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#### July 5, 2017

#### HAND DELIVERED

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

RECEIVED-FPSC JUL -5 PM 2: MMISSI

Fuel and Purchased Power Cost Recovery Clause with Generating Re: Performance Incentive Factor; FPSC Docket No. 20170001-EI

Dear Ms. Stauffer:

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Enclosed for filing in the above docket are the original and seven (7) copies of Tampa Electric Company's First Request for Extension of Confidential Classification and Motion for Temporary Protective Order regarding Audit Work Papers pursuant to Audit Control No. 15-051-2-2.

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,

James D. Beasley

JDB/pp Enclosure

All Parties of Record (w/enc.) cc:

COM AFD APA ECO ENG GCL IDM TEL CLK

### BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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In re: Fuel and purchased power cost recovery clause with generating performance incentive factor.

DOCKET NO. 20170001-EI

FILED: July 5, 2017

## TAMPA ELECTRIC COMPANY'S FIRST REQUEST FOR EXTENSION OF 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 requests an 18-month extension of the confidential classification of certain information supplied in connection with the Staff's audit workpapers pertaining to TECO's Hedging Audit Report, for Audit Control No. 15-051-2-2 in Docket No. 150001-EI on October 5, 2015 and, as grounds therefor, says:

1. On October 5, 2015 Tampa Electric filed a Request for Confidential Classification and Motion for Temporary Protective Order seeking confidential protection of certain documents selected as audit workpapers pursuant to Audit Control No. 15-051-2-2. By Order No. PSC-15-0584-CFO-EI issued December 23, 2015 the Commission granted Tampa Electric's October 5, 2015 request.

2. Tampa Electric adopts and incorporates by reference the October 5, 2015 request.

3. Tampa Electric is in need of continuing confidential treatment of certain of the Bates stamp pages that accompanied the October 5, 2015 request. Attached hereto is Exhibit "A" of that request identifying by yellow highlighting the Bates stamp page numbers that

accompanied the original request for which Tampa Electric seeks an additional 18 months of confidential protection.

4. The justification numbers (1) still apply with respect to the highlighted Bates stamp pages.

5. The highlighted Bates stamp pages in Exhibit "A" continue to be proprietary confidential business information within the meaning of Section 366.093(3), Florida Statutes, are intended to be and have been treated by Tampa Electric as private. The confidentiality of the yellow highlighted pages has been maintained and public disclosure of the highlighted pages would cause harm to Tampa Electric and its customers.

6. Nothing has changed since the company's October 5, 2015 filing to render the confidential information stale, such that continued confidential treatment would not be appropriate.

7. Upon a finding by the Commission that the confidential information remains proprietary and confidential business information, the information should not be declassified for at least an additional 18-month period and should be returned to Tampa Electric as soon as it is no longer necessary for the Commission to conduct its business. *See*, Section 366.093(4), Florida Statutes.

WHEREFORE, for the above and foregoing reasons, Tampa Electric respectfully requests that its First Request for Extension of Confidential Classification be granted.

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DATED this  $5^{+h}$  day of July 2017.

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Respectfully submitted,

JAMES D. BEASLEY J. JEFFRY WAHLEN 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 First Request for Extension of Confidential Classification and Motion for Temporary Protective Order, filed on behalf of Tampa Electric Company, has been served by electronic delivery on this  $\underline{54}$  day of July 2017, to the following:

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

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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 Ms. Laura A. Wynn Brickfield, Burchette, Ritts & Stone, P.C. 1025 Thomas Jefferson Street, NW Eighth Floor, West Tower Washington, D.C. 20007-5201 jbrew@bbrslaw.com laura.wynn@bbrslaw.com

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## JUSTIFICATIONS FOR CONFIDENTIAL TREATMENT OF HIGHLIGHTED PORTIONS OF TAMPA ELECTRIC'S DOCUMENTS SELECTED AS AUDIT WORK PAPERS PURSUANT TO AUDIT CONTROL NO. 15-051-2-2

Work Papers:	<b>Detailed Description</b>	No. of Pages	<b>Rationale</b>
2.11	Highlighted Information	1	(1)
2.13	Highlighted Information	1	(1)
44-1	All Information on Page	1	(1)
44-2	All Information on Page	1	(1)
44-3	All Information on Page	1	(1)
44-4	All Information on Page	1	(1)
44-5	All Information on Page	1	(1)
44-6	All Information on Page	1	(1)
44-7	All Information on Page	1	(1)
44-7.1	All Information on Page	1	(1)
44-8	Highlighted Information	1	(1)
44-9	Highlighted Information	1	(1)
44-10	Highlighted Information	1	(1)
44-11	Highlighted Information	1	(1)
44-12	Highlighted Information	1	(1)
44-13	Highlighted Information	1	(1)
44-14	Highlighted Information	1	(1)
44-15	Highlighted Information	1	(1)
45	Highlighted Information	1	(1)
45.1	Highlighted Information	1	(1)
45-11	All Information on Page	1	(1)
5-1.1 through 45-1.41	All Information on Page	43	(1)
45-2 through 45-2.38	All Information on Page	42	(1)
57	Highlighted Information	1	(1)
57.9	Highlighted Information	1	(1)

(1) The highlighted information contains specific details about fuel hedging volume, pricing, percentages and/or counterparties. This type of information about a commodity has been recognized by the Commission on numerous occasions to constitute proprietary confidential business information. Knowledge of this information would allow the opportunity for market manipulation through transactions made in anticipation of the company's entry into the market. Market manipulations based on knowledge of the highlighted information would increase the price of fuel paid by Tampa Electric's customers as well as the price paid by the company to hedge the customers' price of fuel. This is the specific type of information described in Section 366.093(3)(d) and (e) as being entitled to confidential protection and exemption from the Public Records Law.

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