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May 16, 2024

VIA HAND DELIVERY

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

REDACTED

RECEIVED-FPSC
2024 MAY 16 PM 3: 11
COMMISSION
CLERK

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 of certain information contained in its responses to the Florida Industrial Power Users Group's ("FIPUG") First Request for Production of Documents (Nos. 1-21) and its answers to FIPUG's First Set of Interrogatories (Nos. 1-16). Also attached is an accompanying USB containing the public (redacted) version of these documents.

Thank you for your assistance in connection with this matter.

Sincerely,


Virginia Ponder

- COM _____
- AFD _____
- APA _____
- ECO _____
- ENG 1 redacted USB
- GCL _____
- IDM _____
- CLK _____

VLP/ne
Attachment

cc: All parties of record

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for Rate Increase by Tampa Electric Company

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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 16, 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 this date, Tampa Electric serves its responses to the Florida Industrial Power Users Group's ("FIPUG") First Request for Production of Documents (Nos. 1-21) and its answers to FIPUG's First Set of Interrogatories (Nos. 1-16) ("FIPUG'S 1st Discovery Request"). The company believes that portions of its answers and responses to FIPUG'S 1st Discovery Request, 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 under 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 the Confidential Information.

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 16th 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 16th day of May, 2024 to the following:

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ATTORNEY

**EXHIBIT A
JUSTIFICATION FOR CONFIDENTIAL TREATMENT**

Florida Industrial Power Users Group's First Set of Interrogatories (Nos. 1-16)			
Bates Page Nos.	Document Description	Description of Information	Justification
28888	Copies of Solar Project Cost-effective analysis provided in Tampa Electric's response to Interrogatory Number 5(a).	<u>English Creek Solar</u> Row(s): 13, 14, & 21; Column(s): D through AG <u>Bullfrog Creek Solar</u> Row(s): 13, 14, & 21; Column(s): D through AG <u>Duette Solar</u> Row(s): 13, 14, & 21; Column(s): D through AG <u>Cottonmouth Solar</u> Row(s): 13, 14, & 21; Column(s): D through AG <u>Big Four Solar</u> Row(s): 13, 14, & 21; Column(s): D through AG <u>Farmland Solar</u> Row(s): 13, 14, & 21; Column(s): D through AG <u>Brewster Solar</u> Row(s): 13, 14, & 21; Column(s): D through AG <u>Wimauma 3 Solar</u> Row(s): 13, 14, & 21; Column(s): D through AG	(1)

Florida Industrial Power Users Group's First Request for Production of Documents (Nos. 1-21)			
Bates Page Nos.	Document Description	Description of Information	Justification
28802	Copy of the ICF study referenced in Mr. Aponte's direct testimony provided in Tampa Electric's response to Request for Production of Documents Number 9(a).	<u>CO2 Price View</u> Row(s): 15 through 18, 23 through 26, & 32 through 34; Column(s): B through O & R through AU.	(1) & (2)
28803	Copies of information reviewed by the Company in developing its integrated resources plan that lists, describes, and provides operational, financial, and economic data for commercially available and prospective generation technologies provided in Tampa Electric's response to Request for Production of Documents Number 10.	<u>Sheet 1</u> Row(s): 6 through 16; Column(s): H through K.	(1) & (2)

Justifications

- (1) 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.
- (2) The confidential information contained in these columns consists of the proprietary work product purchased from a third-party vendor. Public disclosure of this information could allow duplication of the proprietary work without compensation for the consultant's efforts. This information is in the nature of a trade secret owned by the consultant, and disclosure of this information would impair the consultant's business interests by diminishing the demand for the consultant's proprietary work production. This information is protected by Section 366.093(3), 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 _____

Public Version(s) of the Document(s) attached via USB X

EXHIBIT C
JUSTIFICATION FOR EXTENSION OF CONFIDENTIALITY PERIOD

N/A