

# AUSLEY & McMULLEN

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April 9, 2021

**HAND DELIVERED**

Mr. Adam J. Teitzman  
Commission Clerk  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

Re: Docket 20210034-EI, Petition for Rate Increase by Tampa Electric Company

Dear Mr. Teitzman:

Enclosed for filing in the above docket are the original and seven (7) copies of Tampa Electric Company's Request for Confidential Classification and Motion for Protective Order of certain information contained in the Petition for Rate Increase by Tampa Electric Company.

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

Thank you for your assistance in connection with this matter.

Sincerely,



Malcolm N. Means

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2021 APR -9 PM 3: 21  
COMMISSION  
CLERK

COM — MNM/bmp  
— Enclosure  
AFD — ec: Richard Gentry, Public Counsel (w/encl.)  
APA — Jon Moyle, FIPUG (w/encl.)  
ECO 5  
ENG —  
GCL 1  
IDM —  
CLK —

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition of Tampa Electric Company )  
for an increase in its base rates and service )  
charges and other relief )  
\_\_\_\_\_)

DOCKET NO. 20210034-EI

FILED: April 9, 2021

**TAMPA ELECTRIC COMPANY'S  
FIRST REQUEST FOR CONFIDENTIAL CLASSIFICATION  
AND REQUEST 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 requests 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)**

On April 9, 2021, Tampa Electric filed its Petition, direct testimony, and minimum filing requirements ("MFR") in this matter. The information for which confidential treatment is requested is highlighted in yellow on the company's MFR Schedule D-2; in Exhibit LLC-1, Document No. 3 to the direct testimony of Lorraine L. Cifuentes; and in the company's MFRs E Schedules, Volume II, Cost of Service Study. 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 proprietary confidential business information shall be kept confidential and shall be exempt from s. 119.07(1), Florida Statutes [requiring disclosure under the Public Records Act]." Proprietary confidential business information includes but is not limited to: (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 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; and (f) employee personnel information unrelated to compensation, duties, qualifications, or responsibilities. §366.093(3)(c)-(f), Fla. Stat. The Confidential Information that is the subject of this request and motion falls within these 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 Documents.

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

4. The Confidential Information contained in the Documents 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)(a) of the Florida Administrative Code.

**Requested Duration of Confidential Classification**

6. Pursuant to Rule 25-22.006(9)(a), Tampa Electric requests that the Confidential Information be treated by the Commission as confidential proprietary business information for 18 months. 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 18 months. 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 9<sup>th</sup> day of April, 2021.

Respectfully submitted,



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ATTORNEYS FOR TAMPA ELECTRIC COMPANY

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing Motion, filed on behalf of Tampa Electric Company, has been furnished by electronic mail on this 9<sup>th</sup> day of April, 2021 to the following:

Charles Murphy  
Gabriella Passidomo  
Theresa Tan  
Office of the General Counsel  
Florida Public Service Commission  
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ATTORNEY

**JUSTIFICATION FOR CONFIDENTIAL TREATMENT**

<u>Document</u>	<u>Bates Page Nos.</u>	<u>Detailed Description</u>	<u>Rationale</u>
MFR D-2 Cost of Capital 5-year History	6-7	The Highlighted Information	(1)

<u>Document</u>	<u>Bates Page</u>	<u>Column</u>	<u>Rows</u>	<u>Rationale</u>
Exhibit LLC-1, Document No. 3	29	Residential Real Price of Electricity	2021-2030	(2)
Exhibit LLC-1, Document No. 3	29	Hillsborough County Persons per Household	2021-2030	(3)
Exhibit LLC-1, Document No. 3	29	Hillsborough County Commercial Real Gross Output	2021-2030	(3)
Exhibit LLC-1, Document No. 3	29	Hillsborough County Manufacturing Real Gross Output	2021-2030	(3)
Exhibit LLC-1, Document No. 3	29	Hillsborough County Government Real Gross Output	2021-2030	(3)
Exhibit LLC-1, Document No. 3	29	Hillsborough County Commercial Employment	2021-2030	(3)
Exhibit LLC-1, Document No. 3	29	Hillsborough County Manufacturing Employment	2021-2030	(3)
Exhibit LLC-1, Document No. 3	29	Hillsborough County Construction Permits	2021-2030	(3)

<u>Document</u>	<u>Bates Page</u>	<u>Column</u>	<u>Rows</u>	<u>Rationale</u>
MFRs E Schedules Volume II Cost of Service Study	40	Customer Service Professional	Annual Job Value	(4)
			Hourly Rate	
			Total Hourly	
			Previous Hourly Rates	
		Billing Specialist	Annual Job Value	(4)
			Hourly Rate	
			Total Hourly	
			Previous Hourly Rates	
		Meter Field Rep (Union)	Annual Job Value	(4)
			Hourly Rate	
			Total Hourly	
			Previous Hourly Rates	
		Planner Dispatcher (re-route-field)	Annual Job Value	(4)
			Hourly Rate	
			Total Hourly	
			Previous Hourly Rates	
		Meter Field Rep (Reads) (Union)	Annual Job Value	(4)
			Hourly Rate	
			Total Hourly	
			Previous Hourly Rates	
		IT Developer (Contractor)	Annual Job Value	(4)
			Hourly Rate	
			Total Hourly	

- (1) The confidential information contained in MFR Schedule D-2 consists of projected information about the capital structure of affiliated companies. If publicly disclosed, this information would harm the competitive interests of the provider of the information and would trigger Securities and Exchange Commission reporting obligations. This information is protected by Section 366.093(3), Florida Statutes.
- (2) The confidential information in this column consists of Tampa Electric's load forecasting group's internal forecast of the residential real price of electricity for the years 2021-2030. Public disclosure of this information would impair the company's competitive business interests. This information is protected by Section 366.093(3), Florida Statutes.

- (3) The confidential information contained in these columns consists of the proprietary work product of Tampa Electric's consultant, Moody's Analytics ("Moody's"). Public disclosure of this information could allow duplication of the consultant's work without compensation for the consultant's efforts. This information is in the nature of a trade secret owned by Moody's, and disclosure of this information would impair Moody's competitive business interests by diminishing the demand for Moody's proprietary work production. This information is protected by Section 366.093(3), Florida Statutes.
- (4) This information is derived from Tampa Electric employee salary and labor rates. Public disclosure of this information would impair the company's business interests by adversely affecting the company's hiring and retention of employees.



**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 \_\_\_\_\_

Public Version(s) of the Document(s) previously filed on April 9, 2021