AUSLEY MCMULLEN

ATTORNEYS AND COUNSELORS AT LAW

123 SOUTH CALHOUN STREET P.O. BOX 391 (ZIP 32302) TALLAHASSEE, FLORIDA 32301 (850) 224-9115 FAX (850) 222-7560

March 2, 2016

HAND DELIVERED

AR -2 AM 9:

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

> Re: Fuel and Purchased Power Cost Recovery Clause with Generating Performance Incentive Factor; FPSC Docket No. 160001-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 of certain information contained in Penelope A. Rusk's Schedule A12, Page 2 of 2, (Bates stamp page 38) for the period January 2015 – December 2015.

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,

COM - USU C AFD

APA ECO

ENG

GCL

IDM TEL

CLK

James D. Beasley

JDB/pp Enclosure

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

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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

•

DOCKET NO. 160001-EI

FILED: March 2, 2016

TAMPA ELECTRIC COMPANY'S REQUEST FOR CONFIDENTIAL CLASSIFICATION

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 certain highlighted information contained in Schedule A12, Page 2 of 2 (Bates Stamp page 38) for the period January 2015 – December 2015. In support thereof, the company says:

1. A single copy of Schedule A12 (Tampa Electric Company Capacity Costs Actual Purchases and Sales for the Period January 2015 through December 2015) is being simultaneously filed with the Commission on a confidential basis. Page 2 of 2 (Bates Stamp page 38) of that filing contains certain information ("Confidential Information") highlighted in yellow.

2. 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) [requiring disclosure under the Public Records Act]." The proprietary confidential business information includes, but is not limited to:

(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. (Section 366.093(3)(d), Florida Statutes)

3. Proprietary confidential business information also includes:

(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)(e), Florida Statutes)

4. The Confidential Information falls within the above statutory categories and, thus, constitutes proprietary confidential business information entitled to protection under Section 366.093 and Rule 25-22.006. The Confidential Information shows actual purchase amounts pursuant to confidential contracts negotiated by and between Tampa Electric Company and certain energy providers. As such, the information in question is information concerning bids or other contractual data the disclosure of which would impair the efforts of Tampa Electric to contract for goods and services on favorable terms. It is also information relating to competitive interests the disclosure of which would impair the competitive business of Tampa Electric.

5. Tampa Electric treats the Confidential Information as such and has not disclosed it publicly.

WHEREFORE, Tampa Electric Company respectfully requests that the highlighted Confidential Information contained in Schedule A12, page 2 of 2 (Bates stamp page 38), for the period January 2015 through December 2015 be afforded confidential classification for the reasons set forth above.

2

DATED this <u>day</u> of March 2016.

×

Respectfully submitted,

un voza L

JAMES D. BEASLEY J. JEFFRY WAHLEN ASHLEY M. DANIELS Ausley & McMullen Post Office Box 391 Tallahassee, FL 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 has been furnished by electronic delivery on this 2^{2} day of March 2016, to the following:

Ms. Suzanne 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> <u>jvillafr@psc.state.fl.us</u>

Ms. Patricia A. Christensen Mr. Erik Sayler Mr. Tarik Moriega Associate Public Counsel Office of Public Counsel 111 West Madison Street – Room 812 Tallahassee, FL 32399-1400 christensen.patty@leg.state.fl.us sayler.erik@leg.state.fl.us moriega.tarik@leg.state.fl.us

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

Mr. Matthew R. Bernier Senior Counsel Duke Energy Florida, Inc. 106 East College Avenue, Suite 800 Tallahassee, FL 32301-7740 Matthew.bernier@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 <u>bkeating@gunster.com</u>

Mr. John T. Butler Assistant General Counsel – Regulatory Ms. Maria Jose Moncada Principal Attorney Florida Power & Light Company 700 Universe Boulevard (LAW/JB) Juno Beach, FL 33408-0420 john.butler@fpl.com maria.moncada@fpl.com

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>

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. Robert L. McGee, Jr. Regulatory and Pricing Manager Gulf Power Company One Energy Place Pensacola, FL 32520-0780 rlmcgee@southernco.com Mr. Jeffrey A. Stone Mr. Russell A. Badders Mr. Steven R. Griffin Beggs & Lane Post Office Box 12950 Pensacola, FL 32591-2950 jas@beggslane.com rab@beggslane.com srg@beggslane.com

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 Stone Mattheis Xenopoulos & Brew, PC 1025 Thomas Jefferson Street, NW Eighth Floor, West Tower Washington, D.C. 20007-5201 jbrew@smxblaw.com law@smxblaw.com

Ju ober my

ATTORNEY