

State of Florida



Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

-M-E-M-O-R-A-N-D-U-M-

DATE: May 23, 2024

TO: Division of Engineering, Office of Primary Responsibility

FROM: OFFICE OF COMMISSION CLERK

RE: CONFIDENTIALITY OF CERTAIN INFORMATION

DOCKET NOS: 20240026-EI DOCUMENT NO: 03895-2024

DESCRIPTION: TECO (Ponder) - (CONFIDENTIAL) USB containing information pertaining to responses to staff's 1st request for PODs.

SOURCE: Tampa Electric Company

The above confidential material was filed along with a request for confidential classification and request for temporary protective order. Please complete the following form by checking all applicable information and forward it to the attorney assigned to the docket, along with a brief memorandum supporting your recommendation.

- The document(s) is (are), in fact, what the utility asserts it (them) to be.
- The utility has provided enough details to perform a reasoned analysis of its request.
- The material has been received incident to an inquiry.
- The material is confidential business information because it includes:
 - (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 information;
 - (f) Employee personnel information unrelated to compensation, duties, qualifications, or responsibilities;
- The material appears to be confidential in nature and harm to the company or its ratepayers will result from public disclosure.
- The material appears not to be confidential in nature.
- The material is a periodic or recurring filing and each filing contains confidential information.

This response was prepared by Andrew Kunkler on 6/13/2024, a copy of which has been sent to the Office of Commission Clerk and the Office of General Counsel.

State of Florida



Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

-M-E-M-O-R-A-N-D-U-M-

DATE: June 13, 2024

TO: Timothy Sparks, Senior Attorney, Office of the General Counsel
Adria E. Harper, Attorney Supervisor, Office of the General Counsel

FROM: Andrew Kunkler, Public Utility Analyst IV, Division of Economics **EAK**

RE: Tampa Electric Company – Docket No. 20240026-EI – Document No. 03895-2024

Pursuant to Section 366.093 of the Florida Statutes (F.S), and Rule 25-22.006, Florida Administrative Code, Tampa Electric Company, Inc. (TECO or Company) requests confidential classification of highlighted information that was provided on May 23, 2024, in response to Staff's First Request for Production of Documents (PODs), Nos. 1 – 15, specifically POD No. 5, issued in the above docket, which relates to TECO's phosphate customers and usage.

TECO is claiming confidentiality of certain information contained in its response to Staff's First Request for PODs, Nos. 1 - 15, specifically POD No. 5, under Section 366.093(3)(d) and (e), F.S. Per the statute, propriety of confidential business information includes, but is not limited to: Subsection (d) "[i]nformation 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," and Subsection (e) "[i]nformation relating to competitive interests, the disclosure of which would impair the competitive business of the provider of the information." The Company maintains that the information provided in the aforementioned response for which confidential treatment is being requested contains competitive business information as well as information concerning bids or other sensitive contractual data.

Staff has reviewed the information provided in TECO's response to Staff's First Request for PODs, Nos. 1 - 15, specifically POD No. 5, as well as the Company's confidentiality request. In staff's opinion, the information that is the subject of the confidentiality request does meet the criteria for confidentiality contained in Section 366.093 F.S. Therefore, staff recommends that the request for confidentiality of certain information included in Document No. 03895-2024 be approved.