



April 22, 2024

VIA ELECTRONIC FILING

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

In re: Petition for Rate Increase by Tampa Electric Company

DOCKET NO. 20240026-EI

In re: Petition for approval of 2023 Depreciation and
Dismantlement Study, by Tampa Electric Company

DOCKET NO. 20230139-EI

In re: Petition to implement 2024 Generation Base Rate
Adjustment provisions in Paragraph 4 of the 2021 Stipulation
and Settlement Agreement, by Tampa Electric Company

DOCKET NO. 20230090-EI

Dear Mr. Teitzman:

Attached for filing in the above docket is Tampa Electric Company's Motion for Temporary Protective Order pertaining to portions of the company's supplemental response to the Office of Public Counsel's First Request for Production of Documents (Nos. 1-30) on March 12, 2024.

Thank you for your assistance in connection with this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read 'V. Ponder'.

Virginia Ponder

VLP/ne
Attachment

cc: All parties of record (w/att.)

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for Rate Increase by Tampa Electric Company

DOCKET NO. 20240026-EI

In re: Petition for approval of 2023 Depreciation and Dismantlement Study, by Tampa Electric Company

DOCKET NO. 20230139-EI

In re: Petition to implement 2024 Generation Base Rate Adjustment provisions in Paragraph 4 of the 2021 Stipulation and Settlement Agreement, by Tampa Electric Company

DOCKET NO. 20230090-EI

FILED: April 22, 2024

**TAMPA ELECTRIC COMPANY'S
MOTION FOR 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 Florida Public Service Commission (“Commission”) issue a temporary protective order exempting from Section 119.07(1), Florida Statutes (“F.S.”), certain information specified herein as 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 states:

1. On March 12, 2024, OPC served on Tampa Electric its First Request for Production of Documents (Nos. 1-30) (“OPC’s Discovery Request”). On April 11, 2024, Tampa Electric provided to OPC the company’s response to Request for Production of Documents (Nos. 1-30).

2. On this date, Tampa Electric will serve its supplemental responses to OPC’s Discovery Request Numbers 3, 9 and 21 (“Supplemental Responses) via a designated Sharepoint site. The company believes that all or portions of the Supplemental Response specified on Exhibit A

constitute “proprietary confidential business information” that is entitled to protection against public disclosure pursuant to Section 366.093, F.S.

3. 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), F.S. The confidential information that is the subject of this Motion falls within one or more of these statutory categories and, thus, constitutes proprietary confidential business information.

4. Exhibit A identifies OPC’s discovery requests to which the company’s Supplemental Response is considered confidential.

5. Public disclosure of the Supplemental Response would adversely affect the economic interests of Tampa Electric and its customers.

6. 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.

7. Tampa Electric requests a temporary protective order to allow OPC access to Tampa Electric's confidential information in the Supplemental Response to be served on OPC on today's date 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.

8. Tampa Electric maintains the identified information 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 22nd day of April 2024.

Respectfully submitted,



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ATTORNEYS FOR TAMPA ELECTRIC COMPANY

EXHIBIT A

OPC's 1st Request for Production (1-30)
3. Please provide copies of all Tampa Electric Company internal audit reports for 2021 through 2023 in searchable format listed in Interrogatory No. 29
9. Please provide a copy of all Tampa Electric Company, Emera US Holdings, Inc., and Emera Board of Directors Meeting minutes and board committee minutes and presentations to the Tampa Electric Company, Emera US Holdings, Inc., and Emera boards in 2022, 2023 and 2024 to-date.
21. Please provide all copies of business analysis plans (or the functional equivalent), phase project authorization plans and associated presentations for any plant additions, made to the Board of Directors or Executive Management for approval during the time period 2021 through 2023 and 2024 to date. Please include any project authorization forms with signature

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that copies of the foregoing Motion for Temporary Protective Order have been served by electronic mail on this 22nd day of April, 2024 to the following:

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Petition to Intervene Pending

A handwritten signature in blue ink, appearing to read "H. Ponder", is written above a horizontal line.

ATTORNEY