward County has not referred to that specific document in its Appendix C. That being the case, there is no reason to continue the confidential treatment of Appendix C to Broward County's brief filed in the dockets above.

Therefore, it is

ORDERED by Commissioner Betty Easley, Prehearing Officer, that Appendix C to Broward County's Post Hearing Brief is found to be nonconfidential and subject to disclosure to the public in accord with Section 119.07(1), Florida Statutes. It is further

ORDERED that if a protest is filed within 14 days of the date of this order it will be resolved by the appropriate Commission panel pursuant to Rule 25-22.006(3)(d), Florida Administrative Code.

BY ORDER of Commissioner Betty Easley, Prehearing Officer, this 23rd day of APRIL, 1990.

  
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Commissioner Betty Easley,  
Prehearing Officer

( S E A L )  
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