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May 22, 2024

VIA ELECTRONIC FILING

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COMMISSION  
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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 responses to the Sierra Club's  
Second Request for Production of Documents, propounded on May 2, 2024.

Thank you for your assistance in connection with this matter.

Sincerely,

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: May 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 Sierra Club through discovery, and for the protection of that information against public disclosure pending the company’s filing of a Request for Confidential Classification within twenty-one days in accordance with Rule 25-22.006(3)(a)(1), Florida Administrative Code. In support of its Motion, the company states:

1. On May 2, 2024, Sierra Club served on Tampa Electric its Second Set of Interrogatories (Nos. 73-91) and its Second Request for Production of Documents (Nos. 20-26) (“Sierra Club’s Discovery Request”).

2. On this date, Tampa Electric has served its response to Sierra Club’s Discovery Request by posting its answers, responses, and responsive documents (collectively, “Response”) on a virtual SharePoint site that is accessible by Sierra Club. The company believes that all or portions of its Response to the discovery requests specified on Exhibit A constitute “proprietary confidential

business information” and has designated it as such by placing it in a segregated area of the SharePoint site for confidential information.

3. Tampa Electric considers the designated information in its Response to be “proprietary confidential business information” that is entitled to protection against public disclosure pursuant to Section 366.093, F.S.

4. 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.

5. Exhibit A identifies Sierra Club’s Discovery Request to which the company’s Response is considered confidential.

6. Public disclosure of the highlighted information in question would adversely affect the economic interests of Tampa Electric and its customers.

7. Rule 25-22.006, Florida Administrative Code, provides for protection of this type of information when a utility allows another party to inspect or take possession of such information in the course of discovery. Subsection (6)(a) of this rule states:

(a) In any formal proceeding before the Commission, any utility or other person may request a protective order protecting

proprietary confidential business information from discovery. Upon a showing by a utility or other person and a finding by the Commission that the material is entitled to protection, the Commission shall enter a protective order limiting discovery in the manner provided for in Rule 1.280, Florida Rules of Civil Procedure. The protective order shall specify how the confidential information is to be handled during the course of the proceeding and prescribe measures for protecting the information from disclosure outside the proceeding.

8. Tampa Electric requests a temporary protective order to allow Sierra Club access to Tampa Electric's confidential information that is posted on the SharePoint 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 is simultaneously filing a Notice of Intent to Request Confidential Classification covering the same material listed in Exhibit A of this Motion. Tampa Electric will file a Request for Confidential Classification specifying the information entitled to confidential treatment within twenty-one days in accordance with Rule 25-22.006(3)(a)1, Florida Administrative Code.

9. Tampa Electric maintains the highlighted 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 Sierra Club with the confidential information described above while maintaining the confidential nature of that information.



DATED this 22<sup>nd</sup> day of May 2024.

Respectfully submitted,



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ATTORNEYS FOR TAMPA ELECTRIC COMPANY

**EXHIBIT A**

**Sierra Club's Second Request for Production of Documents (Nos. 20-26)**

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| <p>20. Please refer to Sierra Club Interrogatory No. 63. Please provide the interconnection studies and final interconnection costs associated with all solar resources in this rate case.</p> <p>a. Please provide the interconnection studies and final interconnection costs of the three most recent solar resources the Company procured before this rate case.</p> |
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## CERTIFICATE OF SERVICE

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

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Timothy Sparks  
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