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July 10, 2024

VIA ELECTRONIC FILING

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

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COMMISSION
CLERK

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 Florida Rising and League of United Latin American Citizen's Ninth Request for Production of Documents, Number 64, propounded on July 3, 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: July 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 Florida Rising and League of United Latin American Citizens ("LULAC") 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 July 3, 2024, Florida Rising and LULAC served on Tampa Electric its Ninth Request for Production of Documents (Nos. 56-74) ("Florida Rising and LULAC's Discovery Request").

2. On this date, Tampa Electric has served its responses to Florida Rising and LULAC's Discovery Request by posting its responses, and responsive documents (collectively, "Response") on a virtual SharePoint site that is accessible by Florida Rising and LULAC. The

company believes that all or portions of its Response to the Discovery Request specified in 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 Florida Rising and LULAC’s Discovery Request to which the company’s Response is considered confidential.

6. Public disclosure of the 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 Florida Rising and LULAC 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 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 Florida Rising and LULAC with the confidential information described above while maintaining the confidential nature of that information.

DATED this 10th day of July 2024.

Respectfully submitted,



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ATTORNEYS FOR TAMPA ELECTRIC COMPANY

EXHIBIT A

Florida Rising and LULAC's Ninth Request for Production of Documents (Nos. 56-74)

64. Please refer to Witness Carlos Aldazabal's rebuttal testimony at page 12, line 6. Please provide the referenced "lease agreement."

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 July, 2024 to the following:

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