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May 18, 2021

**VIA: ELECTRONIC FILING**

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

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

Dear Mr. Teitzman:

Attached for filing in the above docket is Tampa Electric Company's preliminary response and objections to Office of Public Counsel's Second Set of Interrogatories (Nos. 47-60) and Second Request for Production of Documents (Nos. 19-33).

Thank you for your assistance in connection with this matter.

Sincerely,



Malcolm N. Means

MNM/ne  
Attachment

cc: All parties of record (w/attachment)

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for Rate Increase )  
by Tampa Electric Company )  
\_\_\_\_\_ )

DOCKET NO. 20210034-EI

FILED: May 18, 2021

**TAMPA ELECTRIC COMPANY'S  
PRELIMINARY RESPONSE AND OBJECTIONS  
TO OFFICE OF PUBLIC COUNSEL'S  
SECOND SET OF INTERROGATORIES (NOS. 47-60) AND  
SECOND REQUEST FOR PRODUCTION OF DOCUMENTS (NOS. 19-33)**

Pursuant to Rule 106.206, Florida Administrative Code, Florida Rule of Civil Procedure 1.280, and Order No. PSC-2021-0172-PCO-EI, issued May 14, 2021 (“OEP”), Tampa Electric Company (“Tampa Electric” or “the company”) provides the following preliminary response and objections to Office of Public Counsel’s Second Set of Interrogatories (Nos. 47-60) and Second Request for Production of Documents (Nos. 19-33) (collectively, “Discovery Requests”):

**General Objections**

1. Tampa Electric’s objections stated herein are preliminary. Tampa Electric is furnishing its objections consistent with the time frame set forth in the OEP. If Tampa Electric identifies additional grounds for objections as it prepares its answers and responses, Tampa Electric reserves the right to supplement or modify its objections up to the time they are served.

2. Tampa Electric generally objects to any individual interrogatory or request for production in the Discovery Requests to the extent that it calls for data or information protected by the attorney-client privilege, the work product doctrine, the accountant-client privilege, the trade secret privilege, or any other applicable privilege or protection afforded by law. Tampa Electric will describe the nature of the privileged material, if any, in a privilege log that will accompany its answers and responses.

3. Tampa Electric objects to the place designated for production of documents and serving interrogatory answers. By agreement with OPC, Tampa Electric will serve its responses to requests for production of documents and related documents to OPC in electronic form via a SharePoint site to which OPC and its consultants have remote access.

4. Tampa Electric objects to the Discovery Requests to the extent they require the company to provide information that it believes is “proprietary confidential business information” as described in Section 366.093, Florida Statutes. Tampa Electric will provide such confidential information to OPC in a designated confidential portion of the SharePoint site described above and subject to a Motion for Temporary Protective Order filed contemporaneously with the service of this response.

5. Tampa Electric objects to any of the individual requests, instructions, or definitions in the Discovery Requests that purport to expand Tampa Electric’s obligations under applicable law. Furthermore, Tampa Electric objects to any discovery request that calls for Tampa Electric to prepare information in a particular format or create data or information that it otherwise does not possess as unduly burdensome and as purporting to expand Tampa Electric’s obligations under applicable law.

6. Subject to Section 366.093(1), Florida Statutes, Tampa Electric objects to any definition, or individual request in the Discovery Requests that seeks to encompass persons or entities who are not parties to this proceeding or that are not subject to discovery under applicable rules.

### Specific Objections

7. Interrogatory Nos. 47, 48 and 49. These interrogatories seek forecasted monthly details of rate base (No. 47), property tax (No. 48), and accumulated deferred income tax amounts (No. 49) for certain assets or categories of assets for 2023 and 2024. The forecasted amounts reflected in the company's 2022 test year minimum filing requirements were developed using the company's comprehensive budgeting process for 2022 as described in the direct testimony of A. Sloan Lewis. As discussed in the next paragraph, the company has not used its comprehensive budgeting process to create MFR level detailed forecasts for 2023 or 2024, so the detailed information requested in these interrogatories for those years has not been prepared and cannot be developed at this time without an undue burden. The company prepares five-year financial forecasts for business planning purposes (e.g., Spring 2021 Strat Plan) and produced its most recent Strat Plan in response to OPC's First Set of Interrogatories, No. 1.<sup>1</sup> The company will work with OPC to provide reasonable estimates of the more specific information requested in these interrogatories.

8. Interrogatory No. 60. This interrogatory seeks financial forecast data for 2023 and 2024 in MFR level detail. The forecasted amounts reflected in the company's 2022 test year minimum filing requirements were developed using the company's comprehensive budgeting process for 2022 as described in the direct testimony of A. Sloan Lewis. The company has requested two subsequent year adjustments (i.e., GBRA for specific assets) as contemplated in Rule 25-6.0425, F.A.C., but has not requested a general base rate increase for 2023 or 2024 in this case. Therefore, the company did not prepare MFRs for 2023 and 2024 and has not used its comprehensive budgeting process to develop detailed operating and capital budgets for 2023 and

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<sup>1</sup> The costs associated with the assets in the company's proposed GBRA are reflected in the Strat Plan.

2024. The company's comprehensive budgeting process builds forecasts using specific, detailed plans for projects and activities by department that reflect the company's anticipated operating conditions and needs in the forecast period, which plans cannot be developed now for 2023 and 2024 with the precision and certainty customarily used in the company's comprehensive budgeting process. The company prepares five-year financial forecasts for business planning purposes ("Spring 2021 Strat Plan") and produced its most recent Strat Plan in response to OPC's First Set of Interrogatories, No. 1.

DATED this 18th day of May 2021.

Respectfully submitted,



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ATTORNEYS FOR TAMPA ELECTRIC COMPANY

**CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that copies of the foregoing Preliminary Response and General

Objections were served by electronic mail on this 18th day of May, 2021 to the following:

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