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May 23, 2024

VIA HAND DELIVERY

REDACTED

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 Request for Confidential Classification and Request for Temporary Protective Order of certain information contained in Tampa Electric's answers to the Office of Public Counsel's Tenth Set of Interrogatories (Nos. 174-186) and Eleventh Request for Production of Documents (133-145). Also attached is an accompanying USB containing the public (redacted) version of these documents.

Thank you for your assistance in connection with this matter.

Sincerely,

Virginia Ponder

VLP/ne
Attachment
cc: All parties of record

COM _____
AFD _____
APA _____
ECO _____
ENG _____
GCL _____
IDM _____
CLK _____

1 redacted
Exb "B" on USB

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COMMISSION
CLERK

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 23, 2024

**TAMPA ELECTRIC COMPANY'S
REQUEST FOR CONFIDENTIAL CLASSIFICATION
AND REQUEST 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)

On May 3, 2024, Tampa Electric filed a Notice of Intent to Request Confidential Classification for portions of Office of Public Counsel's ("OPC") Tenth Set of Interrogatories (Nos. 174-186) ("OPC's Tenth Set").¹ Some of the interrogatories in OPC's Tenth Set seek information about, are based on, or derived from confidential information provided by Tampa Electric to OPC during the discovery process and for which the company has filed a request for

¹ See DN 02803-2024, filed on May 7, 2024, in Docket No. 20240026-EI.

confidential classification. Accordingly, portions of the individual interrogatories contained in OPC's Tenth Set constitute "proprietary confidential business information" as defined in Section 366.093, Florida Statutes. Pursuant to the Notice of Intent, Tampa Electric filed its Request for Confidential Classification on May 14th, 2024.²

On this date, Tampa Electric serves its answers to OPC's Tenth Set and responses to OPC's Eleventh Request for Production of Documents (Nos. 133-145), and the company believes that portions of the interrogatories and responses as specified on Exhibit "A," constitute Confidential Information and has designated it as such by highlighting. Contemporaneous with the filing of this request, Tampa Electric submitted the Confidential Information to the Commission Clerk under a separate, confidential cover letter. Tampa Electric requests confidential classification for this information such that it will be entitled to protection against public disclosure pursuant to Section 366.093, Florida Statutes. In support of this request, the company states:

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)-

² See DN 03038-2024 filed on May 14, 2024, in Docket No. 20240026-EI.

(f), Fla. Stat. The Confidential Information that is the subject of this request and motion falls within one or more of 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. Exhibit "B" contains the public versions of the Documents with the Confidential Information.

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. For the same reasons set forth herein in support of its request for confidential classification, Tampa Electric also moves the Commission for entry of a Temporary Protective Order 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 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.

DATED this 23rd day of May, 2024.

Respectfully submitted,



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ATTORNEYS FOR TAMPA ELECTRIC COMPANY

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that electronic copies of the foregoing request have been served by electronic mail on this 23rd day of May, 2024 to the following:

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ATTORNEY

**EXHIBIT A
JUSTIFICATION FOR CONFIDENTIAL TREATMENT**

| Office of Public Counsel's Tenth Set of Interrogatories (Nos. 174-186) | | | |
|---|---|-----------------------------------|----------------------|
| Interrogatory No. | Document Description | Description of Information | Justification |
| 179, 180, 181, 182, 183, 184, and 185 | Office of Public Counsel's Tenth Set of Interrogatories to Tampa Electric Company (Nos. 174-186). | The Highlighted Information. | (1) |

| Responses to Office of Public Counsel's Eleventh Request for Production of Documents (Nos. 133-145) | | | |
|--|---|---|----------------------|
| Bates Number | Document Description | Description of Information | Justification |
| 30601 | Copies of all detailed information and related supporting documentation, including supporting information addressing the changes in the amount and percent of expenses allocated from Emera to TECO and all affiliates from 2021 to 2023 as provided in Tampa Electric's response to Office of Public Counsel's Eleventh Request for Production, No. 140. | <p align="center"><u>OPC POD 140</u></p> Row(s): 5, 7, 9, & 17; Column(s): C Row(s): 5 through 17; Column(s): E & F Row(s): 5, 7, 9, & 17; Column(s): G through I | (1) |

Justifications

(1) The highlighted information relates to competitive interests, the disclosure of which would impair the competitive business of the provider of the information. This information is protected by Section 366.093(3)(e), Florida Statutes.

EXHIBIT B
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 via USB

 X

EXHIBIT C
JUSTIFICATION FOR EXTENSION OF CONFIDENTIALITY PERIOD

N/A