

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition by Florida Power & Light Company for Limited Proceeding for Recovery of Incremental Storm Restoration Costs Related to Hurricane Matthew

Docket No. 160251-EI

Filed: December 4, 2017

FLORIDA POWER & LIGHT COMPANY'S MOTION FOR TEMPORARY PROTECTIVE ORDER FOR CERTAIN CONFIDENTIAL INFORMATION PROVIDED IN RESPONSE TO THE OFFICE OF PUBLIC COUNSEL'S FIRST SET OF INTERROGATORIES (NOS. 4, 19, 20 and 34) AND FIRST REQUEST FOR PRODUCTION OF DOCUMENTS (NOS. 3-9)

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 included in FPL's response to the Office of Public Counsel's ("OPC") First Set of Interrogatories (Nos. 4, 19, 20 and 34) and OPC's First Request for Production of Documents (Nos. 3-9).

1. OPC has requested that it be permitted to inspect or take possession of FPL's confidential, proprietary information in FPL's response to OPC's First Set of Interrogatories (Nos. 4, 19, 20 and 34) and OPC's First Request for Production of Documents (Nos. 3-9) in this docket.

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, 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)(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 in this response.

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 contained in FPL's response to OPC's First Set of Interrogatories (Nos. 4, 19, 20 and 34) and First Request for Production of Documents (Nos. 3-9).

Respectfully submitted this 4th day of December, 2017.

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CERTIFICATE OF SERVICE

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

by electronic mail this 4th day of December, 2017, to the following parties:

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