

State of Florida



Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

-M-E-M-O-R-A-N-D-U-M-

DATE: August 14, 2019

TO: Division of Economics, Office of Primary Responsibility

FROM: OFFICE OF COMMISSION CLERK

RE: CONFIDENTIALITY OF CERTAIN INFORMATION

DOCKET NO: 20190002-EG

DOCUMENT NO: 07533-2019

DESCRIPTION: TECO (Beasley) - (CONFIDENTIAL) Certain information in responses to OPC's 1st request for PODs, specifically, responses to Nos. 11, 12, 14, and 15, with responses identified as Bates stamp 82, 87, 88, 89, 90, 91, 98, 99, and 107.

SOURCE: Tampa Electric Company

The above confidential material was filed along with a request for confidential classification. Please complete the following form by checking all applicable information and forward it to the attorney assigned to the docket, along with a brief memorandum supporting your recommendation.

- The document(s) is (are), in fact, what the utility asserts it (them) to be.
- The utility has provided enough details to perform a reasoned analysis of its request.
- The material has been received incident to an inquiry.
- The material is confidential business information because it includes:
- (a) Trade secrets;
 - (b) Internal auditing controls and reports of internal auditors;
 - (c) Security measures, systems, or procedures;
 - (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 information;
 - (f) Employee personnel information unrelated to compensation, duties, qualifications, or responsibilities;
- The material appears to be confidential in nature and harm to the company or its ratepayers will result from public disclosure.
- The material appears not to be confidential in nature.
- The material is a periodic or recurring filing and each filing contains confidential information.

This response was prepared by Charles Morgan on August 20, 2019, a copy of which has been sent to the Office of Commission Clerk and the Office of General Counsel.

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-M-E-M-O-R-A-N-D-U-M-

DATE: August 20, 2019
TO: Margo A. DuVal, Senior Attorney, Office of the General Counsel
FROM: Charles Morgan, Public Utility Analyst II, Division of Economics *CM*
RE: CONFIDENTIALITY OF CERTAIN INFORMATION

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SOURCE: Tampa Electric Company

Pursuant to Section 366.093, Florida Statutes (F.S.), and Rule 25-22.006, Florida Administrative Code, Tampa Electric Company (TECO) requests confidential classification of certain information filed in response to an Office of Public Counsel (OPC) Production of Documents (POD), in the above referenced docket, dated August 12, 2019. This recommendation specifically addresses the responses to OPC's First POD, Nos. 11, 12, 14, and 15, which were filed separately on a CD marked "CONFIDENTIAL".

TECO is claiming confidentiality of the entirety of the CD in its response to OPC's First POD, Nos. 11, 12, 13 and 14, under Section 366.093(3)(d) and Section 366.093(3)(e), F.S. Per the Statute, propriety or confidential business information includes, but is not limited to; Subsection (d) "[i]nformation 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" and Subsection (e) "[i]nformation relating to competitive interests, the disclosure of which would impair the competitive business of the provider of information."

The information provided in response to OPC's First POD, Nos. 11, 12, 14, and 15, for which confidential treatment is being sought, can be described as information about the contract terms and rates that are paid for demand side management services by TECO.

Staff has reviewed the information TECO filed on separate CD marked "CONFIDENTIAL", in response to OPC's First POD, Nos. 11, 12, 14 and 15, as well as the Company's confidentiality request. It is staff's opinion that the information that is the subject of this request meets the

criteria for confidentiality contained in Section 366.093(3)(d) and Section 366.093(3)(e), F.S., as applies to the information filed on the separate CD in response to OPC's First POD, Nos. 11, 12, 14, and 15.