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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

August 10, 2022

VIA: ELECTRONIC FILING

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

In re: Fuel and Purchased Power Cost Recovery Clause with Generating Performance Incentive Factor; FPSC Docket No. 20220001-EI

Dear Mr. Teitzman:

Attached for filing in the above docket is Tampa Electric Company's Motion for a Temporary Protective Order regarding its response to Citizens' Third Set of Interrogatories (Nos. 39-51) and Third Request for Production (Nos. 11-15), propounded and served by electronic mail on July 7, 2022.

Thank you for your assistance in connection with this matter.

Sincerely,

A handwritten signature in blue ink that reads 'Malcolm N. Means'.

Malcolm N. Means

MNM/
Attachment

cc: All parties of record (w/attachment)

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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

DOCKET NO.: 20220001-EI

FILED: August 10, 2022

**TAMPA ELECTRIC COMPANY’S MOTION
FOR A TEMPORARY PROTECTIVE ORDER**

Tampa Electric Company (“Tampa Electric” or “the company”), pursuant to Rule 25-22.006(6)(c), Florida Administrative Code, hereby requests that the Commission issue a temporary protective order exempting from Section 119.07(1), Florida Statutes, certain information specified herein as requested by the Office of Public Counsel (“OPC”) through discovery, and for the protection of that information against public disclosure pending the OPC’s review of it. In support of its Motion, the company says:

1. On this date, Tampa Electric Company has served its response to Citizens’ Third Set of Interrogatories (Nos. 39-51) and Third Request for Production of Documents (Nos. 11-15) by serving its answers, responses, and responsive documents (collectively “Response”) to OPC. The company believes that all or portions of its Response specified on Exhibit “A” constitute “proprietary confidential business information,” and has designated it as such by (1) labeling it as such and (2) providing it in a separate electronic folder for confidential information. Tampa Electric considers the designated information in its Response to be “proprietary confidential business information” that is entitled to protection against public disclosure pursuant to Section 366.093, Florida Statutes, because it reflects information in one or more of these categories:

(a) Trade secrets.

...

(d) Information concerning bids or other contractual data, 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. (Section 366.093(3)(a)(d) and (e), Florida Statutes)

2. Public disclosure of the designated information in question would adversely affect the economic interests of Tampa Electric and its customers.

3. Rule 25-22.006, Florida Administrative Code, provides for protection of this type of information when a utility allows OPC to inspect or take possession of such information in the course of discovery. Subsection (6)(c) of this rule states:

(c) When a utility or other person agrees to allow Public Counsel to inspect or take possession of utility information for the purpose of determining what information is to be used in a proceeding before the Commission, the utility may request a temporary protective order exempting the information from Section 119.07(1), F.S. If the information is to be used in a proceeding before the Commission, then the utility must file a specific request for a protective order under paragraph (a) above. If the information is not to be used in a proceeding before the Commission, then Public Counsel shall return the information to the utility in accordance with the record retention requirements of the Department of State.

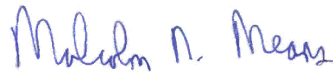
4. Tampa Electric requests a temporary protective order in order to allow OPC access to the designated confidential information as part of its Response while protecting the economic interests of Tampa Electric and its customers from the harm that would result from public disclosure of the above-referenced confidential information. Tampa Electric will work cooperatively with the parties to this proceeding to identify confidential information to be used at the final hearing in this docket and to request confidential classification as specified in the rule.

5. Tampa Electric maintains the designated information produced to OPC in response to OPC's requests in a confidential form and has not disclosed it publicly.

WHEREFORE, Tampa Electric requests that the Commission issue a Temporary Protective Order allowing it to provide OPC with the confidential information described above while maintaining the confidential nature of that information.

DATED this 10th day of August, 2022.

