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October 22, 2018

VIA: ELECTRONIC FILING

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

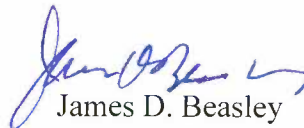
Re: Petition for recovery of costs associated with named tropical systems during the 2015, 2016 and 2017 hurricane seasons and replenishment of storm reserve subject to final true-up, by Tampa Electric Company
FPSC Docket No. 20170271-EI

Dear Ms. Stauffer:

Attached for filing in the above docket is Tampa Electric Company's Motion for a Temporary Protective Order regarding its response to Citizens' Fourth Request for Production of Documents Nos. 15 and 16, propounded and served on October 5, 2018.

Thank you for your assistance in connection with this matter.

Sincerely,


James D. Beasley

JDB/pp
Attachment

cc: All parties of record (w/enc.)

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for recovery of cost associated)
with named tropical systems during the)
2015, 2016 and 2017 hurricane seasons and)
replenishment of storm reserve subject to)
final true-up, by Tampa Electric Company.)
_____)

DOCKET NO. 20170271-EI

FILED: October 22, 2018

**TAMPA ELECTRIC COMPANY'S
MOTION FOR A TEMPORARY PROTECTIVE ORDER**

Tampa Electric Company (“Tampa Electric” or “the company”) pursuant to Rule 25-22.006(6)(c), Florida Administrative Code, hereby moves the Commission for entry of a temporary protective order exempting from Section 119.07(1), Florida Statutes, certain information requested by the Office of Public Counsel (“OPC”) through discovery, and for the protection of that information against public disclosure pending OPC’s review of it. In support of its Motion the company says:

1. On October 5, 2018 OPC served on Tampa Electric its Fourth Request for Production of Documents (Nos. 15-16). This Motion relates to OPC’s POD Nos. 15 and 16, which read as follows:

15. Please provide all documents identified in OPC’s Sixth Interrogatory Number 83.
16. Please provide all documents related to such denials of payment identified in OPC’s Sixth Interrogatories Number 84, including but not limited to, after action reviews, investigation notes and reports (including each different draft) evidence of disciplinary action, and proposed and

implemented policy changes, considered or occurring as a result of such denial.

Tampa Electric possesses documents responsive to the above Production of Document Nos. 15 and 16, that contain confidential proprietary business information entitled to protection against public disclosure pursuant to Section 366.093, Florida Statutes, in that they contain, among other things:

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

2. Public disclosure of the information in question would adversely affect the economic interests of Tampa Electric and its customers.

3. Rule 25-22.006, Florida Administrative Code, provides for protection of this type of information when a utility allows Public Counsel to inspect or take possession of such information in the course of discovery. Subsection (6)(c) of this rule states:

(c) When a utility or other person agrees to allow Public Counsel to inspect or take possession of utility information for the purpose of determining what information is to be used in a proceeding before the Commission, the utility may request a temporary protective order exempting the information from Section 119.07(1), F.S. If the information is to be used in a proceeding before the Commission, then the utility must file a specific request for a protective order under paragraph (a) above. If the information is not to be used in a proceeding before the Commission, then Public Counsel shall return the information to the utility in accordance with the record retention requirements of the Department of State.


4. Tampa Electric requests a temporary protective order in order to allow OPC access to the information requested and at the same time protect the economic interests of Tampa Electric and its customers from the harm that would result from public disclosure of the above-referenced confidential information.

5. Tampa Electric is prepared to furnish OPC access to the requested information. The company maintains the information in question is in a confidential form and has not disclosed it publicly.

WHEREFORE, Tampa Electric moves the Commission for entry of a temporary protective order allowing it to provide access to OPC to the information requested while maintaining the confidential nature of that information.

DATED this 22nd day of October 2018.

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 Motion, filed on behalf of Tampa Electric Company, has been furnished by electronic mail on this 22nd day of October 2018 to the following:

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