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July 21, 2021

VIA HAND DELIVERY

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

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

Dear Mr. Teitzman:

Enclosed for filing in the above docket is Tampa Electric Company's Request for Confidential Classification and Motion for Protective Order re Staff's Informal Request for Supplemental Discovery dated July 15, 2021. Also enclosed is a CD containing the redacted versions of these documents.

Please acknowledge receipt and filing of the above by stamping the duplicate copy of this letter and returning to the runner delivering same today.

Thank you for your assistance in connection with this matter.

Sincerely,

Malcolm N. Means
Malcolm N. Means

- COM _____
- AFD _____
- APA _____
- ECO _____ *1 CD - redacted*
- ENG _____
- GCL _____
- IDM _____
- CLK _____

MNM/ne
Enclosure
cc: All Parties of Record

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COMMISSION
CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition of Tampa Electric Company)
for an increase in its base rates and service)
charges and other relief)
_____)

DOCKET NO. 20210034-EI

FILED: July 21, 2021

**TAMPA ELECTRIC COMPANY'S
REQUEST FOR CONFIDENTIAL CLASSIFICATION
AND MOTION FOR TEMPORARY PROTECTIVE ORDER**

Tampa Electric Company ("Tampa Electric" or "the company"), pursuant to Section 366.093, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, hereby requests confidential classification of the yellow highlighted information contained in the following described document(s) ("the Document(s)") stamped "CONFIDENTIAL" and all information that is or may be printed on yellow paper stock stamped "CONFIDENTIAL" within the Document(s), all of said confidential information being hereinafter referred to as "Confidential Information.").

Description of the Document(s)

Tampa Electric previously responded to multiple sets of discovery requests served by the intervenors in the above-captioned docket. Tampa Electric has provided documents responsive to these requests to the intervenors¹ via a file-sharing website and filed Motions for Temporary Protective Order for the confidential responsive documents. Commission Staff has requested copies of some of these responsive confidential documents. As a result, Tampa Electric hereby files the requested documents with the Commission Clerk and seeks confidential treatment for those documents so that Commission Staff may review them. The information for which confidential treatment is requested is highlighted in yellow in the versions of the files included with this request. In support of this request, the company states:

¹ The intervenors in this docket include the Office of Public Counsel, the Florida Industrial Power Users Group, the West Central Florida Hospital Utility Alliance, the Florida Retail Federation, Walmart Inc., and the Federal Executive Agencies.

1. Subsection 366.093(1), Florida Statutes, provides that any records “found by the Commission to be proprietary confidential business information shall be kept confidential and shall be exempt from s. 119.07(1), Florida Statutes [requiring disclosure under the Public Records Act].” Proprietary confidential business information includes but is not limited to: (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 the information; and (f) employee personnel information unrelated to compensation, duties, qualifications, or responsibilities. §366.093(3)(a)-(f), Fla. Stat. The Confidential Information that is the subject of this request and motion falls within these statutory categories and, thus, constitutes proprietary confidential business information entitled to protection under Section 366.093, Florida Statutes, and Rule 25-22.006, Florida Administrative Code.

2. Attached hereto as Exhibit "A" is a justification for confidential treatment of the Confidential Information contained in the Documents.

3. Attached hereto as Exhibit "B" are two public versions of the Documents with the Confidential Information redacted, unless previously filed as indicated.

4. The Confidential Information contained in the Documents is intended to be and is treated by Tampa Electric as private and has not been publicly disclosed.

5. Each of the documents requested by Staff is subject to a Motion for Temporary Protective Order filed with the Commission in this docket pursuant to Rule 25-22.006(6)(a) of the Florida Administrative Code.

Requested Duration of Confidential Classification

6. Pursuant to Rule 25-22.006(9)(a), Tampa Electric requests that the Confidential Information be treated by the Commission as confidential proprietary business information for 18 months. If, and to the extent that the company is in need of confidential classification of the Confidential Information beyond the 18-month period set forth in the Commission rule, the justification and grounds for such extended confidential treatment are set forth in Exhibit "C" to this request and motion.

