



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

July 20, 2022

VIA HAND DELIVERY

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

RECEIVED-FPSC
2022 JUL 20 PM 12:30
COMMISSION CLERK

Re: Storm Protection Plan Cost Recovery Clause
FPSC Docket No. 20220010-EI

Dear Mr. Teitzman:

Enclosed for filing in the above docket is Tampa Electric Company's Request for Confidential Classification and Motion for Protective Order (with Redacted excel file on a CD) of certain information contained in the Company's Response to OPC's Second Set of Interrogatories (Nos. 34-37), served on June 20, 2022.

Thank you for your assistance in connection with this matter.

Sincerely,

Malcolm N. Means

MNM/bmp
Enclosure

cc: All Parties of Record

COM _____
AFD _____
APA _____
ECO _____
ENG _____
GCL _____
IDM 1 CD (Redacted)
CLK _____

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Storm Protection Plan) DOCKET NO. 20220010-EI
Cost Recovery Clause) FILED: July 20, 2022
_____)

**TAMPA ELECTRIC COMPANY'S
FIRST REQUEST FOR CONFIDENTIAL CLASSIFICATION
AND REQUEST 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 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 June 20, 2022, the Office of Public Counsel ("OPC") served its Second Set of Interrogatories (Nos. 34-37) and Second Request for Production (Nos. 2-3) on Tampa Electric. On this date, Tampa Electric served its responses to these discovery requests on OPC. The company believes that all or part of its response specified on Exhibit "A" constitutes "proprietary confidential business information" and has designated it as such by highlighting. 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)(c)-(f), Fla. Stat. The Confidential Information that is the subject of this request and motion falls within 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. Attached hereto as Exhibit "B" are two public versions of the Documents with the Confidential Information redacted, unless previously filed as indicated.

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.

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)(a) of the Florida Administrative Code.

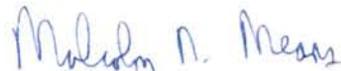
Requested Duration of Confidential Classification

6. 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 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 18 months. 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 20th day of July 2022.

Respectfully submitted,



J. JEFFRY WAHLEN
jwahlen@ausley.com
MALCOLM N. MEANS
mmeans@ausley.com
VIRGINIA PONDER
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 First Request for Confidential Classification filed on behalf of Tampa Electric Company, has been furnished by electronic mail on this 20th day of July 2022 to the following:

Shaw Stiller
Office of General Counsel
Florida Public Service Commission
Room 390L – Gerald L. Gunter Building
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850
sstiller@psc.state.fl.us

Richard Gentry
Charles Rehwinkel
Patricia A. Christensen
Stephanie Morse
Anastacia Pirrello
Mary Wessling
Office of Public Counsel
111 West Madison Street, Room 812
Tallahassee, FL 32399-1400
gentry.richard@leg.state.fl.us
rehwinkel.charles@leg.state.fl.us
christensen.patty@leg.state.fl.us
morse.stephanie@leg.state.fl.us
pirrello.anastacia@leg.state.fl.us
wessling.mary@leg.state.fl.us

Mr. Matthew R. Bernier
Mr. Robert Pickels
Ms. Stephanie A. Cuello
Duke Energy Florida, LLC
106 E. College Avenue, Suite 800
Tallahassee, FL 32301-7740
matthew.bernier@duke-energy.com
Robert.pickels@duke-energy.com
stephanie.cuello@duke-energy.com

Mr. Kenneth A. Hoffman
Florida Power & Light Company
134 W. Jefferson Street
Tallahassee, FL 32301
ken.hoffman@fpl.com

Jason A. Higginbotham
Christopher T. Wright
Florida Power & Light Company
700 Universe Boulevard
Juno Beach, FL 33408-0420
jason.higginbotham@fpl.com
christopher.wright@fpl.com

Jon C. Moyle, Jr.
Karen A. Putnal
Moyle Law Firm, P.A.
118 N. Gadsden Street
Tallahassee, FL 32301
jmoyle@moylelaw.com
kputnal@moylelaw.com
mqualls@moylelaw.com

