

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Environmental cost recovery clause.

DOCKET NO. 20240007-EI
ORDER NO. PSC-2024-0499-CFO-EI
ISSUED: December 16, 2024

ORDER GRANTING TAMPA ELECTRIC COMPANY'S
REQUEST FOR CONFIDENTIAL CLASSIFICATION
(DOCUMENT NOS. 09943-2024, X-REF. 08870-2024)

On November 20, 2024, Tampa Electric Company (TECO) filed a Request for Confidential Classification pursuant to Section 366.093, Florida Statutes (F.S.), and Rule 25-22.006, Florida Administrative Code (F.A.C.), pertaining to certain materials provided pursuant to staff's Audit Control No. 2024-031-1-1 (Document Nos. 09943-2024, x-ref. 08870-2024).

Request for Confidential Classification

TECO asserts that the information identified in Exhibit A of the Request consists of information concerning bids or other contractual data and information related to competitive interests and the disclosure of the information would impair the competitive business of TECO or impair TECO's efforts to contract for goods or services on favorable terms. TECO contends that the information for which it is requesting confidential classification is entitled to that classification pursuant to Section 366.093(3)(d), and (e), F.S., as proprietary confidential business information concerning bids or other contractual data and information relating to competitive interests, the disclosure of which would impair the company's ability to contract for the sale of goods and services on favorable terms or cause harm to its ratepayers.

Ruling

Section 366.093(1), F.S., provides that records that the Florida Public Service Commission (Commission) has found to contain proprietary confidential business information shall be kept confidential and shall be exempt from Chapter 119, F.S., 366.093(3), F.S., defines proprietary confidential business information as information that is intended to be and is treated by the company as private, in that disclosure of the information would cause harm to the company's ratepayers or business operations, and has not been voluntarily disclosed to the public. Section 366.093(3), F.S., provides that proprietary confidential business information includes:

- (d) Information concerning bids or other contractual data, the disclosure of which would impair the efforts of the public utility or its affiliates to contract for goods or services on favorable terms.
- (e) Information relating to competitive interests, the disclosure of which would impair the competitive business of the provider of the information.

Upon review, it appears that the above-referenced information satisfies the criteria set forth in Section 366.093(3)(d), and (e), F.S. The information appears to contain information concerning bids or other contractual data and information relating to competitive interests, the disclosure of which would impair the company's ability to contract for the sale of goods and services on favorable terms or cause harm to its ratepayers. Thus, the information identified in Documents Nos. 09943-2024, x-ref 08870-2024, shall be granted confidential classification.

Pursuant to Section 366.093(4), F.S., the information for which confidential classification is granted herein shall remain protected from disclosure for a period of 18 months from the date of issuance of this order. At the conclusion of the 18 month period, the confidential information will no longer be exempt from Section 119.07(1), F.S., unless TECO or another affected person shows, and the Commission finds, that the information continues to contain proprietary confidential business information.

Based on the foregoing, it is

ORDERED by Commissioner Gabriella Passidomo Smith, as Prehearing Officer, that Tampa Electric Company's request for confidential classification of portions of Documents Nos. 09943-2024, x-ref. 08870-2024, is granted. It is further

ORDERED that the information for which confidential classification has been requested will be granted confidential classification for a period of 18 months from the date of the issuance of this Order. It is further

ORDERED that this Order shall be the only notification by the Commission to the parties concerning the expiration of the confidentiality time period.

ORDER NO. PSC - 2024- 0499-CFO -EI

DOCKET NO. 20240007-EI

PAGE 3

By ORDER of Commissioner Gabriella Passidomo Smith, as Prehearing Officer,
this 16th day of December, 2024.



Gabriella Passidomo Smith
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.

JDI

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.