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June 21, 2021

**VIA: ELECTRONIC FILING**

Mr. Adam J. Teitzman  
Commission Clerk  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850

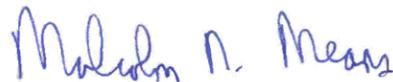
Re: Docket 20210034-EI, Petition for Rate Increase by Tampa Electric Company

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 Florida Industrial Power Users Group's First Set of Interrogatories (Nos. 1-13) and First Request for Production of Documents (Nos. 1-21), propounded and served by electronic mail on May 27, 2021.

Thank you for your assistance in connection with this matter.

Sincerely,



Malcolm N. Means

MNM/  
Attachment

cc: All parties of record (w/attachment)

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for Rate Increase )  
by Tampa Electric Company )  
\_\_\_\_\_ )

DOCKET NO. 20210034-EI  
FILED: June 21, 2021

**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 requests that the Commission issue a temporary protective order exempting from Section 119.07(1), Florida Statutes, certain information specified herein as requested by the Florida Industrial Power Users Group (“FIPUG”) through discovery, and for the protection of that information against public disclosure pending the Office of Public Counsel’s (“OPC”) review of it. In support of its Motion, the company says:

1. On this date, Tampa Electric Company has served its response to the Florida Industrial Power Users Group’s First Set of Interrogatories (Nos. 1-13) and First Request for Production of Documents (Nos. 1-21) (“FIPUG Discovery Requests”) by posting its answers, responses, and responsive documents (collectively “Response”) on a virtual Share Point site that is accessible by both FIPUG and OPC. The company believes that all or portions of its Response specified on Exhibit “A” constitute “proprietary confidential business information,” and has designated it as such by (1) highlighting it in yellow and (2) placing it in a segregated area of the Share Point site for confidential information. Tampa Electric considers the highlighted information in its Response to be “proprietary confidential business information” that is entitled to protection against public disclosure pursuant to Section 366.093, Florida Statutes, because it reflects information in one or more of these categories:

(d) [information] 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 highlighted 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 OPC 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 highlighted confidential information posted on the Share Point site as part of its Response while protecting the economic interests of Tampa Electric and its customers from the harm that would result from public disclosure of the above-referenced confidential information. Tampa Electric will work cooperatively with the parties to this proceeding to identify confidential information to be used at the final hearing in this docket and to request confidential classification as specified in the rule. To the extent that prefiling of confidential documents is required, Tampa Electric and the parties to this proceeding have further committed to work out a process to maintain

both confidentiality of the information and preservation of the litigation rights of the respective parties consistent with Commission precedent. Furthermore, the parties have both agreed that the efficiency underlying this arrangement is not expected to require the closure of public access to hearings and that they will vigorously preserve confidentiality in accordance with applicable law while taking all reasonable steps to accomplish necessary litigation in a manner that does not require closure of hearings.

5. Tampa Electric maintains the highlighted information produced to FIPUG and OPC in response to FIPUG's requests in a confidential form and has not disclosed it publicly.

WHEREFORE, Tampa Electric requests that the Commission issue a Temporary Protective Order allowing it to provide OPC with the confidential information described above while maintaining the confidential nature of that information.

DATED this 21st of June 2021.

Respectfully submitted,



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ATTORNEYS FOR TAMPA ELECTRIC COMPANY

**Exhibit A**

<b>FIPUG's First Request for Production of Documents</b>				
<b>Request</b>	<b>Witness</b>	<b>Electronic File Names</b>	<b>Description</b>	<b>Bates Stamped Pages</b>
3. Referring to page 20, provide the source data for the cost escalations used.	Cifuentes	(BS 20) October 2020 Inflation Index using Moody's Analytics COF.xlsx	Proprietary confidential data provided by Moody's Analytics.	20
14. Please provide copies of credit rating agency reports from Moody's, Standard & Poors (S&P), and Fitch for Tampa Electric for the past three years.	McOnie	POD No. 14-CONF.pdf	Confidential rating agency reports.	39-57
15. Please provide copies of all correspondence, presentations, and all other materials that TECO provided to credit and equity analysts over the last two years.	McOnie	POD No. 15-CONF.pdf	Confidential materials provided to credit and equity analysts.	193-223
16. Please provide a copy of all reports prepared by security analysts that describe TECO for the period 2016 to the present.	McOnie	POD No. 16-CONF.pdf	Correspondence with analysts discussing contents of confidential analyst reports.	225-1151
19. Please provide in Excel format, with all formulas and links intact, the calculations of TECO's credit metric calculations relied upon by Moody's when determining TECO's credit rating in its most recent credit report.	McOnie	(BS 1155) FIPUG POD 19 TEC Moodys CFO Pre WC to Debt Calc_CONF	Moody's proprietary and confidential methodology.	1155

**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 21st day of June 2021 to the following:

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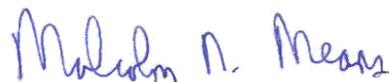
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