

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: October 3, 2024

TO: Carlos Marquez, Senior Attorney, Office of the General Counsel

FROM: Ailynee Ramirez-Abundez, Public Utility Analyst I, Division of Engineering *ARA*

RE: CONFIDENTIALITY OF CERTAIN INFORMATION *LK*

DOCKET NOS: **20240026-EI** DOCUMENT NO: **08315-2024**

DESCRIPTION: TECO (Means) - (CONFIDENTIAL) USB containing highlighted portions of Exhs 1 and 2 to report on customer service hearings.

SOURCE: **Tampa Electric Company**

On August 8, 2024, Tampa Electric Company (TECO or Company) filed a request for confidential treatment of Document No. 08315-2024. This document contains two exhibits that consist of customer account information and a public record of a customer complaint from the Florida Public Service Commission's Customer Activity Tracking System.

TECO contends that the information constitutes proprietary and confidential business information entitled to protection under Section 366.093(3)(e), Florida Statutes (F.S.), and Rule 25-22.006, Florida Administrative Code (F.A.C.). TECO asserts that the information at issue relates to personal account information of customers, the disclosure of which would impair its competitive business interests.

Staff has reviewed TECO's confidentiality request. The Commission has treated certain customer account information as confidential in the past when produced by a utility company.¹

¹Order No. PSC-11-0323-CFO-EG, issued July 28, 2011, in Docket No. 20110002-EG, *In re: Energy conservation cost recovery clause*; Order No. PSC-02-0356-CFO-EI, issued Mar. 15, 2002, in Docket No. 20000824-EI, *In re: Review of Florida Power Corporation's earnings, including effects of proposed acquisition of Florida Power Corporation by Carolina Power & Light*; Order No. PSC-16-0277-CFO-WU, issued July 19, 2016, in Docket No. 20150199-WU, *In re: Application for staff-assisted rate case in Lake County by Raintree Waterworks, Inc.*; Order No. PSC-11-0540-PCO-WS, issued Nov. 21, 2011, Docket No. 20100330-WS, *In re: Application for increase in water/wastewater rates in Alachua, Brevard, DeSoto, Hardee, Highlands, Lake, Lee, Marion, Orange, Palm Beach, Pasco, Polk, Putnam, Seminole, Sumter, Volusia, and Washington Counties by Aqua Utilities Florida, Inc.*

October 3, 2024

The customer account numbers contained in the far right column of Exhibit 1, on their face, fall within the bounds of proprietary confidential business information based on Commission precedent. Release of this information could result in unauthorized access to electricity accounts by third parties and thus harm ratepayers. However, it is unclear how disclosure of the remaining information contained in Exhibit 1 of the motion will impair TECO's competitive business interests. As justification for its confidentiality request, TECO relies solely upon subsection (3)(e) of Section 366.093, F.S.² TECO does not assert any argument or facts as to how the customer account information could otherwise be entitled to confidential classification under the more general language contained in Section 366.093(3), F.S. Therefore, staff recommends that confidentiality of Document No. 08315-2024 be granted in relation to the customer account numbers in Exhibit 1 only. However, confidential classification of the remaining information is unwarranted.

ARA/MR/pz

cc: Office of Commission Clerk (Docket No. 20240026-EI)

²Document No. 08313-2024, in Docket No. 20240026-EI, filed August 8, 2024.

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DATE: October 3, 2024

TO: Division of Engineering, Office of Primary Responsibility

FROM: OFFICE OF COMMISSION CLERK

RE: CONFIDENTIALITY OF CERTAIN INFORMATION

DOCKET NO: 20240026-EI DOCUMENT NO: 08315-2024

DESCRIPTION: TECO (Means) - (CONFIDENTIAL) USB containing highlighted portions of Exhs 1 and 2 to report on customer service hearings.

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.
- Portions of the material appear to be confidential in nature and are identified in the memorandum supporting this recommendation.
- The material is a periodic or recurring filing and each filing contains confidential information.

This response was prepared by Ailynee Ramirez-Abundez on 10/03/2024, a copy of which has been sent to the Office of Commission Clerk and the Office of General Counsel.