



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

July 9, 2024

VIA HAND DELIVERY

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

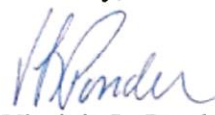
DOCKET NO. 20230090-EI

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 of certain information contained in Tampa Electric's Response to League of United Latin American Citizens and Florida Rising's Eighth Request for Production of Documents, propounded by electronic mail on July 2, 2024.

Thank you for your assistance in connection with this matter.

Sincerely,

  
Virginia L. Ponder

VLP/ne  
Attachment

cc: All parties of record

COM \_\_\_\_\_  
AFD \_\_\_\_\_  
APA \_\_\_\_\_  
ECO \_\_\_\_\_  
ENG 1 \_\_\_\_\_  
GCL \_\_\_\_\_  
IDM \_\_\_\_\_  
CLK \_\_\_\_\_

redacted USB

RECEIVED-FPSC  
2024 JUL -9 PM 12:44  
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: July 9, 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 filed its response to the League of United Latin American Citizens ("LULAC") and Florida Rising's Eighth Request for Production of Documents (No. 55), and the company believes that portions its response, 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 9<sup>th</sup> day of July, 2024.

Respectfully submitted,



---

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 9<sup>th</sup> day of July, 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 Luebke  
Earthjustice  
111 S. Martin Luther King Jr. Blvd.  
Tallahassee, FL 32301  
[bmarshall@earthjustice.org](mailto:bmarshall@earthjustice.org)  
[jluebke@earthjustice.org](mailto:jluebke@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)

Floyd R. Self  
Ruth Vafek  
Berger Singerman, LLP  
313 North Monroe Street, Suite 301  
Tallahassee, FL 32301  
[fself@bergersingerman.com](mailto:fself@bergersingerman.com)  
[rvafek@bergersingerman.com](mailto:rvafek@bergersingerman.com)

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)



---

ATTORNEY

**EXHIBIT A**  
**JUSTIFICATION FOR CONFIDENTIAL TREATMENT**

<b>LULAC and Florida Rising's Eighth Request for Production of Documents (No. 55)</b>			
<b>Bates Page Nos.</b>	<b>Document Description</b>	<b>Description of Information</b>	<b>Justification</b>
BS 43579	Portions of Tampa Electric's response to LULAC and Florida Rising's Eighth Request for Production of Documents, No. 55.	<u>Marginal Cost Comparison</u> Row(s): 4 through 15, & 17; Column(s): E through G.  <u>Marginal Energy Cost</u> Row(s): 2 through 366; Column(s): D through AA.  <u>TYSP Marginal Energy Cost</u> Row(s): 4 through 15, & 17; Column(s): E through G.  <u>TYSP Marginal Energy Cost Price</u> Row(s): 2 through 366; Column(s): D through AA	(1)

**Justifications**

(1) The highlighted information consists of the company's forecasted marginal cost to produce electricity. Disclosure of this information would impair Tampa Electric's business interests by making this information available to competitors. 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	_____
Public Version(s) of the Document(s) attached via USB	____ <u>X</u> ____



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

N/A