AUSLEY MCMULLEN

ATTORNEYS AND COUNSELORS AT LAW

123 SOUTH CALHOUN STREET P.O. BOX 391 (ZIP 32302) TALLAHASSEE, FLORIDA 32301 (850) 224-9115 FAX (850) 222-7560

August 14, 2015

HAND DELIVERED

Ms. Carlotta S. Stauffer, Director Office of Commission Clerk Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0850

Re:

Fuel and Purchased Power Cost Recovery Clause with Generating Performance Incentive Factor; FPSC Docket No. 150001-EI

Dear Ms. Stauffer:

Enclosed for filing in the above docket are the original and seven (7) copies of Tampa Electric Company's Request for Confidential Classification and Motion for Temporary Protective Order of certain highlighted information contained in the company's Natural Gas Hedging Activities January 2015 through July 2015.

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,

Ashley M. Daniels

AMD/pp COM Enclosure All Parties of Record (w/enc.) APA ECO ENG GCL IDM

TEL CLK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Fuel and Purchased)	
Power Cost Recovery Clause)	DOCKET NO. 150001-EI
and Generating Performance)	
Incentive Factor.)	FILED: August 14, 2015
)	

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) stamped "CONFIDENTIAL" and all information that is or may be printed on yellow paper stock stamped "CONFIDENTIAL" within the following described document(s), all of said confidential information being hereinafter referred to as "Confidential Information."

Description of Document(s)

Report entitled "Tampa Electric Natural Gas Hedging Activities January 2015 through July 2015" consisting of one page. 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." Subsection 366.093(3)(d), Florida Statutes. Proprietary confidential business information also

includes "[i]information 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 propriety 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 above-described document(s).
- 3. Attached hereto as Exhibit "B" is a notification that public versions of the above-described document is being filed this date with the Commission electronically.
- 4. The Confidential Information contained in the above-described 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.

DATED this 14th day of August, 2015.

Respectfully submitted,

JAMES D. BEASLEY

J. JEFFRY WAHLEN

ASHLEY M. DANIELS

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 has been served by electronic mail on this 14th day of August 2015, to the following:

Ms. Suzanne S. Brownless
Ms. Danijela Janjic
Mr. John Villafrate
Office of the General Counsel
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850
sbrownle@psc.state.fl.us
Djanjic@psc.state.fl.us
JVillafr@psc.state.fl.us

Ms. Patricia A. Christensen Mr. Erik Sayler Associate Public Counsel Office of Public Counsel 111 West Madison Street – Room 812 Tallahassee, FL 32399-1400 christensen.patty@leg.state.fl.us sayler.erik@leg.state.fl.us

Ms. Dianne M. Triplett
Duke Energy Florida, Inc.
299 First Avenue North
St. Petersburg, FL 33701
Dianne.triplett@duke-energy.com

Mr. Matthew R. Bernier Senior Counsel Duke Energy Florida, Inc. 106 East College Avenue, Suite 800 Tallahassee, FL 32301-7740 Matthew.bernier@duke-energy.com

Mr. Jon C Moyle, Jr. Moyle Law Firm 118 North Gadsden Street Tallahassee, FL 32301 jmoyle@moylelaw.com Ms. Beth Keating Gunster, Yoakley & Stewart, P.A. 215 S. Monroe St., Suite 601 Tallahassee, FL 32301 bkeating@gunster.com

Mr. John T. Butler Assistant General Counsel - Regulatory Florida Power & Light Company 700 Universe Boulevard (LAW/JB) Juno Beach, FL 33408-0420 john.butler@fpl.com

Mr. Kenneth Hoffman Vice President, Regulatory Relations Florida Power & Light Company 215 South Monroe Street, Suite 810 Tallahassee, FL 32301-1859 ken.hoffman@fpl.com

Mr. Mike Cassel
Regulatory and Governmental Affairs
Florida Public Utilities Company
Florida Division of Chesapeake Utilities Corp.
1750 SW 14th Street, Suite 200
Fernandina Beach, FL 32034
mcassel@fpuc.com

Mr. Robert L. McGee, Jr. Regulatory and Pricing Manager Gulf Power Company One Energy Place Pensacola, FL 32520-0780 rlmcgee@southernco.com Mr. Jeffrey A. Stone Mr. Russell A. Badders Mr. Steven R. Griffin Beggs & Lane Post Office Box 12950 Pensacola, FL 32591-2950 jas@beggslane.com rab@beggslane.com srg@beggslane.com

Mr. Robert Scheffel Wright
Mr. John T. LaVia, III
Gardner, Bist, Wiener, Wadsworth,
Bowden, Bush, Dee, LaVia & Wright, P.A.
1300 Thomaswood Drive
Tallahassee, FL 32308
Schef@gbwlegal.com
Jlavia@gbwlegal.com

Mr. James W. Brew
Mr. Owen J. Kopon
Ms. Laura A. Wynn
Stone Mattheis Xenopoulos & Brew, PC
1025 Thomas Jefferson Street, NW
Eighth Floor, West Tower
Washington, D.C. 20007-5201
jbrew@smxblaw.com
ojk@smxblaw.com
laura.wynn@smxblaw.com

Mr. Raoul G. Cantero White Law Firm Southeast Financial Center, Suite 4900 200 South Biscayne Boulevard Miami, FL 33131-2352 rcantero@whitecase.com

5

JUSTIFICATION FOR CONFIDENTIAL TREATMENT OF HIGHLIGHTED PORTIONS OF TAMPA ELECTRIC'S REPORT ENTITLED "TAMPA ELECTRIC NATURAL GAS HEDGING MANAGEMENT ACTIVITIES JANUARY THROUGH JULY 2015"

Document <u>Description</u>	Bates Page No.	Detailed Description	<u>Rationale</u>
One Page Report	Bates Page No. 3	All Highlighted Information	(1)

(1) The information contained on the listed page contains hedged fuel prices mark-to-market savings or losses, hedged volumes of natural gas and hedging percentages, all of which types of information have 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, the disclosure of which would be harmful to the competitive interests of Tampa Electric. See, for example, Order Nos. PSC-07-0859-CFO-EI and PSC-07-0860-CFO-EI. 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.

PUBLIC VERSION(S) OF THE DOCUMENT(S)

Attached hereto (unless previously filed as may be noted below) are two public versions of the

Docur	ment(s) with the Confidential Information redacted.
	Public Version(s) of the Document(s) attached
	Public Version(s) of the Document(s) in question are being separately filed this date electronically.

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 therefore is set forth below:

Tampa Electric requests that the Confidential Information that is the subject of this request be treated by the Commission as confidential proprietary business information for a minimum of three years. The data in question provides detailed hedging strategies and actions, many of which are of a continuing nature and which could well be in place beyond the standard 18 month period that confidential information is treated as such by the Commission. The information in question would disclose the company's risk management strategies by making public the hedged prices Tampa Electric has settled on. Disclosing this type of information sooner than three years after it is submitted would arm would-be suppliers of goods and services, as well as competitors of Tampa Electric, with key components of the company's risk management strategies. A minimum of three years is essential to prevent those entities in the fuel and purchased power markets from having access to information they could use to the competitive disadvantage of Tampa Electric, which would increase the fuel and purchased power costs borne by Tampa Electric's customers.