

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

April 8, 2022

HAND DELIVERED

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

Re: Fuel and Purchased Power Cost Recovery Clause with Generating Performance
Incentive Factor; FPSC Docket No. 20220001-EI


Dear Mr. Teitzman:

Enclosed for filing in the above docket is Tampa Electric Company's Request for Confidential Classification of certain information contained in Tampa Electric's response to Citizens' Request No. 1, labeled as "OPC's 1st PODs (Nos. 1-8)_FINAL-CONF_bates.pdf", (Bates stamp pages 278 - 286).

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,


Malcolm N. Means

MNM/bmp
Enclosure

cc: All Parties of Record (w/enc.)

RECEIVED-FPSC
2022 APR -8 PM 2:06
COMMISSION
CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Fuel and Purchased)
Power Cost Recovery Clause)
and Generating Performance)
Incentive Factor.)

DOCKET NO. 20220001-EI

FILED: April 8, 2022

**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 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 March 9, 2022, the Office of Public Counsel served Tampa Electric with Citizens' First Request for Production of Documents in the above-captioned docket. One of the files responsive to Citizens' Request No. 1, labeled as "OPC's 1st PODs (Nos. 1-8)_FINAL-CONF_bates.pdf" contains confidential information. The information for which confidential treatment is requested is printed on yellow paper stock in the versions of the files included with this request. 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)(a)-(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 8th day of April, 2022.

Respectfully submitted,



J. JEFFRY WAHLEN
jwahlen@ausley.com
MALCOLM N. MEANS
mmeans@ausley.com
Ausley McMullen
Post Office Box 391
Tallahassee, Florida 32302
(850) 224-9115

ATTORNEYS FOR TAMPA ELECTRIC COMPANY

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that copies of the foregoing Notice of Service was served by electronic mail on this 8th day of April 2022 to the following:

Ms. Suzanne Brownless
Ryan Sandy
Office of the General Counsel
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850
sbrownle@psc.state.fl.us
rsandy@psc.state.fl.us

Richard Gentry
Mary Wessling
Office of Public Counsel
111 West Madison Street, Room 812
Tallahassee, FL 32399-1400
gentry.richard@leg.state.fl.us
wessling.mary@leg.state.fl.us

Ms. Dianne M. Triplett
Duke Energy Florida
299 First Avenue North
St. Petersburg, FL 33701
Dianne.triplett@duke-energy.com
FLRegulatoryLegal@duke-energy.com

Mr. Matthew R. Bernier
Mr. Robert Pickles
Stephanie A. Cuello
Duke Energy Florida
106 East College Avenue, Suite 800
Tallahassee, FL 32301-7740
Matthew.bernier@duke-energy.com
Robert.pickles@duke-energy.com
Stephanie.Cuello@duke-energy.com

Mr. Jon C Moyle, Jr.
Moyle Law Firm
118 North Gadsden Street
Tallahassee, FL 32301
jmoyle@moylelaw.com

Ms. Beth Keating
Gunster, Yoakley & Stewart, P.A.
215 S. Monroe St., Suite 601
Tallahassee, FL 32301
bkeating@gunster.com

Maria Moncada
David M. Lee
Florida Power & Light Company
700 Universe Boulevard
Juno Beach, FL 33408-0420
maria.moncada@fpl.com
david.lee@fpl.com

Mr. Kenneth Hoffman
Vice President, Regulatory Relations
Florida Power & Light Company
215 South Monroe Street, Suite 810
Tallahassee, FL 32301-1859
ken.hoffman@fpl.com

Mr. Mike Cassel
Regulatory and Governmental Affairs
Florida Public Utilities Company
Florida Division of Chesapeake Utilities Corp.
1750 SW 14th Street, Suite 200
Fernandina Beach, FL 32034
mcassel@fpuc.com

Mr. James W. Brew
Ms. Laura W. Baker
Stone Mattheis Xenopoulos & Brew, PC
1025 Thomas Jefferson Street, NW
Eighth Floor, West Tower
Washington, D.C. 20007-5201
jbrew@smxblaw.com
lwb@smxblaw.com

Mr. Peter J. Mattheis
Mr. Michael K. Lavanga
Mr. Joseph R. Briscar
Stone Law Firm
1025 Thomas Jefferson St., NW
Suite 800 West
Washington, DC 20007-5201
pjm@smxblaw.com
mkl@smxblaw.com
jrb@smxblaw.com

Corey Allain
Nucor Steel Florida, Inc.
22 Nucor Drive
Frostproof, FL 33843
Corey.allain@nucor.com

Michelle D. Napier
1635 Meathe Drive
West Palm Beach, FL 33411
mnapier@fpuc.com



ATTORNEY

JUSTIFICATION FOR CONFIDENTIAL TREATMENT

Document	Pages	Rationale
<p>(BS 278-286) "OPC's 1st PODs (Nos. 1-8)_FINAL-CONF_bates.pdf"</p>	<p align="center">All</p>	<p>This file contains email correspondence between Tampa Electric and General Electric regarding negotiations for root cause analysis services related to an outage at Polk Unit 1. The file also contains confidential price quotations prepared by General Electric. This file is confidential because it contains "information concerning bids or other contractual data, the disclosure of which would impair the efforts of" Tampa Electric to contract for similar services on favorable terms in the future. This file is also confidential because it contains "information relating to competitive interests, the disclosure of which would impair the competitive business of" General Electric. This information is thus "proprietary confidential business information" as set out in Section 366.093(2)(d)-(e) of the Florida Statutes.</p>

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	<u> </u>
Public Version(s) of the Document(s) previously filed	<u> X </u>