

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

Review of 2020-2029 Storm Protection Plan
pursuant to Rule 25-6.030, F.A.C., Florida
Power & Light Company

Docket No. 20200071-EI

Filed: May 7, 2020

**FLORIDA POWER & LIGHT COMPANY'S
MOTION FOR TEMPORARY PROTECTIVE ORDER FOR CERTAIN
CONFIDENTIAL INFORMATION PROVIDED IN RESPONSE TO THE OFFICE OF
PUBLIC COUNSEL'S FOURTH SET OF INTERROGATORIES (NO. 150) AND
FOURTH REQUEST FOR PRODUCTION OF DOCUMENTS (NOS. 57, 58, AND 60)**

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 responses to the Office of Public Counsel's ("OPC") Fourth Set of Interrogatories (No. 150) and Fourth Request for Production of Documents (Nos. 57, 58, and 60).

1. OPC has requested that it be permitted to inspect or take possession of FPL's confidential, proprietary information in FPL's responses to OPC's Fourth Set of Interrogatories (No. 150) and Fourth Request for Production of Documents (Nos. 57, 58, and 60).

2. With respect to a utility allowing OPC to inspect or take possession of the utility's information, Rule 25-22.006(6)(c), Florida Administrative Code, provides in pertinent part, as follows:

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 provided in FPL's responses to OPC's Fourth Request for Production of Documents (Nos. 57 and 58) includes, but is not limited to, information concerning bids or other contractual data, the disclosure of which would impair the efforts of the public utility or its affiliates to contract for goods or services on favorable terms, and information relating to competitive interests, the disclosure of which would impair the competitive business of the provider of the information, which is exempt from the Public Records Act pursuant to Sections 366.093(3)(d), (e), Florida Statutes.

4. The confidential information provided in FPL's responses to OPC's Fourth Set of Interrogatories (No. 150) and Fourth Request for Production of Documents (No. 60) includes, but is not limited to, internal proprietary information and trade secrets that have not been publicly disclosed, which is exempt from the Public Records Act pursuant to Section 366.093(3)(a), Florida Statutes.

5. 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 motion for temporary protective order to be produced in response to OPC's Fourth Set of Interrogatories (No. 150) and Fourth Request for Production of Documents (Nos. 57, 58, and 60).

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 OPC's Fourth Set of Interrogatories (No. 150) and Fourth Request for Production of Documents (Nos. 57, 58, and 60).

Respectfully submitted this 7th day of May, 2020,

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was served by electronic delivery to the following parties of record this 7th day of May, 2020:

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