AUSLEY MCMULLEN

ATTORNEYS AND COUNSELORS AT LAW

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July 23, 2015

HAND DELIVERED

REDACTED

Ms. Carlotta S. Stauffer Commission Clerk Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0850

Re: Fuel and Purchased Power Cost Recovery Clause with Generating Performance Incentive Factor; FPSC Docket No. 150001-EI

Dear Ms. Stauffer:

Enclosed for filing in the above docket are the original and seven (7) copies of Tampa Electric Company's Request for Confidential Classification and Motion for Temporary Protective Order regarding portions of its answer to the Citizens of the State of Florida's Second Set of Interrogatories No. 17.

Please acknowledge receipt and filing of the above by stamping the duplicate copy of this letter and returning same to this writer.

Thank you for your assistance in connection with this matter.

Sincerely,

shley M. Daniels

COM Fledacted AFC APA ECO ENG GCL IDM TEL

CLK

AMD/pp Enclosure

cc: All parties of record (w/enc.)

RECEIVED 4 PS

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FILED JUL 23, 2015 DOCUMENT NO. 04634-15 FPSC - COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Fuel and Purchased Power Cost Recovery Clause and Generating Performance Incentive Factor.

DOCKET NO. 150001-EI

FILED: July 23, 2015

TAMPA ELECTRIC COMPANY'S REQUEST FOR CONFIDENTIAL CLASSIFICATION AND MOTION 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 request 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)

Tampa Electric's answers to the Citizens of the State of Florida's Second Set of Interrogatories (No. 17), a single copy of which is being simultaneously filed with the Commission on a confidential basis under a separate transmittal letter. Bates Stamp pages 8-9 contain certain information ("Confidential Information") highlighted in yellow. 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 propriety 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 "[i]nformation concerning . . . 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." Subsection 366.093(3)(d), Florida Statutes. Proprietary confidential business information also includes "[i]information relating to competitive interests, the disclosure of which would impair the competitive business of the provider of the information." Section 366.093(3)(e), Florida Statutes. The Confidential Information that is the subject of this request and motion falls within the statutory categories and, thus, constitutes propriety 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 Document(s).

3. Attached hereto as Exhibit "B" are two public versions of the Document(s) with the Confidential Information redacted, unless previously filed as indicated.

4. The Confidential Information contained in the Document(s) 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)(c), Florida Administrative Code, protecting the Confidential Information from public disclosure.

Requested Duration of Confidential Classification

6. Tampa Electric requests that the Confidential Information be treated by the Commission as confidential proprietary business information for at least the 18 month period

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prescribed in Rule 25-22.006(9)(a), Florida Administrative Code. 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 Company 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 a minimum period of 18 months, subject to any request for a longer period of confidential classification as may be set forth in Exhibit "C" to this request and motion. The company further moves for the entry of a temporary protective order pursuant to Rule 25-22.006(6)(c), Florida Administrative Code, protecting the Confidential Information from public disclosure.

DATED this 23rd day of July 2015.

Respectfully submitted,

JAMES D. BEASLEY J. JEFFRY WAHLEN ASHLEY M. DANIELS 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 for Confidential Classification and Motion for Temporary Protective Order, filed on behalf of Tampa Electric Company, has been served by hand delivery (*) or electronic mail on this 23rd day of July 2015 to the following:

Ms. Suzanne S. Brownless Ms. Danijela Janjic Mr. John Villafrate Office of the General Counsel Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0850 <u>sbrownle@psc.state.fl.us</u> <u>Djanjic@psc.state.fl.us</u> JVillafr@psc.state.fl.us

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Mr. Kenneth Hoffman Vice President, Regulatory Relations Florida Power & Light Company 215 South Monroe Street, Suite 810 Tallahassee, FL 32301-1859 <u>ken.hoffman@fpl.com</u>

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Mr. Robert Scheffel Wright Mr. John T. LaVia, III Gardner, Bist, Wiener, Wadsworth, Bowden, Bush, Dee, LaVia & Wright, P.A. 1300 Thomaswood Drive Tallahassee, FL 32308 <u>Schef@gbwlegal.com</u> Jlavia@gbwlegal.com Mr. James W. Brew Mr. Owen J. Kopon Ms. Laura A. Wynn Stone Mattheis Xenopoulos & Brew, PC 1025 Thomas Jefferson Street, NW Eighth Floor, West Tower Washington, D.C. 20007-5201 jbrew@smxblaw.com ojk@smxblaw.com laura.wynn@smxblaw.com

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ATTORNEY

JUSTIFICATION FOR CONFIDENTIAL TREATMENT OF HIGHLIGHTED PORTIONS OF TAMPA ELECTRIC'S RESPONSES TO CITIZENS' SECOND SET OF INTERROGATORIES (FILED JULY 23, 2015)

Bates Stamp <u>Page No.</u>	<u>Interrogatory</u> <u>No</u> .	Detailed Description	<u>Rationale</u>
8 - 9	17	All Yellow Highlighted Information	(1)

(1) The information contained on the listed page contains hedged fuel prices, mark-to-market savings or losses, hedged volume of natural gas, fixed prices of hedging transactions and hedging percentages, all of which types of information have been recognized by the Commission on numerous occasions to constitute proprietary confidential business information, the disclosure of which would be harmful to Tampa Electric's ability to contract for goods and services on favorable terms and, likewise, the disclosure of which would be harmful to the competitive interests of Tampa Electric. See, for example, Order Nos. PSC-07-0859-CFO-EI and PSC-07-0860-CFO-EI. This specific type of information is described in Section 366.093(3)(d) and (e) as being entitled to confidential protection and exemption from the Public Records Law.