WHEREFORE, Tampa Electric Company respectfully requests that the Confidential Information that is the subject of this request and motion be accorded confidential classification for the reasons set forth herein and for 18 months. The company further moves for the entry of a temporary protective order pursuant to Rule 25-22.006(6)(c), Florida Administrative Code, protecting the Confidential Information from public disclosure.

DATED this 21st day of July, 2021.

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 21st day of July, 2021 to the following:

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JUSTIFICATION FOR CONFIDENTIAL TREATMENT

Discovery Request	MTPO?	Document	Tab/Pages	Columns	Rows	Rationale
OPC's 1 st PODs No. 1	Doc. No. 04114-2021	(BS 18) Apr_20.xlsx	Quarterly Data	B-E	209-328	(1)
			Monthly Data	D-FR	614-973, 1030-1059, 1111-1140	
			ModelIncomeVariable	C	602-961, 1014-1043, 1095-1124	
OPC's 1 st PODs No. 1	Doc. No. 04114-2021	(BS 19) Backup MFR F7_Moodys_July_20_Delivery.xlsx	Quarterly data	B-E	210-332	(1)
			Monthly data	D-FR	614-985, 1124-1154	
			ModelIncomeVariable	C	602-973, 1026-1056, 1108-1138	
OPC's 1 st PODs No. 1	Doc. No. 04114-2021	(BS 20) ECON ASSUMPTIONS_SOURCE COMPARISONS_Fcst_21_L LC.xlsx	Population	E-G	6-30	(1)
			Income	C-E, J-L, Q-S, BF-BI, BL-BO, BR-BU	6-30	
			Employment	B-D, H-J	5-30	
			Output	B-D, F-H	4-28	
			Unemployment	B-D	4-28	
OPC's 1 st PODs No. 1	Doc. No. 04114-2021	(BS 21) Economics.xls	Monthly_data	C-AE	362-673	(1)
			Hlmonthly_data	C-AE	362-673	
			LOmonthly_data	C-AE	362-673	
			MFR F6	C-T	362-673	
OPC's 1 st PODs No. 5	Doc. No. 04114-2021	(BS 607-626) POD 5-CONF.pdf	607-626	All	All	(2)
OPC's 1 st PODs No. 5	Doc. No. 04114-2021	(BS 637-639)_POD 5_CONF.pdf	637-639	All	All	(2)
OPC's 1 st PODs No. 5	Doc. No. 04114-2021	(BS 643-646)_POD 5_CONF.pdf	643-646	All	All	(2)

Discovery Request	MTPO?	Document	Tab/Pages	Columns	Rows	Rationale
OPC's 1 st IRRs No. 18	Doc. No. 04114-2021	(BS CONF 208) IRR 18_Exec Comp.xlsx	OPC 1 st IRR 18	B	7-9, 13, 16, 24-27, 32, 35, 45-48, 51, 54, 64-67, 70, 73, 83-84, 89, 92, 95, 102-103, 108, 111, 114, 121-122, 124, 127, 130, 133, 138-141, 143, 146, 149, 152, 159-162, 165, 168, 178-179, 184, 187,190, 197-198, 203, 206, 209, 214-217, 222, 225-226, 228, 235-236, 241, 244, 247, 273-274, 279, 282-283, 285, 292-293, 298, 301-302, 311-312, 317, 320, 353, 355, 358, 361, 369, 372, 374-375, 378, 381, 388-389, 394-395, 398, 401, 409, 412, 414-415, 418, 421, 426-430, 434-435, 438, 441	(3)
				C	7-9, 13, 16, 24-27, 32, 35, 45-48, 51, 54, 64-67, 70, 73, 83-84, 89, 92-95, 102-103, 108, 111, 114, 121-122, 124, 127, 130, 133, 138-141, 143, 146, 149, 159-165, 168, 178-179, 184, 187,190, 197-198, 203, 206, 209, 214-217, 222, 225-226, 228, 235-236, 241, 244, 247, 260, 273-274, 279, 282-283, 285, 292-293, 298, 301, 311-312, 314, 317, 320-321, 369, 373, 375, 378, 389, 391, 395, 398, 401, 409, 411, 415, 418, 421, 430-431, 432, 434-435, 438, 441	
				D	7-9, 13, 16, 26-27, 32, 35, 45-48, 51, 54, 64-67, 70, 73, 83-84, 89, 92-94, 102-103, 108, 111, 114, 121-122, 124, 127, 130, 133, 140-141, 146, 149, 159-162, 165, 168, 178-179, 184, 187,190, 197-198, 200, 203, 206, 209, 217, 222, 225-226, 228, 235-236, 241, 244, 247, 254 260, 263, 266, 273-274, 276, 279, 282-283, 285, 292-293, 298, 301, 311-312, 314, 317, 320-321, 389, 391, 395, 398, 401, 409, 411-412, 414-415, 418, 421, 429-430, 432, 435, 438-441	

