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May 6, 2024

VIA HAND DELIVERY

RECEIVED-FPSC  
2024 MAY -6 PM 3:23  
COMMISSION CLERK

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

**REDACTED**

In re: Petition for Rate Increase by Tampa Electric Company

DOCKET NO. 20240026-EI

In re: Petition for approval of 2023 Depreciation and Dismantlement Study, by Tampa Electric Company

DOCKET NO. 20230139-EI

In re: Petition to implement 2024 Generation Base Rate Adjustment provisions in Paragraph 4 of the 2021 Stipulation and Settlement Agreement, by Tampa Electric Company

DOCKET NO. 20230090-EI

Dear Mr. Teitzman:

Attached for filing in the above docket is Tampa Electric Company's Request for Confidential Classification and Request for Temporary Protective Order pertaining to portions of the company's supplemental responses to the Office of Public Counsel's Second Set of Interrogatories and Second Request for Production of Documents, propounded on March 21, 2024.

Thank you for your assistance in connection with this matter.

Sincerely,

Virginia Ponder

COM \_\_\_  
AFD \_\_\_  
APA \_\_\_  
ECO \_\_\_  
ENG \_\_\_  
GCL \_\_\_  
IDM \_\_\_  
CLK \_\_\_

ENG 1 redacted USB

VLP/ne  
Attachment (USB)

cc: All parties of record (w/att.)

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for Rate Increase by Tampa Electric Company

DOCKET NO. 20240026-EI

In re: Petition for approval of 2023 Depreciation and Dismantlement Study, by Tampa Electric Company

DOCKET NO. 20230139-EI

In re: Petition to implement 2024 Generation Base Rate Adjustment provisions in Paragraph 4 of the 2021 Stipulation and Settlement Agreement, by Tampa Electric Company

DOCKET NO. 20230090-EI

FILED: May 6, 2024

**TAMPA ELECTRIC COMPANY'S  
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 22, 2024, Tampa Electric served its answers to Office of Public Counsel's Second Set of Interrogatories (Nos. 50-73) and responses to Office of Public Counsel's Second Request for Production of Documents (Nos. 31-44).<sup>1</sup> On May 2, 2024, Tampa Electric served its first supplemental response to Office of Public Counsel's Second Request for Production of Documents (No. 37).<sup>2</sup> On this date, Tampa Electric serves its Second Supplemental Response to Office of

<sup>1</sup> See DN 02239-2024, filed on April 22, 2024, in Docket No. 20240026-EI.

<sup>2</sup> See DN 02690-2024, Filed on May 2, 2024, in Docket No. 20240026-EI.

Public Counsel's Second Request for Production of Documents (No. 37) and Supplemental Answers to Office of Public Counsel's Second Set of Interrogatories (Nos. 62 and 68) by electronic mail and by posting an Excel file to the confidential portion of the company's Discovery SharePoint site for this docket.

### **Request**

The company believes that portions of its supplemental response to OPC's Second Request for Production of Documents, Number 37 and Answers to OPC's Second Set of Interrogatories, Numbers 62 and 68, as specified on Exhibit "A," constitute Confidential Information and has designated it as such by highlighting. Contemporaneous with the filing of this request, Tampa Electric submitted the Confidential Information to the Commission Clerk on a USB with a separate, confidential cover letter. Tampa Electric requests confidential classification for this information such that it will be entitled to protection against public disclosure pursuant to Section 366.093, Florida Statutes. 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 one or more of 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. Exhibit "B" contains the public versions of the Documents with Confidential Information redacted.

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 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.

DATED this 6<sup>th</sup> day of May, 2024.

Respectfully submitted,



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ATTORNEYS FOR TAMPA ELECTRIC COMPANY

## CERTIFICATE OF SERVICE

I HEREBY CERTIFY that electronic copies of the foregoing Request have been served by electronic mail on this 6<sup>th</sup> day of May, 2024 to the following:

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ATTORNEY

**EXHIBIT A**  
**JUSTIFICATION FOR CONFIDENTIAL TREATMENT**  
**Second Request for Production (No. 37)**

Bates Page Nos.	Document Description	Description of Information	Justification
19169	Workplan Computer Count Headcount	<u>2021 YE Work Plan</u> Row(s): 3 through 54; Column(s): C, F through J, L through O, and R through Y. <u>2022 YE Work Plan</u> Row(s): 3 through 73; Column(s): C, F through J, L through O, R through Y, & AC. <u>2023 YE Work Plan</u> Row(s): 3 through 74; Column(s): C, F through J, L through O, & R through Y.	(1) & (2)

**Justifications**

(1) The highlighted information consists of labor rates, and calculations. This constitutes “[i]nformation concerning bids or other contractual data, the disclosure of which would impair the efforts of the public utility to contract for goods or services on favorable terms” under Section 366.093(3)(d), Florida Statutes.

(2) The highlighted information relates to competitive interests, the disclosure of which would impair the competitive business of the provider of the information. This information is protected by Section 366.093(3)(e), Florida Statutes.



**EXHIBIT B**  
**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) attached via USB	<u>  X  </u>

**EXHIBIT C**  
**JUSTIFICATION FOR EXTENSION OF CONFIDENTIALITY PERIOD**

N/A