

**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: June 7, 2016

**FLORIDA POWER & LIGHT COMPANY’S MOTION FOR TEMPORARY PROTECTIVE ORDER FOR CERTAIN CONFIDENTIAL INFORMATION PROVIDED IN SUPPLEMENTAL RESPONSE TO THE OFFICE OF PUBLIC COUNSEL’S FIRST REQUEST FOR PRODUCTION OF DOCUMENTS (NO. 34)**

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 supplemental response to the Office of Public Counsel’s (“OPC”) First Request for Production of Documents (No. 34).

1. OPC has requested that it be permitted to inspect or take possession of FPL’s confidential, proprietary information in FPL’s supplemental response to OPC’s First Request for Production of Documents (No. 34) 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 supplemental response to OPC's First Request for Production of Documents (No. 34).

Respectfully submitted this 7<sup>th</sup> day of June, 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 7<sup>th</sup> day of June, 2016, to the following parties:

Suzanne Brownless  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-1400  
sbrownle@psc.state.fl.us  
**Office of the General Counsel  
Florida Public Service Commission**

Jon C. Moyle, Jr.  
Karen A. Putnal  
Moyle Law Firm, PA  
118 North Gadsden Street  
Tallahassee, FL 32301  
jmoyle@moylelaw.com  
kputnal@moylelaw.com  
**Attorneys for Florida Industrial  
Power Users Group**

Kenneth L. Wiseman  
Mark F. Sundback  
William M. Rappolt  
Kevin C. Siqueland  
Andrews Kurth LLP  
1350 I Street NW, Suite 1100  
Washington, D.C. 20005  
kwiseman@andrewskurth.com  
msundback@andrewskurth.com  
wrappolt@andrewskurth.com  
ksiqueland@andrewskurth.com  
**Attorneys for South Florida Hospital  
and Healthcare Association**

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)**

Federal Executive Agencies  
Thomas A. Jernigan  
AFCEC/JA-ULFSC  
139 Barnes Drive, Suite 1  
Tyndall Air Force Base, FL 32403  
Thomas.Jernigan.3@us.af.mil  
**Attorney for the Federal Executive  
Agencies**

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

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**

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