Ms. Maria J. Moncada
Florida Power & Light Company
700 Universe Boulevard (LAW/JB)
Juno Beach, FL 33408-0420
maria.moncada@fpl.com

James W. Brew
Laura Wynn Baker
Stone Mattheis Xenopoulos & Brew, P.C.
1025 Thomas Jefferson Street, NW
Ste. 800 West
Washington, D.C. 20007-5201
jbrew@smxblaw.com
lwb@smxblaw.com

Mr. Mike Cassel
Florida Public Utilities Company
208 Wildlight Avenue
Yulee, FL 32097
mcassel@fpuc.com

Ms. Dianne M. Triplett
Duke Energy Florida, LLC
299 First Avenue North
St. Petersburg, FL 33701
dianne.triplett@duke-energy.com

Beth Keating
Gunster Law Firm
215 South Monroe St., Suite 601
Tallahassee, FL 32301
bkeating@gunster.com

Nucor Steel Florida, Inc.
Corey Allain
22 Nucor Drive
Frostproof, FL 33843
Corey.allain@nucor.com

Derrick Price Williamson
Barry A. Naum
Walmart, Inc.
c/o Spilman Law Firm
1100 Bent Creek Blvd., Suite 101
Mechanicsburg, PA 17050
dwilliamson@spilmanlaw.com
bnaum@spilmanlaw.com

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

Michelle Napier
Florida Public Utilities Company
1635 Meathe Drive
West Palm Beach, FL 33411
mnapier@fpuc.com

Stephanie U. Eaton
Walmart, Inc.
c/o Spilman Law Firm
110 Oakwood Drive, Suite 500
Winston-Salem, NC 27103
seaton@spilmanlaw.com



ATTORNEY

CONF-SPPCRC Hartford Warehouse Lease Amortization Schedule				
<u>Tab</u>	<u>Column</u>	<u>Row</u>	<u>Detailed Description</u>	<u>Rationale</u>
Lease Data	D	44	The Highlighted Information	(1)
Updated Payments & PV	C-J	3-128	The Highlighted Information	(1)
	P-V	3-128	The Highlighted Information	(1)
	AA	5, 7	The Highlighted Information	(1)
Improvements	A	2-4	The Highlighted Information	(1)
	A-I	6-22	Embedded Image with Pricing Data	(1)
	M-V	4-28	Embedded Image with Pricing Data	(1)
Expenses Inc_Excl	B	4-7	The Highlighted Information	(1)
Amortization Schedule	C-M	11-135	The Highlighted Information	(1)
	L	4-6	The Highlighted Information	(1)
	X-AA	11-134	The Highlighted Information	(1)
	AD-AH	10-134	The Highlighted Information	(1)
	AX-BA	10-134	The Highlighted Information	(1)
T Accounts	C	7-132	The Highlighted Information	(1)
	E	7-135	The Highlighted Information	(1)
	G	7-132	The Highlighted Information	(1)
	I	7-135	The Highlighted Information	(1)
	K	7-132	The Highlighted Information	(1)
	M	7-135	The Highlighted Information	(1)
	O	119-132	The Highlighted Information	(1)
	P-R	6-132	The Highlighted Information	(1)
	T-W	6-132	The Highlighted Information	(1)
	Y-AA	6-132	The Highlighted Information	(1)
	AD-AE	6-134	The Highlighted Information	(1)

Exhibit A

- (1) This spreadsheet contains calculations related to Tampa Electric Company's lease of a dedicated warehouse utilized to support the company's Storm Protection Plan programs and projects. The highlighted data in this spreadsheet either consists of the confidential pricing terms of the lease agreement, or data that could be used to calculate those pricing terms. The highlighted data accordingly consists of "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." Public disclosure of this information could impair Tampa Electric's ability to contract for future facilities leases on favorable terms. Furthermore, this data is also information related to the lessor's "competitive interests, the disclosure of which would impair the competitive business interests of the provider of the information." For these reasons, this information is entitled to protection as proprietary confidential business information and should be exempt from public disclosure.⁵

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 (CD) X

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