

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: March 13, 2018

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 (NOS. 101 AND 106)

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") Fourth Set of Interrogatories (Nos. 101 and 106).

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 Fourth Set of Interrogatories (Nos. 101 and 106) 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 Fourth Set of Interrogatories (Nos. 101 and 106).

Respectfully submitted this 13th day of March, 2018.

John T. Butler
Assistant General Counsel-Regulatory
john.butler@fpl.com
Kenneth Rubin
Senior Counsel
Ken.Rubin@fpl.com
Kevin I.C. Donaldson
Senior Attorney
kevin.donaldson@fpl.com
Attorneys for Florida Power & Light Company
700 Universe Boulevard
Juno Beach, Florida 33408
(561) 304-5170
(561) 691-7135 (fax)

By: s/ Kevin I.C. Donaldson
Kevin I.C. Donaldson
Florida Bar No. 0833401

CERTIFICATE OF SERVICE

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

by electronic mail this 13th day of March, 2018, to the following parties:

Suzanne Brownless
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-1400
sbrownle@psc.state.fl.us
**Office of the General Counsel
Florida Public Service Commission**

Jon C. Moyle, Jr.
Karen A. Putnal
Moyle Law Firm, PA
118 North Gadsden Street
Tallahassee, FL 32301
jmoyle@moylelaw.com
kputnal@moylelaw.com
**Attorneys for Florida Industrial
Power Users Group**

J. R. Kelly, Public Counsel
Patricia A. Christensen, Lead Counsel
Charles J. Rehwinkel
Office of Public Counsel
c/o The Florida Legislature
111 West Madison Street, Room 812
Tallahassee, FL 32399-1400
Kelly.jr@leg.state.fl.us
Christensen.Patty@leg.state.fl.us
Rehwinkel.Charles@leg.state.fl.us
**Attorneys for the Citizens
of the State of Florida**

By: s/ Kevin I.C. Donaldson
Kevin I.C. Donaldson