

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Environmental Cost Recovery Clause

Docket No: 160007-EI

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Date: January 23, 2017

**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 its response to Office of Public Counsel's Third Request for Production of Documents No. 44, and states:

1. The Office of Public Counsel ("OPC") has requested that FPL produce a confidential document that is responsive to OPC's Third Request for Production of Documents No. 44. 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 confidential 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 information includes data related to competitive interests, the disclosure of which could harm the competitive business of the provider of the information.

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 document.

3. FPL has been authorized by counsel for OPC to represent that OPC does not object to the granting of this motion and that OPC is reserving its right to contest confidentiality at a later date if warranted.

WHEREFORE, for the foregoing reasons, FPL respectfully requests that the Commission enter a temporary protective order protecting against public disclosure the confidential document provided in response to OPC's Third Request for Production of Documents No. 44.

Respectfully submitted this 23rd day of January, 2017.

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By: s/ Jessica A. Cano
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CERTIFICATE OF SERVICE
Docket No. 170007-EI

I HEREBY CERTIFY that a true and correct copy of FPL's Motion for Temporary Protective Order has been furnished by electronic service this 23rd day of January, 2017 to the following:

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