

AUSLEY & McMULLEN

ATTORNEYS AND COUNSELORS AT LAW

123 SOUTH CALHOUN STREET
P.O. BOX 391 (ZIP 32302)
TALLAHASSEE, FLORIDA 32301
(850) 224-9115 FAX (850) 222-7560

June 14, 2013

HAND DELIVERED

REDACTED

Ms. Ann Cole, Director
Division of Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

claim of confidentiality
 notice of intent
 request for confidentiality
 filed by OPC

For DN 03317-13, which
is in locked storage. You must be
authorized to view this DN.-CLK

RECEIVED-FPSC
13 JUN 14 AM 10:23
COMMISSION
CLERK

Re: Advanced Solar Photonics/Blue Chip Energy LLC Solar Panel Recall

Dear Ms. Cole:

Enclosed for filing in the above-styled matter are the original and fifteen (15) copies of Tampa Electric Company's Request for Confidential Classification and Motion for Temporary Protective Order regarding Staff's informal data request dated May 22, 2013.

Please acknowledge receipt and filing of the above by stamping the duplicate copy of this letter and returning same to this writer.

Thank you for your assistance in connection with this matter.

Sincerely,



James D. Beasley

JDB/pp
Enclosure

cc: Charles Murphy
Jim Dean
Judy Harlow

COM
AFD 1
APA
ECO 1
ENG 1
GCL 11
IDM
TEL
CLK 1

DOCUMENT NUMBER-DATE

03316 JUN 14 2

FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Advanced Solar Photonics/Blue Chip)
Energy LLC Solar Panel Recall.)
_____)

UNDOCKETED

FILED: June 14, 2013

**TAMPA ELECTRIC COMPANY'S
REQUEST FOR CONFIDENTIAL CLASSIFICATION
AND MOTION FOR TEMPORARY PROTECTIVE ORDER**

Tampa Electric Company ("Tampa Electric" or "the company"), pursuant to Section 366.093, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, hereby request confidential classification of the yellow highlighted information contained in the following described document(s) ("the Document(s)") stamped "CONFIDENTIAL" and all information that is or may be printed on yellow paper stock stamped "CONFIDENTIAL" within the Document(s), all of said confidential information being hereinafter referred to as "Confidential Information."

Description of the Document(s)

One page document dated June 14, 2013, entitled Tampa Electric Company Customers Notified by Tampa Electric Regarding Counterfeit UL Safety Marks on Certain Advance Solar Photonics/Blue Chip Energy, submitted in response to Staff's informal data request re: Advanced Solar Photonics/Blue Chip Energy LLC Solar Panel Recall. In support of this request, the company states:

1. Subsection 366.093(1), Florida Statutes, provides that any records "found by the Commission to be propriety confidential business information shall be kept confidential and shall be exempt from s. 119.07(1), Florida Statutes [requiring disclosure under the Public Records

DOCUMENT NUMBER-DATE

03316 JUN 14 2013

FPSC-COMMISSION CLERK

Act].” Proprietary confidential business information includes, but is not limited to “[i]nformation concerning . . . 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.” Subsection 366.093(3)(d), Florida Statutes. Proprietary confidential business information also includes “[i]nformation relating to competitive interests, the disclosure of which would impair the competitive business of the provider of the information.” Section 366.093(3)(e), Florida Statutes. The Confidential Information that is the subject of this request and motion falls within the statutory categories and, thus, constitutes proprietary confidential business information entitled to protection under Section 366.093, Florida Statutes, and Rule 25-22.006, Florida Administrative Code.

2. Attached hereto as Exhibit "A" is a justification for confidential treatment of the Confidential Information contained in the Document(s).

3. Attached hereto as Exhibit "B" are two public versions of the Document(s) with the Confidential Information redacted, unless previously filed as indicated.

4. The Confidential Information contained in the Document(s) is intended to be and is treated by Tampa Electric as private and has not been publicly disclosed.

