



FILED 11/19/2024  
DOCUMENT NO. 09941-2024  
FPSC - COMMISSION CLERK

Attorneys and Counselors at Law  
123 South Calhoun Street  
P.O. Box 391 32302  
Tallahassee, FL 32301  
P: (850) 224-9115  
F: (850) 222-7560  
[ausley.com](http://ausley.com)

November 19, 2024

VIA HAND DELIVERY

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

**REDACTED**

RECEIVED-FPSC  
2024 NOV 19 PM 3:27  
COMMISSION  
CLERK

Re: Staff's Audit Workpapers (Control No.: 2024-131-1-1)  
Environmental Cost Recovery Clause  
FPSC Docket No. 20240007-EI

Dear Mr. Teitzman:

Attached for filing in the above docket is Tampa Electric Company's Request for Confidential Classification of certain information contained in its responses to Staff's Confidential Audit Workpapers to be retained here: 2024-131-1-1 (Document No. 08781-2024).

Also attached is an accompanying USB containing the public (redacted) version of these documents.

Thank you for your assistance in connection with this matter.

Sincerely,

Malcolm N. Means

MNM/bml  
Attachment

cc: All parties of record

- COM \_\_\_\_\_
- AFD \_\_\_\_\_
- APA \_\_\_\_\_
- ECO \_\_\_\_\_
- ENG** \_\_\_\_\_
- GCL \_\_\_\_\_
- IDM \_\_\_\_\_
- CLK \_\_\_\_\_

*I redacted copy on USB*

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Environmental Cost Recovery Clause

DOCKET NO. 20240007-EI

FILED: November 19, 2024

**TAMPA ELECTRIC COMPANY'S  
REQUEST FOR CONFIDENTIAL CLASSIFICATION**

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 August 30, 2024, Commission Staff filed their final audit report for Tampa Electric in the above-captioned docket. *See* DN 08781-2024. On September 5, 2024, Commission Staff informed Tampa Electric that it was retaining certain confidential audit work papers. Pursuant to Rule 25-22.006(3)(a)2, Florida Administrative Code, a utility must file a request for confidential classification covering confidential workpapers within 21 days after the date the audit exit conference would have taken place, or in this case on September 5, 2024, unless the utility shows good cause. Due to inadvertence, the company hereby files this Request for Confidential Classification after the September 26<sup>th</sup> deadline because it believes that portions of the Workpapers, as specified on Exhibit "A" of this Request, 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 information unrelated to compensation, duties, qualifications, or responsibilities. §366.093(3)(a)-(f), Fla. Stat. The Confidential Information that is the subject of this request 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.

**Requested Duration of Confidential Classification**

5. 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.

WHEREFORE, Tampa Electric Company respectfully requests that the Confidential Information that is the subject of this request be accorded confidential classification for the reasons set forth herein and for 18 months.

DATED this 19<sup>th</sup> day of November 2024.

Respectfully submitted,



---

J. JEFFRY WAHLEN  
[jwahlen@ausley.com](mailto:jwahlen@ausley.com)  
MALCOLM N. MEANS  
[mmeans@ausley.com](mailto:mmeans@ausley.com)  
VIRGINIA L. PONDER  
[vponder@ausley.com](mailto:vponder@ausley.com)  
Ausley McMullen  
Post Office Box 391  
Tallahassee, Florida 32302  
(850) 224-9115

ATTORNEYS FOR TAMPA ELECTRIC COMPANY

## CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Request, filed on behalf of Tampa Electric Company, has been furnished by electronic mail on this 19<sup>th</sup> day of November 2024 to the following:

Adria Harper  
Jacob Imig  
Saad Farooqi  
Office of the General Counsel  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850  
[jimig@psc.state.fl.us](mailto:jimig@psc.state.fl.us)  
[aharper@psc.state.fl.us](mailto:aharper@psc.state.fl.us)  
[sfarooqi@psc.state.fl.us](mailto:sfarooqi@psc.state.fl.us)  
[discovery-gcl@psc.state.fl.us](mailto:discovery-gcl@psc.state.fl.us)

Matthew R. Bernier  
Robert L. Pickels  
Stephanie A. Cuello  
Duke Energy Florida, Inc.  
106 East College Avenue, Suite 800  
Tallahassee, FL 32301-7740  
[matthew.bernier@duke-energy.com](mailto:matthew.bernier@duke-energy.com)  
[robert.pickels@duke-energy.com](mailto:robert.pickels@duke-energy.com)  
[stephanie.cuello@duke-energy.com](mailto:stephanie.cuello@duke-energy.com)

