BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition for increase in rates by)	Docket No. 080677–EI
Florida Power & Light Company)	
)	
In Re: 2009 depreciation and dismantlement	ent)	Docket No. 090130-EI
study by Florida Power & Light Company	<i>'</i>)	
)	Filed: June 9, 2009

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, certain confidential information included in FPL's response to the Office of Public Counsel's ("OPC's") Eighth Request for Production of Documents No. 225, in Docket No. 080677-EI, and in support states:

- 1. OPC has requested that it be permitted to take possession of FPL's confidential, proprietary information included in FPL's response to the request for production of documents identified above.
- 2. 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.

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.

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 Eighth Request for Production of Documents

No. 225.

Respectfully submitted this 9th day of June, 2009.

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished electronically and by United States Mail this 9th day of June, 2009, to the following:

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