5. For the same reasons set forth herein in support of its request for confidential classification, Tampa Electric also moves the Commission for entry of a temporary protective order pursuant to Rule 25-22.006(6)(c), Florida Administrative Code, protecting the Confidential Information from public disclosure.

Requested Duration of Confidential Classification

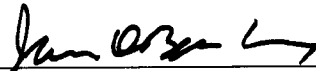
6. Tampa Electric requests that the Confidential Information be treated by the Commission as confidential proprietary business information for at least the 18 month period

prescribed in Rule 25-22.006(9)(a), Florida Administrative Code. If, and to the extent that the company is in need of confidential classification of the Confidential Information beyond the 18 month period set forth in the Commission rule, the justification and grounds for such extended confidential treatment are set forth in Exhibit "C" to this request and motion.

WHEREFORE, Tampa Electric Company respectfully requests that the Confidential Information that is the subject of this request and motion be accorded confidential classification for the reasons set forth herein and for a minimum period of 18 months, subject to any request for a longer period of confidential classification as may be set forth in Exhibit "C" to this request and motion. The company further moves for the entry of a temporary protective order pursuant to Rule 25-22.006(6)(c), Florida Administrative Code, protecting the Confidential Information from public disclosure.

DATED this 14th day of June 2013.

Respectfully submitted,



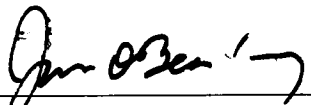
JAMES D. BEASLEY
J. JEFFRY WAHLEN
Ausley & McMullen
Post Office Box 391
Tallahassee, Florida 32302
(850) 224-9115

ATTORNEYS FOR TAMPA ELECTRIC COMPANY

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Request for Confidential Classification and Motion for Temporary Protective Order, filed on behalf of Tampa Electric Company, has been served by hand delivery (*) or U. S. Mail on this 14th day of June, 2013 to the following:

Charles W. Murphy*
Senior Attorney
Office of General Counsel
Florida Public Service Commission
Room 390R – Gerald L. Gunter Building
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850



ATTORNEY

JUSTIFICATION FOR CONFIDENTIAL TREATMENT

Tampa Electric Company, in recognition that many of its customers may not want to have their names and addresses disclosed publicly, or that they are customers of Tampa Electric, has a policy of not publicly disclosing the names and addresses of its customers, unless requested to do so by individual customers. As a consequence, the names and addresses of the four Tampa Electric customers to whom notices were sent regarding counterfeit UL safety marks on certain Advanced Solar Photonics/Blue Chip Energy photovoltaic panels is entitled to confidential treatment, pursuant to Section 366.093, Florida Statutes, in that public disclosure of the identities and addresses of the company's individual customers may be considered by certain customers to be harmful to their interests or inconsistent with their expectations of privacy.

PUBLIC VERSION(S) OF THE DOCUMENT(S)

Attached hereto (unless previously filed as may be noted below) are two public versions of the Document(s) with the Confidential Information redacted.

Public Version(s) of the Document(s) attached X

Public Version(s) of the Document(s) previously filed on _____

REDACTED

June 14, 2013

**TAMPA ELECTRIC COMPANY CUSTOMERS NOTIFIED BY
TAMPA ELECTRIC REGARDING COUNTERFEIT UL SAFETY MARKS
ON CERTAIN ADVANCE SOLAR PHOTONICS/BLUE CHIP ENERGY**

The following Tampa Electric customers were notified by letters dated May 14, 2013 regarding Counterfeit UL Safety Marks on certain Advanced Solar Photonics/Bluechip Energy photovoltaic panels:

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

REQUESTED DURATION OF CONFIDENTIAL CLASSIFICATION

Tampa Electric requests that the Confidential Information that is the subject of this request be treated as proprietary confidential business information exempt from the Public Records Law for a minimum of 18 months from the date of the order granting such classification. To the extent the company needs confidential protection of the Confidential Information for a period longer than 18 months, the company's justification therefor is set forth below:

n/a