Dianne M. Triplett  
Duke Energy Florida, Inc.  
299 First Avenue North  
St. Petersburg, FL 33701  
[dianne.triplett@duke-energy.com](mailto:dianne.triplett@duke-energy.com)  
[FLRegulatoryLegal@duke-energy.com](mailto:FLRegulatoryLegal@duke-energy.com)

Maria Moncada  
Joel Baker  
Florida Power & Light Company  
700 Universe Boulevard  
Juno Beach, FL 33408-0420  
[maria.moncada@fpl.com](mailto:maria.moncada@fpl.com)  
[joel.baker@fpl.com](mailto:joel.baker@fpl.com)

Walter Trierweiler  
Charles Rehwinkel  
Ms. Patricia A. Christensen  
Mary Wessling  
Octavio Ponce  
Austin Watrous  
Office of Public Counsel  
111 West Madison Street, Room 812  
Tallahassee, FL 32399-1400  
[Trierweiler.Walt@leg.state.fl.us](mailto:Trierweiler.Walt@leg.state.fl.us)  
[Rehwinkel.charles@leg.state.fl.us](mailto:Rehwinkel.charles@leg.state.fl.us)  
[christensen.patty@leg.state.fl.us](mailto:christensen.patty@leg.state.fl.us)  
[wessling.mary@leg.state.fl.us](mailto:wessling.mary@leg.state.fl.us)  
[ponce.octavio@leg.state.fl.us](mailto:ponce.octavio@leg.state.fl.us)  
[watrous.austin@leg.state.fl.us](mailto:watrous.austin@leg.state.fl.us)

Jon C. Moyle, Jr.  
Moyle Law Firm  
118 N. Gadsden Street  
Tallahassee, FL 32301  
[jmoyle@moylelaw.com](mailto:jmoyle@moylelaw.com)  
[mqualls@moyle.law.com](mailto:mqualls@moyle.law.com)

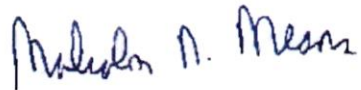
James W. Brew  
Laura W. Baker  
Sarah Newman  
Stone Mattheis Xenopoulos & Brew, PC  
1025 Thomas Jefferson Street, NW  
Eighth Floor, West Tower  
Washington, D.C. 20007-5201  
[jbrew@smxblaw.com](mailto:jbrew@smxblaw.com)  
[lwb@smxblaw.com](mailto:lwb@smxblaw.com)  
[sbn@smxblaw.com](mailto:sbn@smxblaw.com)



Kenneth Hoffman  
Vice President, Regulatory Relations  
Florida Power & Light Company  
215 South Monroe Street, Suite 810  
Tallahassee, FL 32301-1858  
[ken.hoffman@fpl.com](mailto:ken.hoffman@fpl.com)

Peter J. Mattheis  
Michael K. Lavanga  
Joseph R. Briscar  
Stone Law Firm  
1025 Thomas Jefferson St., NW  
Suite 800 West  
Washington, DC 20007-5201  
[mkl@smxblaw.com](mailto:mkl@smxblaw.com)  
[pjm@smxblaw.com](mailto:pjm@smxblaw.com)  
[jrb@smxblaw.com](mailto:jrb@smxblaw.com)

Corey Allain  
Nucor Steel Florida, Inc.  
22 Nucor Drive  
Frostproof, FL 33843  
[corey.allain@nucor.com](mailto:corey.allain@nucor.com)



---

ATTORNEY

**EXHIBIT A**  
**JUSTIFICATION FOR CONFIDENTIAL TREATMENT**

<b>Tampa Electric Company Staff Audit Workpapers</b>			
<b>Bates Page Nos.</b>	<b>Document Description</b>	<b>Description of Information</b>	<b>Justification</b>
3-15	Cogen Billing & lists of Cogen purchases	The Highlighted Information	(1) & (2)

**Justifications**

(1) The highlighted information consists of customer names and rates. This constitutes “[i]nformation concerning bids or other contractual data, the disclosure of which would impair the efforts of the public utility to contract for goods or services on favorable terms” under Section 366.093(3)(d), Florida Statutes.

(2) 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.

**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