

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Evaluation of storm restoration costs for  
Florida Power & Light Company related to  
Hurricane Irma.

Docket No: 20180049-EI

Date: April 24, 2019

**FLORIDA POWER & LIGHT COMPANY'S  
MOTION FOR TEMPORARY PROTECTIVE ORDER FOR CERTAIN  
CONFIDENTIAL INFORMATION PROVIDED WITH FPL'S  
AMENDED RESPONSE TO THE OFFICE OF PUBLIC COUNSEL'S  
FIRST REQUEST FOR PRODUCTION OF DOCUMENTS (NO. 9)**

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 produced with FPL's Amended Response to the Office of Public Counsel's ("OPC") First Request for Production of Documents (No. 9).

1. OPC has requested that it be permitted to inspect or take possession of FPL's confidential, proprietary information produced with FPL's amended response to OPC's First Request for Production of Documents (No. 9). FPL filed its Motion for Temporary Protective Order with its initial response and objections to OPC's First Request for Production of Documents on June 19, 2018. FPL is now amending its response and is producing additional documents responsive to OPC's Request No. 9 which contain confidential, proprietary information.

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: trade secrets; information concerning bids or other contractual data, the disclosure of which would impair the efforts of the company or its affiliates to contract for goods or services on favorable terms; and 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)(a),(c) and (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 and identified in this motion for temporary protective order to be produced in connection with its Amended Response to OPC's First Request for Production of Documents (No. 9).

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 produced in connection with FPL's Amended Response to OPC's First Request for Production of Documents (No. 9).

Respectfully submitted this 24<sup>th</sup> day of April, 2019.

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By: s/ Kenneth M. Rubin  
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**CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that a true and correct copy of the foregoing has been furnished

by electronic service on this 24<sup>th</sup> day of April, 2019 to the following:

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