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February 20, 2019

VIA: ELECTRONIC FILING

Mr. Adam J. Teitzman
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 Mr. Teitzman:

Attached for filing in the above docket is Tampa Electric Company's Motion for a Temporary Protective Order regarding its response to Office of Public Counsel's Fifth Request for Production of Documents (No. 17), propounded and served by electronic mail on February 5, 2019.

Thank you for your assistance in connection with this matter.

Sincerely,


James D. Beasley

JDB/pp
Attachment

cc: All parties of record (w/attachment)

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition of Tampa Electric Company)
for Recovery of Costs Associated with)
Named Tropical Systems and)
Replenishment of Storm Reserve)
_____)

DOCKET NO. 20170271-EI

FILED: February 20, 2019

**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 this date Tampa Electric Company has served its response to the Office of Public Counsel’s Fifth Request for Production of Documents (No. 17) and has produced documents to the Office of Public Counsel as set forth in the Response and as reflected on the attached Exhibit “A.” Tampa Electric considers all of the information contained on the USB thumb drives to be constitute proprietary confidential business information which is entitled to protection against public disclosure pursuant to Section 366.093, Florida Statutes, in that they contain, among other things:

(d) 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.

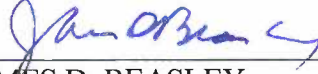
4. Tampa Electric requests a temporary protective order in order to allow OPC access to the information in question and at the same time protect the economic interests of Tampa Electric and its customers from the harm that would result from public disclosure of the above-referenced confidential information.

5. Tampa Electric is prepared to furnish OPC access to the information in question. The company maintains the information in question 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 OPC the confidential information contained in the above-referenced USB thumb drives while maintaining the confidential nature of that information.

DATED this 20th day of February 2019.

Respectfully submitted,



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ATTORNEYS FOR TAMPA ELECTRIC COMPANY

17. Please produce in electronic form the following documents related to Tampa Electric Company's supplemental review of vendor invoices in this docket:

- a. Excel workbooks;
- b. supporting three-ring binders;
- c. vendor list corresponding to the binders;
- d. the supplemental response to the deposition questions;
- e. summary of results by vendor;
- f. schedule of effective hourly labor rates by vendor; and
- g. all contracts, master service agreements, terms and conditions, rate sheets, and/or other documentation related to the work performed and the rates charged by all vendors?

Response: Tampa Electric has produced by overnight express or hand delivery documents in electronic form on a total of 8 USB thumb drives (each of which contains the same documents) as follows:

- a. The Excel workbook for each company that was reviewed as part of the company's supplemental review, with the exception of PowerTown Line Construction ("PTLC") which is one of the company's native contractors.
- b. A pdf of the contents of each three-ring binder that was developed for each vendor that was reviewed as part of the company's supplemental review.
- c. The vendor list corresponding to the three-ring binders that were developed to conduct the supplemental review.
- d. The supplemental response sheet to the deposition questions.
- e. The summary of results for each vendor is included in the Excel workbook of each company, in addition to the beginning portion of each binder review pdf that was created as part of the company's supplemental review as supplied in Responses No. 17a and 17b of this set.
- f. The schedule of effective hourly rates for each vendor that was reviewed as part of the company's supplemental review is included in the Excel workbook and in the beginning portion of each pdf, or an explanation is provided as to why it is not included.

All contracts, master service agreements, terms and conditions, rate sheets, and/or other documentation related to the work performed and the rates charged that were reviewed for each vendor as part of the company's supplemental review are included in the pdf of each binder as supplied in Response no. 17b of this set. The narrative page of the binders identifies vendors for which rate sheets were not available during the review.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Motion for Temporary Protective Order, filed on behalf of Tampa Electric Company, has been served by electronic mail on this 20th day of February, 2019 to the following:

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Ms. Johana Nieves
Mr. Kurt Schrader
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