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March 10, 2016

HAND DELIVERED

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COMMISSION  
CLERK

Ms. Carlotta S. Stauffer  
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. 160001-EI

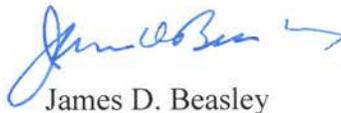
Dear Ms. Stauffer:

Enclosed for filing in the above docket are the original and seven (7) copies of Tampa Electric Company's Request for Extension of Confidential Classification and Motion for Temporary Protective Order regarding Audit Work Papers pursuant to Audit Control No. 14-027-2-2.

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: All parties of record (w/enc.)

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Fuel and purchased power cost recovery )  
clause with generating performance incentive )  
factor. )  
\_\_\_\_\_ )

DOCKET NO. 160001-EI

FILED: March 10, 2016

**TAMPA ELECTRIC COMPANY'S FIRST REQUEST  
FOR EXTENSION OF 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 requests an 18-month extension of the confidential classification of certain information supplied in connection with the Staff's audit workpapers pertaining to TECO's Audit Report, for Audit Control No. 14-027-2-2 in Docket No. 140001-EI on May 14, 2014 and, as grounds therefor, says:

1. On May 14, 2014 Tampa Electric filed a Request for Confidential Classification and Motion for Temporary Protective Order seeking confidential protection of certain documents selected as audit workpapers pursuant to Audit Control No. 14-027-2-2. By Order No. PSC-14-0478-CFO-EI issued September 10, 2014 the Commission granted Tampa Electric's May 14, 2014 request.
2. Tampa Electric adopts and incorporates by reference the May 14, 2014 request.
3. Tampa Electric is in need of continuing confidential treatment of certain of the pages that accompanied the May 14, 2014 request. Attached hereto is Revised Exhibit "A" filed May 28, 2014 identifying by yellow highlighting the page numbers for which Tampa Electric seeks an additional 18 months of confidential protection.

4. Each of the justifications numbers (1) through (5) still apply with respect to the highlighted pages.

5. The highlighted pages in Exhibit "A" continue to be proprietary confidential business information within the meaning of Section 366.093(3), Florida Statutes, are intended to be and have been treated by Tampa Electric as private. The confidentiality of the yellow highlighted pages has been maintained and public disclosure of the highlighted pages would cause harm to Tampa Electric and its customers.

6. Nothing has changed since the company's May 14, 2014 filing to render the confidential information stale, such that continued confidential treatment would not be appropriate.

7. Upon a finding by the Commission that the confidential information remains proprietary and confidential business information, the information should not be declassified for at least an additional 18-month period and should be returned to Tampa Electric as soon as it is no longer necessary for the Commission to conduct its business. *See*, Section 366.093(4), Florida Statutes.

WHEREFORE, for the above and foregoing reasons, Tampa Electric respectfully requests that its First Request for Extension of Confidential Classification be granted.

DATED this 10<sup>th</sup> day of March 2016.

Respectfully submitted,



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ATTORNEYS FOR TAMPA ELECTRIC COMPANY

## CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing First Request for Extension of Confidential Classification and Motion for Temporary Protective Order, filed on behalf of Tampa Electric Company, has been served by electronic delivery on this 10<sup>th</sup> day of March 2016, to the following:

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Ms. Danijela Janjic  
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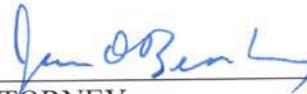
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ATTORNEY

**JUSTIFICATIONS FOR CONFIDENTIAL  
TREATMENT OF HIGHLIGHTED PORTIONS OF  
TAMPA ELECTRIC'S DOCUMENTS SELECTED AS AUDIT  
WORK PAPERS PURSUANT TO AUDIT CONTROL NO. 14-027-2-2**

<u>Work Papers:</u>	<u>Detailed Description</u>	<u>No. of Pages</u>	<u>Rationale</u>
44-3-1	Highlighted Information	9	(1)
44-3-2	All Information on Page	2	(1)
44-3-3	Highlighted Information	7	(1)(2)
44-3-4 pages 2-5	Highlighted Information	4	(1)
44-4-1	Highlighted Information	9	(1)
44-4-2	All Information on Page	2	(1)
44-4-3	Highlighted Information	7	(1)(2)
44-4-4 pages 2-4	Highlighted Information	3	(1)
45-3	All Information on Page	7	(1)
45-4	All Information on Page	8	(1)
45-5	All Information on Page	3	(1)
46-3	All Information on Page	6	(1)
46-4	All Information on Page	6	(1)
46-5	All Information on Page	8	(1)
48-3	All Information on Page	8	(1)
50-1 pages 2-12	All Information on Page	11	(3)
50-2 pages 2-12	All Information on Page	11	(3)
51-2	All Information on Page	5	(3)(4)
51-3	All Information on Page	5	(3)(4)
51-4	All Information on Page	4	(3)(4)
51-5	All Information on Page	3	(3)(4)
51-6	All Information on Page	3	(3)(4)
51-7	All Information on Page	3	(3)(4)
51-8	All Information on Page	2	(3)(4)
51-9	All Information on Page	2	(3)(4)
51-10	All Information on Page	1	(1)(3)
53-5	All Information on Page	3	(3)(4)(5)

- (1) The documents are individual customer bills containing sensitive bank information. Tampa Electric treats individual customer information confidentially and does not disclose it publicly on the belief that individual customers have an expectation that such information is private and should be treated confidentially. Tampa Electric would not want to publicly disclose any customer specific information (except at the customer's own request) that could be used, alone or in conjunction with other publicly available information to engage in identity theft, gain a competitive advantage over a business customer or take any other action detrimental to its customers' interests. As such, the

information is entitled to confidential treatment pursuant to Section 366.093, Florida Statutes, and Rule 25-22.006, Florida Administrative Code.

- (2) These documents contain confidential, negotiated contract rates, or information that could be used to calculate those confidential, negotiated contract rates. 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.
- (3) The information discloses in great detail Tampa Electric Company's commodity contract rates and transportation rates. Public disclosure of this information would provide in minute detail the company's projected rates for all of the detail components of the company's projected fuel and fuel transportation costs. As such, this information is entitled to confidential protection pursuant to Section 366.093, Florida Statutes, and Rule 25-22.006, Florida Administrative Code. These types of rates 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, harmful to the competitive interests of Tampa Electric. 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.
- (4) The information contained on the listed pages contains contract rates paid for coal. The disclosure of this information would be harmful to competitive interests. 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. As such, the information is entitled to confidential treatment pursuant to Section 366.093(d) and (e), Florida Statutes and Rule 25-22.006, Florida Administrative Code.
- (5) This information contained on the listed pages is contractual information which, if made public, "would impair the efforts of Tampa Electric to contract for goods or services on favorable terms." Section 366.093(3)(d), Fla. Stat. The information shows the price which Tampa Electric has paid for No. 2 fuel oil per barrel for specific shipments from specific suppliers. This information would allow suppliers to compare an individual supplier's price with the market "for that date of delivery" and thereby determine the contract pricing formula between Tampa Electric and that supplier. Disclosure of the

invoice price would allow suppliers to determine the contract price formula of their competitors. The knowledge of each other's prices would give suppliers information with which to actually control the pricing in No. 2 oil by either all quoting a particular price or adhering to a price offered by a major supplier. This could reduce or eliminate any opportunity for a major buyer, like Tampa Electric, to use its market presence to gain price concessions from any individual supplier. The end result is reasonably likely to be increased No. 2 fuel oil prices and, therefore, increased electric rates.