

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

March 1, 2017

HAND DELIVERED

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

Re: Fuel and Purchased Power Cost Recovery Clause with Generating Performance Incentive Factor; FPSC Docket No. 170001-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 of certain information contained in Penelope A. Rusk's Schedule A12, Page 2 of 2, (Bates stamp page 38) for the period January 2016 – December 2016.

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

COM	_____
APD	2
APA	_____
ECO	2
ENG	1
GCL	1
IDM	1
TEL	_____
CLK	_____

COMMISSION CLERK

2017/MAR -1 PM12:03

RECEIVED-FPSC

JDB/pp
Enclosure

cc: All Parties of Record (w/enc.)

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Fuel and Purchased Power)
Cost Recovery Clause and Generating)
Performance Incentive Factor.)
_____)

DOCKET NO. 170001-EI

FILED: March 1, 2017

**TAMPA ELECTRIC COMPANY'S
REQUEST FOR CONFIDENTIAL CLASSIFICATION**

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 certain highlighted information contained in Schedule A12, Page 2 of 2 (Bates Stamp page 38) for the period January 2016 – December 2016. In support thereof, the company says:

1. A single copy of Schedule A12 (Tampa Electric Company Capacity Costs Actual Purchases and Sales for the Period January 2016 through December 2016) is being simultaneously filed with the Commission on a confidential basis. Page 2 of 2 (Bates Stamp page 38) of that filing contains certain information ("Confidential Information") highlighted in yellow.

2. 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) [requiring disclosure under the Public Records Act]." The proprietary confidential business information includes, but is not limited to:

(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. (Section 366.093(3)(d), Florida Statutes)

3. Proprietary confidential business information also includes:

(e) 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)

4. The Confidential Information falls within the above statutory categories and, thus, constitutes proprietary confidential business information entitled to protection under Section 366.093 and Rule 25-22.006. The Confidential Information shows actual purchase amounts pursuant to confidential contracts negotiated by and between Tampa Electric Company and certain energy providers. As such, the information in question is information concerning bids or other contractual data the disclosure of which would impair the efforts of Tampa Electric to contract for goods and services on favorable terms. It is also information relating to competitive interests the disclosure of which would impair the competitive business of Tampa Electric.

5. Tampa Electric treats the Confidential Information as such and has not disclosed it publicly.

WHEREFORE, Tampa Electric Company respectfully requests that the highlighted Confidential Information contained in Schedule A12, page 2 of 2 (Bates stamp page 38), for the period January 2016 through December 2016 be afforded confidential classification for the reasons set forth above.

DATED this 13th day of March 2017.

Respectfully submitted,



JAMES D. BEASLEY
J. JEFFRY WAHLEN
Ausley & McMullen
Post Office Box 391
Tallahassee, FL 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 furnished by hand delivery (*) or electronic delivery on this 1st day of March 2017, to the following:

Ms. Suzanne S. Brownless*
Ms. Danijela Janjic
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

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

Ms. Dianne M. Triplett
Duke Energy Florida, Inc.
299 First Avenue North
St. Petersburg, FL 33701
Dianre.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
Ms. Maria Jose Moncada
Principal Attorney
Florida Power & Light Company
700 Universe Boulevard (LAW/JB)
Juno Beach, FL 33408-0420
john.butler@fpl.com
maria.moncada@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. James W. Brew
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
law@smxblaw.com



ATTORNEY