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Subject: Electronic Filing - Docket No. 130009-EI / FPL's Motion for Temporary Protective Order
Attachments: Docket No. 130009-EI - FPL's Motion for Temporary Protective Order.pdf

Electronic Filing

a. Person responsible for this electronic filing:

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b. Docket No. 130009-EI

In Re: Nuclear Power Plant Cost Recovery Clause

c. The documents is being filed on behalf of Florida Power & Light Company.

d. There are a total of four (4) pages.

e. The document attached for electronic filing is: Florida Power & Light Company's Motion for Temporary Protective Order.

Barbara A. Grenz, CP

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Nuclear Cost)
Recovery Clause)

Docket No. 130009-EI
Filed: May 21, 2013

**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 responses to the Office of Public Counsel's ("OPC's") First Request for Production of Documents No. 1 and states:

1. FPL is providing OPC with a copy of its confidential documents responsive to OPC's request. 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 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 documents include information concerning bids or other contractual data, including vendor payment terms, the disclosure of which would impair the efforts of FPL to contract for goods or services on favorable terms. This information is exempt from the Public Records Act pursuant to Section 366.093(3)(d), Florida Statutes. Additionally, the confidential documents include competitively sensitive information, and disclosure could

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impair the competitive business of FPL or its vendors. 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 documents.

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 information contained in its response to OPC's First Request for Production of Documents No. 1.

Respectfully submitted this 21st day of May, 2013.

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By: s/ Jessica A. Cano
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**CERTIFICATE OF SERVICE
DOCKET NO. 130009-EI**

I HEREBY CERTIFY that a true and correct copy of the foregoing Motion for Temporary Protective Order was served by electronic delivery this 21st day of May, 2013 to the following:

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