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February 13, 2013

HAND DELIVERED

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RECEIVED - FPSC
13 FEB 13 PM 3:58
COMMISSION
CLERK

Ms. Ann Cole, Director
Division of Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

_____ claim of confidentiality
_____ notice of intent
X_____ request for confidentiality
_____ filed by OPC

For DN 00843-13, which
is in locked storage. You must be
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Re: Tampa Electric Company's Petition for Expedited Approval of Asset
Optimization Incentive Mechanism; FPSC Docket No. 130024-EI

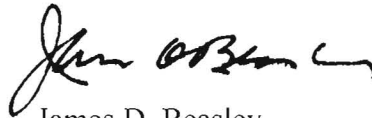
Dear Ms. Cole:

Enclosed for filing in the above docket are the original and fifteen (15) copies of Tampa
Electric Company's Request for Confidential Classification and Motion for Temporary Protective
Order regarding portions of its responses to Staff's First Data Request also filed this date.

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,



James D. Beasley

JDB/pp
Enclosure

cc: Ms. Martha F. Barrera (w/enc.)
Mr. J.R. Kelly/Ms. Patricia A. Christensen (w/enc.)

COM
AFD 12
APA _____
ECO _____
ENG 1
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TEL _____
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DOCUMENT NUMBER-DATE

00842 FEB 13 2013

FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for expedited approval of)
asset optimization incentive mechanism by)
by Tampa Electric Company.)
_____)

DOCKET NO. 130024-EI

FILED: February 13, 2013

**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 request 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)

The information highlighted in yellow on Bates stamp pages 16 and 17 of Tampa Electric's responses to Staff's First Data Request Nos. 13 and 14 filed February 13, 2013 in this docket. 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 propriety 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 "[i]nformation concerning . . . 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."

DOCUMENT NUMBER-DATE

00842 FEB 13 2013

FPSC-COMMISSION CLERK

Subsection 366.093(3)(d), Florida Statutes. Proprietary confidential business information also includes “[i]nformation relating to competitive interests, the disclosure of which would impair the competitive business of the provider of the information.” Section 366.093(3)(e), Florida Statutes. The Confidential Information that is the subject of this request and motion falls within the 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 Document(s).

3. Attached hereto as Exhibit "B" are two public versions of the Document(s) with the Confidential Information redacted, unless previously filed as indicated.

4. The Confidential Information contained in the Document(s) 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)(c), Florida Administrative Code, protecting the Confidential Information from public disclosure.

Requested Duration of Confidential Classification


6. Tampa Electric requests that the Confidential Information be treated by the Commission as confidential proprietary business information for at least the 18 month period prescribed in Rule 25-22.006(9)(a), Florida Administrative Code. 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 a minimum period of 18 months, subject to any request for a longer period of confidential classification as may be set forth in Exhibit "C" to this request and motion. 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 13th day of February, 2013.

Respectfully submitted,



JAMES D. BEASLEY
J. JEFFRY WAHLEN
Ausley & McMullen
Post Office Box 391
Tallahassee, Florida 32302
(850) 224-9115

ATTORNEYS FOR TAMPA ELECTRIC COMPANY

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Request for Confidential Classification and Motion for Temporary Protective Order, filed on behalf of Tampa Electric Company, has been served by hand delivery (*) or U. S. Mail on this 13th day of February, 2013 to the following:

Ms. Martha F. Barrera*
Senior Attorney
Office of the General Counsel
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Mr. J.R. Kelly
Ms. Patricia A. Christensen
Office of Public Counsel
111 West Madison Street – Room 812
Tallahassee, FL 32399-1400



ATTORNEY

**JUSTIFICATION FOR CONFIDENTIAL TREATMENT OF
HIGHLIGHTED PORTIONS OF TAMPA ELECTRIC'S
RESPONSE TO STAFF'S FIRST DATA REQUEST (FILED 2/13/2013)**

<u>Data Request No.</u>	<u>Bates Page Nos.</u>	<u>Detailed Description</u>	<u>Rationale</u>
13	16	The Highlighted Information	(1)
14	17	The Highlighted Information	(1)

-
- (1) The information is competitive contractual fuel information. The information discloses Tampa Electric's contract term as well as the annual costs, which in conjunction with publicly available information, would reveal the contract pricing. The rates paid under the company's existing contracts are competitively sensitive. Disclosing this contractual information would harm Tampa Electric's position in negotiating the best rates for future contracts, to the detriment of its customers. This type of contractual information has been recognized by the Commission on numerous occasions to constitute proprietary confidential business information, the disclosure of which would be harmful to Tampa Electric's ability to contract for goods and services on favorable terms and, likewise, harmful to the competitive interests of Tampa Electric and the party with which it contracts. This is the specific type of information described in Section 366.093(3)(d) and (e) as being entitled to confidential protection and exemption from the Public Records Law. This information is entitled to confidential protection pursuant to Section 366.093, Florida Statutes, and Rule 25-22.006, Florida Administrative Code.

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 X

Public Version(s) of the Document(s) previously filed on _____

REDACTED

**TAMPA ELECTRIC COMPANY
DOCKET NO. 130024-EI
STAFF'S FIRST DATA REQUEST
REQUEST NO. 13
PAGE 1 OF 1
FILED: FEBRUARY 13, 2013**

13. Describe the firm gas storage that TECO currently has including the capacity, facility and term of contract(s)?
 - A. Tampa Electric contracts with Bay Gas Storage near Mobile, Alabama for natural gas storage capacity. Currently the company has 1,250,000 MMBtu of storage capacity that will expire in [REDACTED].

14. How does TECO currently recover the cost of gas storage? As part of the answer to this question, please state the expense amount in 2010, 2011, and 2012.

A. Tampa Electric currently recovers the cost of natural gas storage through the fuel clause, as a component of the delivered cost of fuel.

Year	Cost of Gas Storage
2010	
2011	
2012	

REQUESTED DURATION OF CONFIDENTIAL CLASSIFICATION

Tampa Electric requests that the Confidential Information that is the subject of this request be treated as proprietary confidential business information exempt from the Public Records Law for a minimum of 18 months from the date of the order granting such classification. To the extent the company needs confidential protection of the Confidential Information for a period longer than 18 months, the company's justification therefor is set forth below:

n/a