

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: May 14, 2021

TO: Division of Economics, Office of Primary Responsibility

FROM: OFFICE OF COMMISSION CLERK

RE: CONFIDENTIALITY OF CERTAIN INFORMATION
DOCKET NO: 20210034-EI DOCUMENT NO: 03362-2021
DESCRIPTION: TECO (Wahlen) - (CONFIDENTIAL) Highlighted information in MFR, Schedule D-2, in Exh LLC-1, Document 3, to the direct testimony of Lorraine L. Cifuentes; and in MFR, Schedule E, Vol II, cost of service study.
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 Michael Barrett (ECO) on May 14, 2021, 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: May 14, 2021

TO: Charles Murphy, Office of General Counsel

FROM: Michael Barrett, Division of Economics *MB*

RE: Tampa Electric Company - Docket No. 20210034-EI – Confidentiality Request – Document No. 03362-2021

Pursuant to Section 366.093(3)(e) Florida Statutes (F.S.), and Rule 25-22.006, Florida Administrative Code, Tampa Electric Company (TECO, or Company) requests confidential classification of highlighted information in MFR Schedule D-2, MFR Schedule E (Volume II, Cost of Service Study), and Document 3 of Exhibit LLC-1, attached to the direct testimony of Lorraine L. Cifuentes. TECO's request for confidential classification of this data, Document No. 03361-2021, was filed on April 9, 2021. The material that is subject of this request is found in Document No. 03362-2021.

The Company is claiming confidentiality for certain information contained in MFR Schedule D-2, MFR Schedule E (Volume II, Cost of Service Study), and Document 3 of Exhibit LLC-1, attached to the direct testimony of Lorraine L. Cifuentes, under Section 366.093(3), F.S. Per the referenced Statute, propriety of confidential business information includes, but is not limited to: Subsections (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 (e) "[i]nformation relating to competitive interests, the disclosure of which would impair the competitive business of the provider of the information." The information provided in the aforementioned exhibit for which confidential treatment is being sought can be described as competitively sensitive information.

The confidential information contained in MFR Schedule D-2 consists of information about the structure and projected cost of capital for affiliated companies. TECO claims that a public disclosure of this information would harm the competitive business of the provider of the information. TECO asserts this information has not previously been publicly disclosed and is protected by Section 366.093(3)(e), Florida Statutes.

The confidential information contained in MFR Schedule E (Volume II, Cost of Service Study) includes information that is derived from the salary and labor rates of TECO's employees. The Company claims that public disclosure of this information would impair its business interests by adversely affecting the Company's hiring and retention of employees. TECO asserts this information has not previously been publicly disclosed and is protected by Section 366.093(3)(e), Florida Statutes.

The confidential information contained in Document 3 of Exhibit LLC-1, attached to the direct testimony of Lorraine L. Cifuentes, consists of TECO's load forecasting group's internal forecast of the residential real price of electricity for the years 2021-2030. The Company claims that public disclosure of this information would impair the Company's competitive business interests. In addition, TECO claims that Document 3 of Exhibit LLC-1 contains the proprietary work product of TECO's consultant, Moody's Analytics ("Moody's"), and public disclosure of this work could allow duplication of the consultant's work without compensation for the consultant's efforts. TECO asserts that this information is in the nature of a trade secret owned by Moody's, and disclosure of this information would impair Moody's competitive business interests by diminishing the demand for Moody's proprietary work production. TECO asserts this information has not previously been publicly disclosed and is protected by Section 366.093(3)(e), Florida Statutes.

Staff has reviewed the information contained MFR Schedule D-2, MFR Schedule E (Volume II, Cost of Service Study), and Document 3 of Exhibit LLC-1, attached to the direct testimony of Lorraine L. Cifuentes, and agrees that TECO has accurately described the information that is the subject of the confidentiality request. In staff's opinion, information about the structure and projected cost of capital for affiliated companies, information that is derived from the salary and labor rates of TECO's employees, and forecasted pricing information from the Company's load forecasting group's internal forecast all meet the criteria for confidentiality contained in Section 366.093(3)(e), F.S. Therefore, staff recommends that the request for confidentiality of the afore-mentioned information included in Document No. 03362-2021 be approved.