



July 26, 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 July 22, 2024, deposition of Carlos Aldazabal.

Thank you for your assistance in connection with this matter.

Sincerely,

Malcolm N. Means

MNM/bl
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 26, 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 Office of Public Counsel (“OPC”) 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 22, 2024, OPC conducted a deposition of company witness Carlos Aldazabal. One of the documents discussed during the deposition was previously produced to the intervenors in this docket subject to a request for confidential classification and motion for temporary protective order filed by the company prior to the deposition.¹ As a result, portions of the deposition

¹ See DN 07514-2024 filed on July 12, 2024, in Docket No. 20240026-EI.

transcript consist of proprietary confidential business information that are entitled to protection against public disclosure pursuant to Section 366.093, F.S.

2. 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.

3. Public disclosure of the information in question 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 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.

5. Tampa Electric requests a temporary protective order to allow OPC access to Tampa Electric's confidential information as specified in Exhibit A, 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 transcript of this deposition. 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.

6. 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 OPC with the confidential information described above while maintaining the confidential nature of that information.

DATED this 26th day of July 2024.

Respectfully submitted,



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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 26th day of July, 2024 to the following:

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