



Attorneys and Counselors at Law  
123 South Calhoun Street  
P.O. Box 391 32302  
Tallahassee, FL 32301

P: (850) 224-9115  
F: (850) 222-7560

ausley.com

June 3, 2024

VIA HAND DELIVERY

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**REDACTED**

*1 redacted USB drive*

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

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 answers to Staff's Second Set of Interrogatories (Nos. 17-45) and response to Staff's Second Request for Production of Documents (No. 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

VLP/ne  
Attachment

cc: All parties of record

RECEIVED-FPSC  
2024 JUN -3 AM 9:53  
COMMISSION CLERK

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: June 3, 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 answers to Staff's Second Set of Interrogatories (Nos. 17-45) and responses to Staff's Second Request for Production of Documents (No. 16) (Collectively, "Staff's Request"). The company believes that portions of its answers and responses to Staff's 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 3<sup>rd</sup> day of June, 2024.

Respectfully submitted,



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J. JEFFRY WAHLEN  
[jwahlen@ausley.com](mailto:jwahlen@ausley.com)  
MALCOLM N. MEANS  
[mmeans@ausley.com](mailto:mmeans@ausley.com)  
VIRGINIA L. PONDER  
[vponder@ausley.com](mailto:vponder@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 electronic copies of the foregoing request have been served by electronic mail on this 3<sup>rd</sup> day of June, 2024 to the following:

Adria Harper  
Carlos Marquez  
Timothy Sparks  
Daniel Dose  
Florida Public Service Commission/OGC  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850  
[aharper@psc.state.fl.us](mailto:aharper@psc.state.fl.us)  
[cmarquez@psc.state.fl.us](mailto:cmarquez@psc.state.fl.us)  
[tsparks@psc.state.fl.us](mailto:tsparks@psc.state.fl.us)  
[ddose@psc.state.fl.us](mailto:ddose@psc.state.fl.us)  
[discovery-gcl@psc.state.fl.us](mailto:discovery-gcl@psc.state.fl.us)

Walt Trierweiler  
Patricia Christensen  
Octavio Ponce  
Charles Rehwinkel  
Office of Public Counsel  
c/o The Florida Legislature  
111 West Madison Street, Room 812  
Tallahassee, FL 32399-1400  
[trierweiler.walt@leg.state.fl.us](mailto:trierweiler.walt@leg.state.fl.us)  
[christensen.patty@leg.state.fl.us](mailto:christensen.patty@leg.state.fl.us)  
[ponce.octavio@leg.state.fl.us](mailto:ponce.octavio@leg.state.fl.us)  
[Rehwinkel.Charles@leg.state.fl.us](mailto:Rehwinkel.Charles@leg.state.fl.us)

Bradley Marshall  
Jordan Luebkmann  
Earthjustice  
111 S. Martin Luther King Jr. Blvd.  
Tallahassee, FL 32301  
[bmarshall@earthjustice.org](mailto:bmarshall@earthjustice.org)  
[jluebkmann@earthjustice.org](mailto:jluebkmann@earthjustice.org)

Nihal Shrinath  
2101 Webster Street, Suite 1300  
Oakland, CA 94612  
[nihal.shrinath@sierraclub.org](mailto:nihal.shrinath@sierraclub.org)

Jon Moyle  
Karen Putnal  
c/o Moyle Law Firm  
118 N. Gadsden Street  
Tallahassee, FL 32301  
[jmoyle@moylelaw.com](mailto:jmoyle@moylelaw.com)  
[kputnal@moylelaw.com](mailto:kputnal@moylelaw.com)  
[mqualls@moylelaw.com](mailto:mqualls@moylelaw.com)

Leslie R. Newton, Maj. USAF  
Ashley N. George, Capt. USAF  
AFLOA/JAOE-ULFSC  
139 Barnes Drive, Suite 1  
Tyndall Air Force Base, Florida 32403  
[Leslie.Newton.1@us.af.mil](mailto:Leslie.Newton.1@us.af.mil)  
[Ashley.George.4@us.af.mil](mailto:Ashley.George.4@us.af.mil)

Thomas A. Jernigan  
AFCEC/JA-ULFSC  
139 Barnes Drive, Suite 1  
Tyndall Air Force Base, Florida 32403  
[thomas.jernigan.3@us.af.mil](mailto:thomas.jernigan.3@us.af.mil)

Ebony M. Payton  
AFCEC-CN-ULFSC  
139 Barnes Drive, Suite 1  
Tyndall Air Force Base, Florida 32403  
[Ebony.Payton.ctr@us.af.mil](mailto:Ebony.Payton.ctr@us.af.mil)

Robert Scheffel Wright  
John LaVia, III  
Gardner, Bist, Wiener, Wadsworth, Bowden,  
Bush, Dee, LaVia & Wright, P.A.  
1300 Thomaswood Drive  
Tallahassee, FL 32308  
[shef@gbwlegal.com](mailto:shef@gbwlegal.com)  
[jlavia@gbwlegal.com](mailto:jlavia@gbwlegal.com)

Sari Amiel  
Sierra Club  
50 F. Street NW, Eighth Floor  
Washington, DC 20001  
[sari.amiel@sierraclub.org](mailto:sari.amiel@sierraclub.org)

Hema Lochan  
Earthjustice  
48 Wall St., 15th Fl  
New York, NY 10005  
(212) 284-8021  
[hlochan@earthjustice.org](mailto:hlochan@earthjustice.org)  
[flcaseupdates@earthjustice.org](mailto:flcaseupdates@earthjustice.org)



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ATTORNEY

**EXHIBIT A  
JUSTIFICATION FOR CONFIDENTIAL TREATMENT**

<b>Staff's Second Set of Interrogatories (Nos. 17-45)</b>			
<b>Bates Page Nos.</b>	<b>Document Description</b>	<b>Description of Information</b>	<b>Justification</b>
43273-43275	Portions of Tampa Electric's answer to Staff's Second Set of Interrogatories Number 19.	The Highlighted Information	(1) & (2)

<b>Staff's Second Request for Production of Documents (No. 16)</b>			
<b>Bates Page Nos.</b>	<b>Document Description</b>	<b>Description of Information</b>	<b>Justification</b>
38287-38291	Portions of Tampa Electric's response to Staff's Second Request for Production of Documents Number 16.	The Highlighted Information	(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 highlighted information on the page(s) in question constitutes Critical Energy Infrastructure Information or CEII, defined by the Federal Energy Regulatory Commission as “specific engineering, vulnerability, or detailed design information about proposed or existing critical infrastructure that: (1) relates details about the production, generation, transportation, transmission, or distribution of energy; (2) could be useful to a person in planning an attack on critical infrastructure; (3) is exempt from mandatory disclosure under the Freedom of Information Act; and (4) does not simply give the general location of the critical infrastructure.” CEII includes, among other things, connectivity or switching maps or diagrams, which is the type of information contained in the above-referenced pages. In addition, Section 366.093(3)(c), Florida Statutes, identifies security measures, systems or procedures as the type of information entitled to confidential protection. Public disclosure of the information in question could compromise the security interests of Tampa Electric and adversely affect the company and its customers. As such, the information is entitled to confidential protection and exemption from the Public Records Law pursuant to Section 366.093, Florida Statutes, and the referenced provisions of the FERC's CEII policy.”



**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	<u>  X  </u>

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

**N/A**