



May 14, 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 the May 8, 2024 deposition transcript of Tampa Electric Company witness Jeff Chronister.

Thank you for your assistance in connection with this matter.

Sincerely,



J. Jeffrey Wahlen

JJW/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: May 14, 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 the Transcript of the deposition of Jeff Chronister, taken May 8, 2024 (“Transcript”), from Section 119.07(1), Florida Statutes, and for the protection of the Transcript against public disclosure pending the Office of Public Counsel’s review of it, and states:

1. The Office of Public Counsel (“OPC”) took the deposition of Tampa Electric witness Jeff Chronister on May 8, 2024. During the deposition, OPC inquired of Mr. Chronister about proprietary confidential business information (“confidential information”) previously produced by the company during discovery, and some of Mr. Chronister’s answers (and deposition exhibits) discuss or reflect confidential information. Tampa Electric believes that certain of the questions, answers, and exhibits contained in the Transcript constitute “proprietary confidential business information” that is entitled to protection against public disclosure pursuant to Section 366.093, Florida Statutes.

2. The purpose of this Motion is to give OPC access to the Transcript while the company prepares a request for confidential classification, which it will file within 21 days. Once this Motion has been filed, the company will post the Transcript to the confidential portion of the Consumer Party Discovery SharePoint site for immediate review by the Office of Public Counsel and other consumer parties that have executed non-disclosure agreements. The Transcript will also be the subject of a Notice of Intent to request confidential classification, filed contemporaneously with this Motion, that will enable the Commission Staff to review the Transcript while the company prepares a request for confidential classification covering the Transcript.

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 in the Transcript that is the subject of this Motion falls within one or more of these statutory categories and, thus, constitutes proprietary confidential business information. Public disclosure of the confidential information in the Transcript would adversely affect the economic interests of Tampa Electric and its customers.

4. 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.

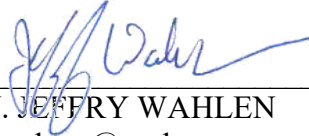
5. Tampa Electric requests a temporary protective order to allow OPC immediate access to Tampa Electric's confidential information in the Transcript while protecting the economic interests of Tampa Electric and its customers from the harm that would result from public disclosure of the above-referenced confidential information. Tampa Electric maintains the identified information in a confidential form and has not disclosed it publicly.

6. Tampa Electric will file a request for confidential classification for the confidential portion of the Transcript (and a redacted version of the Transcript for public review) within 21 days as specified in Rule 25-22.006.

WHEREFORE, Tampa Electric requests that the Commission issue a Temporary Protective Order allowing it to provide the Transcript to OPC while the company prepares and files its request for confidential classification.

DATED this 14<sup>th</sup> day of May 2024.

Respectfully submitted,



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ATTORNEYS FOR TAMPA ELECTRIC COMPANY

## CERTIFICATE OF SERVICE

I HEREBY CERTIFY that copies of the foregoing Motion for Temporary Protective Order have been served by electronic mail on this 14<sup>th</sup> day of May, 2024 to the following:

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