



Public Service Commission

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TALLAHASSEE, FLORIDA 32399-0850

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COMMISSION CLERK
WBMZ

DATE: May 21, 2013

TO: Martha Carter Brown, Attorney, Office of the General Counsel

FROM: William B. McNulty, Economic Analyst, Division of Economics

RE: Recommendation on the Confidentiality of Certain Information in Docket No. 130040-EI, Document No. 02537-13 (TECO's response to OPC's 1st POD, POD No. 3 ONLY)

Description: Tampa Electric Company (Beasley) - (CONFIDENTIAL) Portions of answers to OPC's 1st set of interrogatories (Nos. 1-15) and 1st request for PODs (Nos. 1-12), specifically Bates stamp pgs 19 and 27 of interrogatory Nos. 7 and 11, and Bates stamp pages 5816, 5835, and 5847 of POD No. 3; confidentiality provided on CD only.

Pursuant to Section 366.093 of the Florida Statutes, and Rule 25-22.006, Florida Administrative Code, Tampa Electric Company (TECO) requests confidential classification of yellow highlighted information provided in TECO's Response to the Office of Public Counsel's 1st Set of Interrogatories and 1st request for Production of Documents (PODs) as identified in the description appearing above. This recommendation pertains to TECO's request for confidential treatment of its answers to OPC's First Request for PODs, POD No. 3 only. Please be aware that other staff members are currently assigned to review other portions of the request noted above and will be providing (or have provided) their recommendations accordingly.

Staff has reviewed TECO's request for confidential treatment of its response to OPC's First Request for Production of Documents, POD No. 3, and believes the response meets the criteria for confidentiality in Sections 366.093(e), Florida Statutes. Staff recommends that TECO's request for confidentiality of the yellow highlighted information included in Document No. 02537-13, response to OPC's First Set of POD's, POD No. 3 be approved.

cc: Marguerite McClean, Office of Commission Clerk
Elisabeth Draper, Division of Economics

DOCUMENT NUMBER-DATE

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

DATE: May 21, 2013

TO: Division of Economics, Office of Primary Responsibility

FROM: OFFICE OF COMMISSION CLERK

RE: CONFIDENTIALITY OF CERTAIN INFORMATION

DOCKET NO: 130040-EI DOCUMENT NO: 02537-13

DESCRIPTION: TECO (Beasley) - (CONFIDENTIAL) Portions of answers to OPC's 1st set of interrogatories (Nos. 1-15) and 1st request for PODs (Nos. 1-12), specifically Bates stamp pgs 19 and 27 of interrogatory Nos. 7 and 11, and Bates stamp pages 5816, 5835, and 5847 of POD No. 3; confidentiality provided on CD only. [CLK note: See confidential DNs 02520-13 and 02522-13 for other portion to this document.] Source: Tampa Electric Company

The above confidential material identified 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. **[This review restricted to Document No. 02537-13, Bate stamp pages 5816, 5835, and 5847 of TECO's response to OPC's POD No. 3.]**

- The materials identified above is , 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 William B. McPhee on 5/21/13, a copy of which has been sent to the Office of Commission Clerk and the Office of General Counsel.