Discovery Request	MTPO?	Document	Tab/Pages	Columns	Rows	Rationale
				E	7-9, 13, 16, 24-27, 32, 35, 45-48, 51, 54, 64-67, 70, 73, 83-84, 89, 92-94, 102-103, 108, 111, 114, 121-122, 127, 130, 133, 140-141, 146, 149, 159-161, 165, 168, 178-179, 184, 187,190, 197-198, 203, 206, 209, 216-217, 222, 225-226, 228, 235-236, 241, 244, 247, 254, 260, 263, 266, 273-276, 279, 282-283, 285, 292-293, 298, 301-302, 311-312, 314, 317, 320-321	
				F	7-9, 13, 16, 24-27, 32, 35, 45-48, 51, 54, 64-67, 70, 73, 83-84, 89, 95, 102-103, 108, 111, 114, 121-122, 127, 130, 133, 138-141, 146, 149, 159-161, 165, 168, 178-179, 184, 187,190, 197-198, 203, 206, 209, 216-217, 222, 225-226, 228, 235-236, 241, 244, 247, 254, 260, 263, 266, 274, 276, 279, 282, 285, 292-293, 298, 301, 311-312, 317, 320-321	
OPC's 2 nd PODs No. 19	Doc. No. 04570-2021	(BS_05) POD 19 – 2023 and 2024 Capital Structure and Metrics_CONF.xlsx	Capital Structure	C-D	12-18, 21-27, 49-50, 54-55, 59-60, 64-67	(4)
			Credit Metrics	B	12-13, 17-18, 22-23, 27-28, 32-49, 54-57, 61-67, 73-79	
				C	12-13, 17-18, 22-23, 27-28, 32-49, 54-57, 61-67, 73-79, 82-88	
				E	12-13, 17-18, 22-23, 27-28, 73-79, 82-88	
				F	12-13, 17-18, 22-23, 27-28	
FIPUG's 1 st PODs No. 14	Doc. No. 06382-2021	(BS 39-57) POD No. 14-CONF_bates.pdf	39-57	N/A	N/A	(5)
FIPUG's 1 st PODs No. 15	Doc. No. 06382-2021	(BS 193-223) POD No. 15-CONF_bates.pdf	192-223	N/A	N/A	(6)
FIPUG's 1 st PODs No. 16	Doc. No. 06382-2021	(BS 225-1151) POD No. 16-CONF_bates.pdf	225-1151	N/A	N/A	(7)

Exhibit A

Discovery Request	MTPO?	Document	Tab/Pages	Columns	Rows	Rationale
FIPUG's 1 st PODs No. 19	Doc. No. 06382-2021	(BS 1155) POD 19_TEC Moodys Pre WC to Debt Calc CONF.xlsx	Moody's TEC	B-C	7-17	(8)
OPC's 3 rd PODs No. 38	Doc. No. 07070-2021	(BS 109-554) POD_38_CONFIDENTIAL_bates.pdf	109-554	N/A	N/A	(9)

Exhibit A

(1) The confidential information contained in these files consists of the proprietary work product of Moody's Analytics. Public disclosure of this information would allow duplication of the consultant's work without compensation for the consultant's efforts. This information is in the nature of a trade secret owned by Moody's. Furthermore, disclosure of this information would impair Moody's competitive business interests by diminishing the demand for Moody's proprietary work product. This information is protected by Section 366.093(3)(a) and (e) of the Florida Statutes.

