

State of Florida



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# Public Service Commission

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**-M-E-M-O-R-A-N-D-U-M-**

**DATE:** January 13, 2009  
**TO:** Anna Williams, Office of the General Counsel  
**FROM:** John Slemkewicz, Division of Economic Regulation JS  
**RE:** Tampa Electric Company - Docket No. 080317-EI – Confidentiality Request – Document No. 11564-08

Tampa Electric Company (TECO) has requested that certain information concerning the operation of TECO's transmission system and wholesale market transactions furnished in response to FIPUG's Eighth Request for Production of Documents Nos. 56, 59 and 60 be kept confidential.

TECO requests confidentiality under Subsection 366.093(3)(d) and (e), Florida Statutes (F.S.), which states:

(3) Proprietary confidential business information means information, regardless of form or characteristics, which is owned or controlled by the person or company, is intended to be and is treated by the person or company as private in that the disclosure of the information would cause harm to the ratepayers or the person's or company's business operations, and has not been disclosed unless disclosed pursuant to a statutory provision, an order of a court or administrative body, or private agreement that provides that the information will not be released to the public. 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.

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(f) Employee personnel information unrelated to compensation, duties, qualifications, or responsibilities.

Staff has reviewed TECO's confidentiality request. In staff's opinion, the request does meet the criteria for confidentiality contained in Subsection 366.093(3)(d) and (e), F.S. Therefore, staff recommends that the request for confidentiality of certain information included in Document No. 11564-08 be approved.

cc: Marshall Willis  
Cheryl Bulecza-Banks  
Shari Cornelius  
Karla Barnes  
Office of Commission Clerk

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Public Service Commission

M-E-M-O-R-A-N-D-U-M

DATE: December 15, 2008

TO: \_\_\_\_\_ OFFICE OF THE GENERAL COUNSEL  
\_\_\_\_\_ DIVISION OF SERVICE, SAFETY & CONSUMER ASSISTANCE  
XX \_\_\_\_\_ DIVISION OF ECONOMIC REGULATION  
\_\_\_\_\_ DIVISION OF REGULATORY COMPLIANCE  
\_\_\_\_\_ OFFICE OF STRATEGIC ANALYSIS AND GOVERNMENTAL  
AFFAIRS

FROM: OFFICE OF COMMISSION CLERK

RE: CONFIDENTIALITY OF CERTAIN INFORMATION

DOCUMENT NO(s): 11564-08

DESCRIPTION: TECO(Beasley) – (CONFIDENTIAL) Highlighted information contained in response to FIPUG’s 8<sup>th</sup> request for PODs at Bates stamp pages 169 (No. 56), 304-308(No. 59), and 538-552, 554, 562-577, 586-587, 652-657, and 662-679(No. 60)

SOURCE: Tampa Electric Company

DOCKET NO(S): 080317-EI

The above material was received with a request for confidential classification. Please prepare a recommendation for the attorney assigned to the case by completing the section below and forwarding a copy of this memorandum, together with a brief memorandum supporting your recommendation, to the attorney. Copies of your recommendation should also be provided to the Office of Commission Clerk and to the Office of General Counsel.

Please read each of the following and check if applicable.

The document(s) is (are), in fact, what the utility asserts it (them) to be.

The utility has provided enough details to perform a reasoned analysis of its request.

The material has been received incident to an inquiry.

The material is confidential business information because it includes:

(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 company to contract for services on favorable terms;

(e) Employee personnel information unrelated to compensation, duties, qualifications, or responsibilities;

(f) Tax returns or tax-related information;

(g) Information relating to competitive interests, the disclosure of which would impair the competitive business of the provider of information.

The material appears to be confidential in nature and harm to the company or its ratepayers will result from public disclosure.

The material appears not to be confidential in nature.

The material is a periodic or recurring filing and each filing contains confidential information.

Response prepared by: JOHN SLEMKEWICZ

Date: 1-15-09

cc:  GCL       SGA  
 RCP       CLK  
 ECR       SSC

PSC/CCA 15 (Rev 10/08)