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July 12, 2024

VIA HAND DELIVERY

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

REDACTED

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 Response and Supplemental Response to League of United Latin American Citizens and Florida Rising's Ninth Request for Production of Documents, propounded by electronic mail on July 3, 2024.

Thank you for your assistance in connection with this matter.

Sincerely,

Virginia L. Ponder

VLP/ne
Attachment

cc: All parties of record

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

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COMMISSION
CLERK

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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 12, 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 July 10, 2024, Tampa Electric served its responses to the League of United Latin American Citizens of Florida ("LULAC") and Florida Rising's Ninth Request for Production of Documents (Nos. 56-74) ("LULAC and Florida Rising's Request").¹ On the same date, Tampa Electric filed its Notice of Intent to Request Confidential Classification,² and a Motion for

¹ See DN 07460-2024 filed on July 10, 2024, in Docket No. 20240026-EI.

² See DN 07451-2024 filed on July 10, 2024, in Docket No. 20240026-EI.

Temporary Protective Order,³ for certain information contained in the company's response to LULAC and Florida Rising's Request for Production of Documents, Number 64 ("July 10 Response").⁴

On this date, July 12, 2024, Tampa Electric served its Supplemental Response to LULAC and Florida Rising's Request for Production of Documents, Number 64 ("July 12 Supplemental Response").

The company believes that portions of its July 10 Response and July 12 Supplemental Response to LULAC and Florida Rising's Request, 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

³ See DN 07457-2024 filed on July 10, 2024, in Docket No. 20240026-EI

⁴ See DN 07451-2024 and DN 07457-2024 filed on July 10, 2024, in Docket No. 20240026-EI.

information unrelated to compensation, duties, qualifications, or responsibilities. §366.093(3)(a)-(f), Florida Statutes. 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 12th day of July, 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 12th day of July, 2024 to the following:

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ATTORNEY

**EXHIBIT A
JUSTIFICATION FOR CONFIDENTIAL TREATMENT**

Response to LULAC and Florida Rising's Ninth Request for Production of Documents (Nos. 56-74)			
Bates Page Nos.	Document Description	Description of Information	Justification
45153 - 45340	Portions of the lease agreement provided in Tampa Electric's Response to LULAC and Florida Rising's Ninth Request for Production of Documents, No. 64.	The Highlighted Information.	(1) (2) & (3)

Supplemental Response to LULAC and Florida Rising's Ninth Request for Production of Documents (No. 64)			
Bates Page Nos.	Document Description	Description of Information	Justification
45405 - 46816	The lease agreement provided in Tampa Electric's Supplemental Response to LULAC and Florida Rising's Ninth Request for Production of Documents, No. 64.	The Highlighted Information.	(1) (2) & (3)

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.

(2) The confidential information contained in this document consists of the proprietary work product of Tampa Electric's consultants. Public disclosure of this information could allow duplication of the consultant's work without compensation for the consultant's efforts. This information is in the nature of a trade secret owned by the consultants, and disclosure of this information would impair the consultant's competitive business interests by diminishing the demand for the consultant's proprietary work production. This information is protected by Section 366.093(3), Florida Statutes.

(3) The highlighted information on the pages in question constitutes Critical Energy Infrastructure Information or CEII, defined by the Federal Energy Regulatory Commission as "specific engineering, vulnerability, or detailed design information about proposed or existing critical infrastructure that: (1) relates details about the production, generation, transportation, transmission, or distribution of energy; (2) could be useful to a person in planning an attack on critical infrastructure; (3) is exempt from mandatory disclosure under the Freedom of Information Act; and (4) does not simply give the general location of the critical infrastructure." CEII includes, among other things, connectivity or switching maps or diagrams, which is the type of information contained in the above-referenced pages. In addition, Section 366.093(3)(c), Florida Statutes, identifies security measures, systems or procedures as the type of information entitled to confidential protection. Public disclosure of the information in question could compromise the security interests of Tampa Electric and adversely affect the company and its customers. As such, the information is entitled to confidential protection and exemption from the Public Records Law pursuant to Section 366.093, Florida Statutes, and the referenced provisions of the FERC's CEII policy."

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