

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for limited proceeding for recovery of incremental storm restoration costs related to Hurricanes Debby, Helene, and Milton, by Florida Power & Light Company.

DOCKET NO. 20240149-EI  
ORDER NO. PSC-2026-0053-CFO-EI  
ISSUED: February 23, 2026

ORDER GRANTING MOTION FOR TEMPORARY  
PROTECTIVE ORDER (DOCUMENT NO. 01124-2026)

On February 16, 2026, pursuant to Section 366.093, Florida Statutes (F.S.), and Rule 25-22.006(6)(c), Florida Administrative Code (F.A.C.), Florida Power & Light Company (FPL) filed a Motion for Temporary Protective Order (Document No. 01124-2026) to exempt from Section 119.07(1), F.S., certain confidential information provided to the Office of Public Counsel (OPC) for its temporary possession which are contained in the audit work papers of Deloitte & Touche LLP (Deloitte). These work papers support Deloitte's December 10, 2025 Attestation Report which was filed as Exhibit AM-6 in the direct testimony of FPL's witness Amin Mohamed.

Motion for Temporary Protective Order

Section 366.093(2), F.S., directs that all records produced pursuant to a discovery request for which proprietary confidential status is requested shall be treated by any party subject to the public records law as confidential and exempt from the public records law, Section 119.07(1), F.S. Rule 25-22.006(6), F.A.C., codifies the Commission's policy regarding the protection of confidential information from public disclosure during the discovery process in a manner that is not overly burdensome to both parties. Rule 25-22.006(6)(a), F.A.C., in pertinent part, states:

In any formal proceeding before the Commission, any utility or other person may request a protective order protecting proprietary confidential business information from discovery. Upon a showing by a utility or other person and a finding by the Commission that the material is entitled to protection, the Commission shall enter a protective order limiting discovery in the manner provided for in Rule 1.280, Florida Rules of Civil Procedure.

In addition, Rule 25-22.006(6)(c), F.A.C., states that if a party allows OPC to inspect or take possession of utility information, then that "utility may request a temporary protective order exempting the information from Section 119.07(1), F.S." The rule further requires the utility to file a specific request for a protective order under paragraph (a) of the rule if the information is to be used in the proceeding before the Commission.

FPL is seeking protection of information included in the Deloitte work papers supporting its December 10, 2025 Attestation Report. FPL contends that the information contained in these work papers includes proprietary trade secrets of Deloitte, the disclosure of which would harm the competitive business of Deloitte. Further, disclosure would adversely affect the economic

interests of FPL and its customers as outside services firms would be discouraged from performing similar work for FPL in the future.

Ruling

Upon consideration of FPL's assertions of the confidential nature of the information contained in Deloitte's work papers, FPL's Motion for Temporary Protective Order, is hereby granted. As a result, this information shall be protected from disclosure pursuant to Rule 25-22.006(6), F.A.C.

Based on the foregoing, it is hereby

ORDERED by Commissioner Ana Ortega, as Prehearing Officer, that Florida Power & Light Company's Motion for Temporary Protective Order is granted, pursuant to the terms and conditions set forth in this Order.

By ORDER of Commissioner Ana Ortega, as Prehearing Officer, this 23rd day of February, 2026.



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ANA ORTEGA  
Commissioner and Prehearing Officer  
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Copies furnished: A copy of this document is provided to the parties of record at the time of issuance and, if applicable, interested persons.

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NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

Any party adversely affected by this order, which is preliminary, procedural or intermediate in nature, may request: (1) reconsideration within 10 days pursuant to Rule 25-22.0376, Florida Administrative Code; or (2) judicial review by the Florida Supreme Court, in the case of an electric, gas or telephone utility, or the First District Court of Appeal, in the case of a water or wastewater utility. A motion for reconsideration shall be filed with the Office of Commission Clerk, in the form prescribed by Rule 25-22.0376, Florida Administrative Code. Judicial review of a preliminary, procedural or intermediate ruling or order is available if review of the final action will not provide an adequate remedy. Such review may be requested from the appropriate court, as described above, pursuant to Rule 9.100, Florida Rules of Appellate Procedure.