

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Nuclear Cost                    )  
Recovery Clause                    )

Docket No. 150009-EI  
Date Filed: June 12, 2015

**FLORIDA POWER & LIGHT COMPANY'S MOTION  
FOR PROTECTIVE ORDER TO PROTECT CONFIDENTIAL DOCUMENTS  
PRODUCED TO THE CITY OF MIAMI**

Pursuant to Section 366.093(3), Florida Statutes, and Rule 25-22.006(6), Florida Administrative Code, Florida Power & Light Company ("FPL"), hereby moves the Florida Public Service Commission (the "Commission"), through the Prehearing Officer, for a protective order to exempt from Section 119.07(1), Florida Statutes, and protect from public disclosure, confidential information produced in discovery to the City of Miami ("Miami"). In support thereof, FPL states:

1. Miami has requested a copy of the confidential documents produced in response to its discovery. This consists of confidential documents produced in response to Miami's First Request for Production of Documents No. 5, as well as confidential documents produced in response to Staff's First Request for Production of Documents Nos. 1, 3, and 4 (which were referred to in responding to Miami's First Set of Interrogatories and First Request for Production of Documents).

2. Subsection (6)(a) of Rule 25-22.006, Florida Administrative Code, provides that any utility or other person may request a protective order protecting proprietary confidential business information from discovery. Subsection (6)(b) further states as follows:

The Commission's protective orders shall exempt proprietary confidential business information from Section 119.07(1), F.S. While a request for a protective order is pending, the information asserted to be confidential shall also be exempt from Section 119.07(1), F.S. Such exemption shall apply whether the information is in the possession of an entity, individual, or state agency, including the Office of Public Counsel.

The City of Miami ordinarily would be subject to the requirements of Section 119.07(1), Florida Statutes. Accordingly, FPL's requested protective order is necessary to prevent the public disclosure of confidential information provided to Miami.

3. The confidential information provided in FPL's discovery responses includes information 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. This includes FPL-proprietary economic modeling and detailed planning data that other relevant market participants could act upon, detrimentally impacting FPL's customers and business interests. FPL respectfully requests that the Commission enter a protective order affording FPL the protection that is needed to provide Miami the confidential information.

4. FPL has been authorized by counsel for Miami to represent that Miami takes no position on this motion.

WHEREFORE, for the foregoing reasons, FPL respectfully requests that the Commission enter a protective order protecting against public disclosure the confidential documents provided to the City of Miami in response to Miami's First Request for Production of Documents No. 5 and Staff's First Request for Production of Documents Nos. 1, 3, and 4.

Respectfully submitted this 12<sup>th</sup> day of June, 2015.

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By: *s/ Jessica A. Cano*  
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**CERTIFICATE OF SERVICE  
DOCKET NO. 150009-EI**

I HEREBY CERTIFY that a true and correct copy of the foregoing Motion for Protective

Order was served electronically this 12th day of June, 2015, to the following:

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