Respectfully submitted,



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

ATTORNEYS FOR TAMPA ELECTRIC COMPANY

Exhibit A

OPC's Third Set of Interrogatories		
Request	Bates Numbered Pages of Response	Description
<p>41. Has TECO participated in GE F7A combustion turbine User Group Meetings or correspondence prior to the discovery of the stator damage?</p> <p>a. Were the problems with this vintage GE generator ever discussed at the User Group Meetings or in any User Group correspondence?</p> <p>b. Identify all documents from GE F7A combustion turbine User Group that discuss problems with the generator on GE 7FA combustion turbine.</p>	<p>5-9</p>	<p>This document is a GE technical information bulletin regarding certain 7FH2 generators. This document contains GE's proprietary information related to the design, operation, and maintenance of GE-manufactured equipment. Public disclosure of this information could impair GE's competitive interests through public disclosure of the company's proprietary information and could impair Tampa Electric's ability to contract for goods and services on favorable terms in the future. As a result, the company believes this information is entitled to confidential classification.</p>

OPC's Third Request for Production		
Request	Bates Numbered Pages of Response	Description
<p>11. Please provide all inspection reports and generator tests of the Polk 1 turbine and generator since the unit was placed in service.</p>	<p>2-303 353-481 622 655-962 963-1467 1468-1472</p>	<p>These documents consist of inspection reports and other documentation produced by GE. These reports contain GE's proprietary information related to the design, operation, and maintenance of GE-manufactured equipment; confidential contractual pricing data; and/or other information considered to be confidential by GE. Public disclosure of this information could impair GE's competitive interests through public disclosure of the company's proprietary information and could impair Tampa Electric's ability to contract for similar services on favorable terms in the future. As a result, the company believes this information is entitled to confidential classification.</p>

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Motion for Temporary Protective Order, filed on behalf of Tampa Electric Company, has been furnished by electronic mail on this 10th day of August to the following:

Ms. Suzanne Brownless
Ryan Sandy
Office of the General Counsel
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850
sbrownle@psc.state.fl.us
rsandy@psc.state.fl.us

Richard Gentry
Mary Wessling
Office of Public Counsel
111 West Madison Street, Room 812
Tallahassee, FL 32399-1400
gentry.richard@leg.state.fl.us
wessling.mary@leg.state.fl.us

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

Mr. Matthew R. Bernier
Mr. Robert Pickles
Stephanie A. Cuello
Duke Energy Florida
106 East College Avenue, Suite 800
Tallahassee, FL 32301-7740
Matthew.bernier@duke-energy.com
Robert.pickles@duke-energy.com
Stephanie.Cuello@duke-energy.com

Mr. Jon C Moyle, Jr.
Moyle Law Firm
118 North Gadsden Street
Tallahassee, FL 32301
jmoyle@moylelaw.com

Ms. Beth Keating
Gunster, Yoakley & Stewart, P.A.
215 S. Monroe St., Suite 601
Tallahassee, FL 32301
bkeating@gunster.com

Maria Moncada
David M. Lee
Florida Power & Light Company
700 Universe Boulevard
Juno Beach, FL 33408-0420
maria.moncada@fpl.com
david.lee@fpl.com

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

Mr. Mike Cassel
Regulatory and Governmental Affairs
Florida Public Utilities Company
Florida Division of Chesapeake Utilities Corp.
1750 SW 14th Street, Suite 200
Fernandina Beach, FL 32034
mcassel@fpuc.com

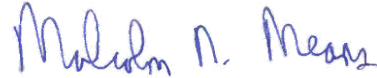
Mr. James W. Brew
Ms. Laura W. Baker
Stone Mattheis Xenopoulos & Brew, PC
1025 Thomas Jefferson Street, NW
Eighth Floor, West Tower
Washington, D.C. 20007-5201
jbrew@smxblaw.com
lwb@smxblaw.com

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

Robert Scheffel Wright
John T. LaVia III
1300 Thomaswood Drive
Tallahassee FL 32308
schef@gbwlegal.com
jlavia@gbwlegal.com

Michelle D. Napier
1635 Meathe Drive
West Palm Beach, FL 33411
mnapier@fpuc.com

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



ATTORNEY