(2) These files contain pension and post-retirement benefits actuarial studies containing forecasted data for 2023-2026. Public disclosure of this information would impair the competitive business interests of Tampa Electric and therefore this information is entitled to confidential treatment under Section 366.093(e) of the Florida Statutes.

(3) The highlighted information consists of employee compensation data. Disclosure of this information would impair Tampa Electric's competitive interests by allowing other companies to identify the compensation of key Tampa Electric employees and attempt to hire them away from the company. This information is entitled to confidential treatment under Section 366.093(3)(e) of the Florida Statutes. *See also Florida Power & Light Co. v. Florida Public Service Com'n*, 31 So.3d 860 (Fla. 1st DCA 2010).

(4) The highlighted fields contain the company's forecasted capital structure and credit metrics for 2023 and 2024. Tampa Electric does not provide detailed forecasts to equity analysts, investors, or the public. The highlighted information could be used to impute future company activity and allow investors to position themselves accordingly. As a result, public disclosure of this information would impair Tampa Electric's competitive interests and the information is entitled to confidential treatment under Section 366.093(e) of the Florida Statutes.

(5) These documents are credit rating agency reports prepared by Moody's, Standard & Poors, and Fitch for Tampa Electric. These reports constitute the proprietary work product of the credit rating agencies. Public disclosure of these reports would impair the efforts of Tampa Electric to obtain these reports in the future. Furthermore, public disclosure of this information would allow duplication of the rating agencies' work product without compensation. This information is in the nature of a trade secret owned by the rating agencies and disclosure of this information would impair the rating agencies' competitive business interests by diminishing the demand for their proprietary work product. This information is protected by Section 366.093(3)(a), (d), and (e) of the Florida Statutes.

(6) Credit rating agencies provide Tampa Electric with drafts of credit rating reports to give the company the opportunity to identify factual errors and inadvertent disclosure of confidential information contained in these reports. This file is comprised of correspondence between Tampa Electric and the credit ratings agencies regarding these draft rating reports. This correspondence is confidential because it concerns the contents of proprietary credit rating agency reports, which are confidential for the reasons described above.

(7) These documents are reports prepared by security analysts describing Tampa Electric. These reports are proprietary to each analyst's respective financial institution and are not intended for redistribution. Public disclosure of these reports would impair the efforts of Tampa Electric to

obtain these reports in the future. Furthermore, public disclosure of this information would allow duplication of the analysts' work product without compensation. This information is in the nature of a trade secret owned by the security analysts and disclosure of this information would impair the analysts' competitive business interests by diminishing the demand for their proprietary work product. This information is protected by Section 366.093(3)(a), (d), and (e) of the Florida Statutes.

(8) FIPUG's Request for Production No. 19 asked the company to provide the credit metric calculations relied upon by Moody's when determining Tampa Electric's credit rating. This document contains Tampa Electric's attempt to estimate the company's CFO pre-working capital to debt credit metric for the 2022 test year based upon the company's understanding of Moody's calculation methodology. This methodology is in the nature of a trade secret owned by Moody's and disclosure of this methodology would impair Moody's competitive business interests by disclosing their proprietary rating methodology. This information is protected by Section 366.093(3)(a) and (e) of the Florida Statutes.

(9) These documents are the land contracts for each future solar site in which Tampa Electric has a purchase option. Public disclosure of these contracts would impair the efforts of the public utility to contract for goods or services on favorable terms in the future and therefore this information is confidential pursuant to Section 366.093(3)(d) of the Florida Statutes.

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PUBLIC VERSION(S) OF THE DOCUMENT(S)

Attached hereto (unless previously filed as may be noted below) are two public versions of the Document(s) with the Confidential Information redacted.

Public Version(s) of the Document(s) attached

Public Version(s) of the Document(s) attached in CD format X