

State of Florida



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-

DATE: July 28, 2021

TO: Division of Economics, Office of Primary Responsibility

FROM: OFFICE OF COMMISSION CLERK

RE: CONFIDENTIALITY OF CERTAIN INFORMATION
DOCKET NO: 20210034-EI DOCUMENT NO: 08205-2021
DESCRIPTION: TECO (Means) - (CONFIDENTIAL) Highlighted information contained in documents responsive to multiple sets of discovery from OPC and FIPUG via file-sharing website, as requested by staff.
SOURCE: Tampa Electric Company

The above confidential material was filed along with a request for confidential classification. 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 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 information;
 - (f) Employee personnel information unrelated to compensation, duties, qualifications, or responsibilities;
- 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 Dylan Andrews on 8/3/21, a copy of which has been sent to the Office of Commission Clerk and the Office of General Counsel.

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

DATE: August 3, 2021

TO: Charles W. Murphy, Senior Attorney, Office of the General Counsel

FROM: Dylan Andrews, Public Utility Analyst III, Division of Accounting & Finance

RE: Tampa Electric Company - Docket No. 20210034, 20200264 - Confidentiality Request - Document No. 08205-2021

Pursuant to Section 366.093, Florida Statutes (F.S.), and Rule 25-22.006, Florida Administrative Code, Tampa Electric Company (TECO or Company) requests confidential classification for certain highlighted information contained in responses to multiple sets of discovery from OPC and FIPUG.

The Company is claiming confidentiality for certain highlighted information appearing in Document No. 08205-2021 under Section 366.093(3), F.S. Per the referenced Statute, propriety of confidential business information includes, but is not limited to: Subsections (a) "Trade secrets," (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," and (e) "Information relating to competitive interests, the disclosure of which would impair the competitive business of the provider of information." The highlighted information provided in Document No. 08205-2021 for which confidential treatment is being sought consists of 1.) the proprietary work product of Tampa Electric's consultant, Moody's Analytics. The Company asserts that this information is in the nature of a trade secret owned by Moody's and public disclosure of this information would allow duplication of the consultant's work without compensation and would impair Moody's competitive business interests by diminishing the demand for Moody's proprietary work product, 2.) pension and post-retirement benefits actuarial studies containing forecasted data for 2023-2026. The Company asserts that public disclosure of this information would impair the competitive business interests of Tampa Electric, 3.) employee compensation data. The Company asserts that disclosure of this information would impair Tampa Electric's competitive interests by allowing other companies to identify the compensation of key Tampa Electric employees and attempt to hire them away from the company, 4.) the company's forecasted capital structure and credit metrics for 2023 and 2024. The Company asserts public disclosure of this information would impair Tampa Electric's competitive interests by allowing the information to be used to impute future company activity and allowing investors to position themselves accordingly, 5.) credit rating agency reports prepared by Moody's, Standard & Poors, and Firth for Tampa Electric. These reports constitute

the proprietary work product of the credit rating agencies. The Company asserts that public disclosure of these reports would impair the efforts of Tampa Electric to obtain these reports in the future. Furthermore, public disclosure of this information would allow duplication of the rating agencies' work product without compensation. This information is in the nature of a trade secret owned by the rating agencies and disclosure of this information would impair the rating agencies' competitive business interests by diminishing the demand for their proprietary work product, 6.) correspondence between Tampa Electric and the credit ratings agencies regarding draft rating reports. The Company asserts that this information is confidential because it concerns the contents of proprietary credit rating agency reports, which are confidential for the reasons described above, 7.) reports prepared by security analysts describing Tampa Electric. These reports are proprietary to each analyst's respective financial institution and are not intended for redistribution. The Company asserts that public disclosure of these reports would impair the efforts of Tampa Electric to obtain these reports in the future. Furthermore, public disclosure of this information would allow duplication of the analysts' work product without compensation. This information is in the nature of a trade secret owned by the security analysts and disclosure of this information would impair the analyst's competitive business interests by diminishing the demand for their proprietary work product, 8.) Tampa Electric's attempt to estimate the company's CFO pre-working capital to debt credit metric for the 2022 test year based upon the company's understanding of Moody's calculation technology. The company asserts that this methodology is in the nature of a trade secret owned by Moody's and disclosure of this methodology would impair Moody's competitive business interests by disclosing their proprietary rating methodology, and 9.) the land contracts for each future solar site in which Tampa Electric has a purchase option. The Company asserts that public disclosure of these contracts would impair the efforts of the public utility to contract for goods or services on favorable terms in the future.

Staff has reviewed the information provided in the highlighted portions of the Company's responses to multiple sets of discovery from OPC and FIPUG as well as the Company's confidentiality request (Document No. 08204-2021). In staff's opinion, the information that is the subject of the confidentiality request does meet the criteria for confidentiality contained in Section 366.093(3), F.S. Therefore, staff recommends that the request for confidentiality of information included in Document No. 08205-2021 be approved.