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 X

Public Version(s) of the Document(s) previously filed on _____

REDACTED

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TAMPA ELECTRIC COMPANY DOCKET NO. 150001-EI OPC'S SECOND SET OF INTERROGATORIES INTERROGATORY NO. 17 PAGE 5 OF 6 FILED: JULY 23, 2015

Hedged Volume Year **Production Month** Gain/(Loss) **Hedged Price Settlement Price** (MMBTU) Jul-10 (\$6,010,740) 4,330,000 \$6.11 \$4.72 Aug-10 \$4.77 (\$4,255,640) 4,180,000 \$5.79 Sep-10 (\$8,232,720) \$5.83 \$3.65 3,780,000 Oct-10 (\$6,242,450) 3,400,000 \$5.67 \$3.84 Nov-10 (\$4,857,010) 2,070,000 \$5.64 \$3.29 Dec-10 (\$3,825,600) 2,400,000 \$5.86 \$4.27 Jan-11 \$5.68 \$4.22 (\$2,755,160)1,890,000 Feb-11 (\$2,815,820) 2,430,000 \$5.48 \$4.32 Mar-11 \$3.79 (\$4,590,970) 2,710,000 \$5.48 Apr-11 (\$2,613,260) 2,380,000 \$5.34 \$4.24 May-11 (\$1,693,800) 2,350,000 \$5.10 \$4.38 Jun-11 (\$1,777,830)3,320,000 \$4.87 \$4.33 2011 Jul-11 3,880,000 \$4.78 \$4.36 (\$1,633,460) Aug-11 \$4.74 \$4.37 (\$1,514,300)4.090.000 Sep-11 \$4.62 \$3.86 (\$3,269,690) 4,320,000 Oct-11 (\$3,801,560) 4,270,000 \$4.65 \$3.76 Nov-11 \$4.73 (\$3,471,310) 2,880,000 \$3.52 Dec-11 (\$3,952,320)2,520,000 \$4.93 \$3.36 Jan-12 \$3.08 (\$4,265,540)Feb-12 \$2.68 (\$5, 183, 010)Mar-12 (\$4,650,960)\$2.45 Apr-12 \$2.19 (\$7,270,405) \$2.04 May-12 (\$7,706,895) Jun-12 (\$7, 164, 500)\$2.43 2012 Jul-12 (\$6, 117, 660)\$2.77 Aug-12 \$3.01 (\$5,495,850) Sep-12 \$2.63 (\$6,371,570) Oct-12 (\$4,050,300) \$3.02 Nov-12 (\$1,744,670) \$3.47 Dec-12 (\$1,496,760)\$3.70 Jan-13 \$3.35 (\$1,482,130)2013 Feb-13 \$3.23 (\$1,744,150) Mar-13 (\$828,170) \$3.43

REDACTED

TAMPA ELECTRIC COMPANY DOCKET NO. 150001-EI OPC'S SECOND SET OF INTERROGATORIES INTERROGATORY NO. 17 PAGE 6 OF 6 FILED: JULY 23, 2015

Year	Production Month	Gain/(Loss)	Hedged Volume (MMBTU)	Hedged Price	Settlement Price
	Apr-13	\$1,127,945			\$3.98
	May-13	\$1,794,365			\$4.15
	Jun-13	\$1,902,130			\$4.15
	Jul-13	(\$190,245)			\$3.71
	Aug-13	(\$1,208,040)			\$3.46
	Sep-13	(\$710,690)			\$3.57
	Oct-13	(\$871,990)			\$3.50
	Nov-13	(\$756,725)			\$3.50
	Dec-13	(\$288,670)			\$3.82
2014	Jan-14	\$1,067,285			\$4.41
	Feb-14	\$4,942,700			\$5.56
	Mar-14	\$2,232,670			\$4.86
	Apr-14	\$1,791,450			\$4.58
	May-14	\$2,668,620			\$4.80
	Jun-14	\$2,677,190			\$4.62
	Jul-14	\$1,903,555			\$4.40
	Aug-14	(\$382,010)			\$3.81
	Sep-14	(\$770,010)			\$3.96
	Oct-14	\$43,200			\$3.98
	Nov-14	(\$906,615)			\$3.73
	Dec-14	\$347,750			\$4.28
2015	Jan-15	(\$2,576,655)			\$3.19
	Feb-15	(\$3,450,145)			\$2.87
	Mar-15	(\$3,338,845)			\$2.89
	Apr-15	(\$3,428,830)			\$2.59
	May-15	(\$4,357,580)			\$2.52

REQUESTED DURATION OF CONFIDENTIAL CLASSIFICATION

Tampa Electric requests that the Confidential Information that is the subject of this request be treated as proprietary confidential business information exempt from the Public Records Law for a minimum of 18 months from the date of the order granting such classification. To the extent the company needs confidential protection of the Confidential Information for a period longer than 18 months, the company's justification therefor is set forth below:

n/a