BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for increase in rates by Florida)   Docket No. 160021-EI
Power & Light Company _____________)   Filed: April 27, 2016

FLORIDA POWER & LIGHT COMPANY’S MOTION FOR TEMPORARY
PROTECTIVE ORDER FOR CERTAIN CONFIDENTIAL INFORMATION
PROVIDED IN RESPONSE TO THE STAFF OF THE FLORIDA PUBLIC SERVICE
COMMISSION’S THIRD REQUEST FOR PRODUCTION OF DOCUMENTS
(NOS. 15, 18, and 20)

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 Staff of the Florida Public Service Commission’s (“Staff”) Third Request for Production of Documents (Nos. 15, 18, and 20).

1. OPC has requested that it be permitted to inspect or take possession of FPL’s confidential, proprietary information in FPL’s response to Staff’s Third Request for Production of Documents (Nos. 15, 18, and 20) 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 Staff’s Third Request for Production of Documents (Nos. 15, 18, and 20).

Respectfully submitted this 27th day of April, 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 27th day of April 2016, to the following parties:

Martha Barrera  
Suzanne Brownless  
Commission Clerk  
Florida Public Service Commission  
Betty Easley Conference Center  
2540 Shumard Oak Boulevard, Room 110  
Tallahassee, FL 32399-1400  
mbarrera@psc.state.fl.us  
sbrownle@psc.state.fl.us  
Office of the General Counsel  
Florida Public Service Commission

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)

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
Robert Scheffel Wright  
John T. Lavia, III  
Gardner, Bist, Bowden, Bush, Dee, LaVia & Wright, P.A.  
1300 Thomaswood Drive  
Tallahassee, FL 32308  
scheff@gbwlegal.com  
jlavia@gbwlegal.com  
Attorneys for the Florida Retail Federation

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