

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Fuel and purchase power cost recovery
clause with generating performance incentive
factor

Docket No: 140001-EI
Date: December 8, 2014

**FLORIDA POWER & LIGHT COMPANY'S
MOTION FOR TEMPORARY PROTECTIVE ORDER**

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, confidential information included in the Index to the Sam Forrest Deposition Transcript dated November 13-14, 2014.

1. FPL is providing the Office of Public Counsel ("OPC") with a copy of the confidential documents responsive to OPC's request. Subsection (6)(c) of Rule 25-22.006, Florida Administrative Code, provides in relevant part as follows with respect to a utility allowing OPC to take possession of utility information:

[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, then Public Counsel shall return the information to the utility in accordance with the record retention requirements of the Department of State.

2. The confidential documents include information concerning bids or other contractual data, the disclosure of which would impair the efforts of the FPL or its affiliates to contract for goods or services on favorable terms. Such information is exempt from the Public Records Act pursuant to Section 366.093(3)(d), Florida Statutes. The confidential documents also include information relating to competitive interests, the disclosure of which would impair the competitive business of FPL or its vendors. Such information is exempt from the Public

Records Act pursuant to Section 366.093(3)(e), Florida Statutes. FPL respectfully requests that the Commission enter a temporary protective order affording FPL the protection that is needed to provide OPC the confidential documents.

3. FPL has been authorized by counsel for OPC to represent that OPC has no objection to the motion, but reserves its right to object to the claim for confidentiality at a later date.

WHEREFORE, for the foregoing reasons, FPL respectfully requests that the Commission enter a temporary protective order protecting against public disclosure of the confidential information contained in the Index to the Sam Forrest Deposition Transcript dated November 13-14, 2014.

Respectfully submitted this 8th day of December, 2014.

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By: s/ Scott A. Goorland
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CERTIFICATE OF SERVICE

Docket No. 140001-EI

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by electronic service on this 8th day of December, 2014 to the following:

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