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May 10, 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:

Enclosed for filing in the above docket is Tampa Electric Company's Motion for Temporary Protective Order of its response to Fourth Request for Production (Nos. 47-70) of the Office of Public Counsel, propounded and served by electronic mail on April 10, 2024.

Thank you for your assistance in connection with this matter.

Sincerely,

Virginia Ponder

VLP/ne

Enclosure

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

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: May 10, 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 April 10, 2024, OPC served on Tampa Electric its Fourth Set of Interrogatories (Nos. 76-94) and its Fourth Request for Production of Documents (Nos. 47-70).
2. On this date, Tampa Electric will provide to OPC their responses to OPC’s Fourth Request for Production of Documents (“OPC’s Discovery Request) and answers to OPC’s Fourth Set of Interrogatories by uploading them to a designated Sharepoint site that OPC has access to. The company believes that all or portions of their responses to OPC’s Discovery Request as 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 Request to which the company's response is considered confidential.

5. Public disclosure of the responses identified 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 Response to be provided to 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.

Tampa Electric will post its responses to OPC's Discovery Request on the Consumer Party SharePoint site. Due to significant storm activity and closure of Commission offices on May 10, 2024, the company will serve Staff Counsel on Monday May 13, 2024 by (1) filing confidential documents with the Commission Clerk along with an accompanying Request for Confidential Classification for the material listed in Exhibit A of this Motion; and (2) sending the non-confidential documents loaded on a USB and served by hand delivery.

9. 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 10th day of May 2024.

Respectfully submitted,



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ATTORNEYS FOR TAMPA ELECTRIC COMPANY

EXHIBIT A

This Motion for Temporary Protective Order covers the company's responses to OPC's Fourth Request for Production of Documents that constitute proprietary confidential business information.

OPC's 4th Request for Production (Nos. 47-70)
Copies of all presentations made to rating agencies and/or investment firms by TECO Energy, Inc., Tampa Electric Company, and Emera Incorporated between January 1, 2021, and the present, provided in Tampa Electric's response to Request for Production of Documents Number 47
Copies of credit reports for TECO Energy, Inc., Tampa Electric Company, and Emera Incorporated between January 1, 2021, and the present from the major credit rating agencies (Moody's, S&P, and Fitch), provided in Tampa Electric's response to Request for Production of Documents Number 49.
Copies of associated reports relating to change in credit and/or bond rating assigned to TECO Energy, Inc., Tampa Electric Company, and Emera Incorporated since the year 2015 by S&P, Moody's, and Fitch), provided in Tampa Electric's response to Request for Production of Documents Number 50.
Copies of associated source documents and work papers for the breakdown in the expected return on pension plan assets for Tampa Electric Company provided in Tampa Electric's response to Request for Production of Documents Number 51.
Copies of all articles, publications, regulatory decisions, references, and/or documents cited in the testimony of Jeff Chronister and/or footnotes provided in Tampa Electric's response to Request for Production of Documents Number 62.
Copies of all schedules, workpapers, and electronic workbooks used in the preparation of the study and presentation of the results provided in Tampa Electric's response to Request for Production of Documents Number 67.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that copies of the foregoing Motion for Temporary Protective Order have been served by electronic mail on this 10th day of May, 2024 to the following:

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