



Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

-M-E-M-O-R-A-N-D-U-M-

RECEIVED-FPSC
DEC-4 AM 10:08
COMMISSION
CLERK

DATE: December 4, 2012
TO: Pauline Robinson, Attorney, Office of the General Counsel
FROM: William B. McNulty, Economic Analyst, Division of Economics *wbm*
RE: CONFIDENTIALITY OF CERTAIN INFORMATION

Docket No. 120234-EI, Document No. 07840-12

Description: Tampa Electric Company (Beasley) - (CONFIDENTIAL) Information provided in TECO's Response to Staff's Fourth Set of Interrogatories No. 98 (highlighted information) and Fourth Request for Production of Documents, Nos. 28 (highlighted information), 29 (entire CD), and 30 (entire CD), filed November 26, 2012.

Source: Tampa Electric Company

Pursuant to Section 366.093 of the Florida Statutes, and Rule 25-22.006, Florida Administrative Code, TECO requests confidential classification for TECO's Response to Staff's Fourth Set of Interrogatories No. 98 (highlighted information) and Fourth Request for Production of Documents, Nos. 28 (highlighted information), 29 (entire CD), and 30 (entire CD), filed November 26, 2012, as appears in Document No. 07840-12.

TECO has requested confidential treatment of portions of the information in Document No. 07840-12, based upon such information being proprietary confidential business information as described in Sections 366.093(3)(a), (d), and (e). Under Section 366.093(3)(a), proprietary confidential business information includes trade secrets. Under Section 366.093(d), proprietary confidential business information includes 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. Under Section 366.093(e), proprietary business information includes information related to the competitive business of the provider of the information.

Staff has reviewed TECO's confidentiality request as applies to Document No. 07840-12. Staff recommends the request for confidential treatment associated with TECO's response to Staff's Fourth Set of Interrogatories, No. 98, of transportation and delivered fuel price

DOCUMENT NUMBER DATE

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FPSC-COMMISSION CLERK

information, under the special circumstance which applies in this case¹, meets the criteria for confidentiality in Sections 366.093(d) and (e), Florida Statutes. In addition, Staff believes the request for confidential treatment of TECO's response to Staff's Fourth Request for Production of Documents, Nos. 28 (highlighted information), 29 (entire CD), and 30 (entire CD) meets the criteria for confidentiality contained in Section 366.093(e), Florida Statutes. Staff recommends TECO's request for confidentiality filed November 26, 2012 as applies to Document No. 07840-12 be approved.

WBM:wbm

¹ For each fuel type, transportation price is the difference between the delivered price and the commodity price. Since commodity prices have been publicly disclosed in this proceeding in Document No. 06137-12, delivered fuel prices, if also publicly disclosed, would allow the transportation prices to be calculated, which may adversely effect TECO's ability to negotiate future fuel transportation contracts.



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-M-E-M-O-R-A-N-D-U-M-

DATE: December 4, 2012
TO: Division of Engineering, Office of Primary Responsibility
FROM: OFFICE OF COMMISSION CLERK
RE: CONFIDENTIALITY OF CERTAIN INFORMATION

DOCKET NO: 120234-EI DOCUMENT NO: 07640-12

DESCRIPTION: TECO (Beasley) - (CONFIDENTIAL) Information contained in answers to staff's 4th set of interrogatories (No. 98), Bates stamp pgs 35-36; and 4th request for PODs (No. 28), Bates stamp pg 2, and (Nos. 29-30), contained on CD.

SOURCE: Tampa Electric Company

The above confidential material was filed along with a request for confidential classification and motion for temporary protective order. Please complete the following form by checking all applicable information and forward it to the attorney assigned to the docket, along with a brief memorandum supporting your recommendation.

- The document(s) is (are), in fact, what the utility asserts it (them) to be.
- The utility has provided enough details to perform a reasoned analysis of its request.
- The material has been received incident to an inquiry.
- The material is confidential business information because it includes:
 - (a) Trade secrets;
 - (b) Internal auditing controls and reports of internal auditors;
 - (c) Security measures, systems, or procedures;
 - (d) Information concerning bids or other contractual data, the disclosure of which would impair the efforts of the company to contract for services on favorable terms;
 - (e) Employee personnel information unrelated to compensation, duties, qualifications, or responsibilities;
 - (f) Tax returns or tax-related information;
 - (g) Information relating to competitive interests, the disclosure of which would impair the competitive business of the provider of information.
- The material appears to be confidential in nature and harm to the company or its ratepayers will result from public disclosure.
- The material appears not to be confidential in nature.
- The material is a periodic or recurring filing and each filing contains confidential information.

This response was prepared by /s/ William B. McNulty on December 4, 2012, a copy of which has been sent to the Office of Commission Clerk and the Office of General Counsel.