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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

April 11, 2024

VIA ELECTRONIC FILING

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

Re: Docket No. 20240026-EI; Petition for Rate Increase by Tampa Electric Company

Dear Mr. Teitzman:

Attached for filing in the above docket is Tampa Electric Company's Motion for Temporary Protective Order pertaining to portions of the company's responses to the Office of Public Counsel's First Set of Interrogatories and First Request for Production of Documents, propounded on March 12, 2024.

Thank you for your assistance in connection with this matter.

Sincerely,

A handwritten signature in blue ink that reads 'V. Ponder'.

Virginia Ponder

VLP/ne
Attachment

cc: All parties of record (w/att.)

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for Rate Increase by Tampa
Electric Company

DOCKET NO. 20240026-EI

FILED: April 11, 2024

**TAMPA ELECTRIC COMPANY'S
MOTION FOR 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 Florida Public Service Commission (“Commission”) issue a temporary protective order exempting from Section 119.07(1), Florida Statutes (“F.S.”), 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 OPC’s review of it. In support of its Motion, the company states:

1. On March 12, 2024, OPC served on Tampa Electric its First Set of Interrogatories (Nos. 1-49) and its First Request for Production of Documents (Nos. 1-30) (“OPC’s Discovery Request”).

2. On this date, Tampa Electric has served its response to OPC’s Discovery Request by posting its answers, responses, and responsive documents (collectively, “Response”) on a virtual SharePoint site that is accessible by OPC. The company believes that all or portions of its Response to the discovery requests specified on Exhibit A constitute “proprietary confidential business information” and has designated it as such by placing it in a segregated area of the SharePoint site for confidential information.

3. 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, F.S.

4. 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)(a)-(f), F.S. The confidential information that is the subject of this Motion falls within one or more of these statutory categories and, thus, constitutes proprietary confidential business information.

5. Exhibit A identifies OPC's Discovery Request to which the company's Response is considered confidential.

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

7. 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.

8. Tampa Electric requests a temporary protective order to allow OPC access to Tampa Electric's confidential information that is posted on the SharePoint site 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 is simultaneously filing a Notice of Intent to Request Confidential Classification covering the same material listed in Exhibit A of this Motion. Tampa Electric will file a Request for Confidential Classification specifying the information entitled to confidential treatment within twenty-one days in accordance with Rule 25-22.006(3)(a)1, Florida Administrative Code.

9. Tampa Electric maintains the highlighted information 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 11th day of April 2024.

Respectfully submitted,



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

ATTORNEYS FOR TAMPA ELECTRIC COMPANY

EXHIBIT A

OPC's 1st Set of Interrogatories (Nos. 1-49)
10. Payroll. Please provide the percentage wage and salary increases implemented by Tampa Electric Company by date and employee category for each year 2021 through 2023, 2024 to date and budgeted/forecast for each year 2024 through 2027.
20. Executive Compensation. Please provide a listing of the total compensation of each corporate officer of Tampa Electric Company or any other entity whose executive compensation costs are charged or allocated to Tampa Electric Company for 2020 through 2023 (and projected amounts for the same cost for 2024, and 2025). Indicate the separate amount charged to O&M expense and capitalized, and breakdown the total compensation by type including, but not limited to, salary, deferred compensation, stock options, vehicle allowances, etc.
29. Internal Audits. Please provide a list of all Tampa Electric Company internal audit reports for 2021 through 2023.
OPC's 1st Request for Production (1-30)
2. Please provide documents containing the Company's trial balances for December 31, 2022, December 31, 2024, December 31, 2023, and each month thereafter for which actual information is available, including closing and adjusting entries in unlocked and searchable format.
3. Please provide copies of all Tampa Electric Company internal audit reports for 2021 through 2023 in searchable format listed in Interrogatory No. 29.
5. Please provide a copy of Tampa Electric Company's pension and post-retirement benefits actuarial studies for each year 2022 through 2025 in unlocked and searchable format.
6. Please provide any reports for 2022 to the present by investors services (e.g., Moody's, Standard & Poor's, etc.) relating to the operations of Tampa Electric Company, and Emera Inc., and also provide your presentations to each such investor service for the same period, regardless of whether a report was issued in response to such presentation.
7. Please provide the billings for corporate services provided by Tampa Electric Company to the Emera family of companies including all invoices for 2022, 2023 and 2024 to-date in searchable format.
9. Please provide a copy of all Tampa Electric Company, Emera US Holdings, Inc., and Emera Board of Directors Meeting minutes and board committee minutes and presentations to the Tampa Electric Company, Emera US Holdings, Inc., and Emera boards in 2022, 2023 and 2024 to-date.
10. Please provide the two most recent Florida state and federal consolidated income tax returns of Tampa Electric Company, Emera US Holdings, Inc., and Emera, Inc., if one is prepared, including all supporting forms and attachments.
11. Please identify and provide a copy of all requests for private letter rulings submitted by or on behalf of Tampa Electric Company, Emera US Holdings, Inc., and Emera, Inc. in each year, 2021 through the present. Also provide copies of the IRS' responses to the requests for the PLRs in searchable format.
12. Please produce any and all documents that support, evidence or relate to your response to OPC's Interrogatory No. 1.
20. Please provide all correspondence between any credit rating agency and Tampa Electric Company, and Emera, Incorporated for the years 2022, 2023 and 2024 to date.
21. Please provide all copies of business analysis plans (or the functional equivalent), phase project authorization plans and associated presentations for any plant additions, made to the

Board of Directors or Executive Management for approval during the time period 2021 through 2023 and 2024 to date. Please include any project authorization forms with signatures.
24. Please provide copies of the tax sharing agreements between Tampa Electric Company and its affiliates applicable for 2021 through 2024 to date.
27. Please provide all documents identified in OPC's First Set of Interrogatories, No. 46.
28. Please provide all documents identified in OPC's First Set of Interrogatories, No. 47.
29. Please provide all documents identified in OPC's First Set of Interrogatories, No. 48.

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 11th day of April, 2024 to the following:

Adria Harper
Carlos Marquez
Timothy Sparks
Florida Public Service Commission/OGC
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850
aharper@psc.state.fl.us
cmarquez@psc.state.fl.us
tsparks@psc.state.fl.us
discovery-gcl@psc.state.fl.us

Walt Trierweiler
Patricia Christensen
Octavio Ponce
Charles Rehwinkel
Office of Public Counsel
c/o The Florida Legislature
111 West Madison Street, Room 812
Tallahassee, FL 32399-1400
trierweiler.walt@leg.state.fl.us
christensen.patty@leg.state.fl.us
ponce.octavio@leg.state.fl.us
Rehwinkel.Charles@leg.state.fl.us

Bradley Marshall #
Jordan Luebke
Earthjustice
111 S. Martin Luther King Jr. Blvd.
Tallahassee, FL 32301
bmarshall@earthjustice.org
jluebke@earthjustice.org

Nihal Shrinath #
2101 Webster Street, Suite 1300
Oakland, CA 94612
nihal.shrinath@sierraclub.org

Jon Moyle #
Karen Putnal #
c/o Moyle Law Firm
118 N. Gadsden Street
Tallahassee, FL 32301
jmoyle@moylelaw.com
kputnal@moylelaw.com
mqualls@moylelaw.com

Leslie R. Newton, Maj. USAF #
Ashley N. George, Capt. USAF #
AFLOA/JAOE-ULFSC
139 Barnes Drive, Suite 1
Tyndall Air Force Base, Florida 32403
Leslie.Newton.1@us.af.mil
Ashley.George.4@us.af.mil

Thomas A. Jernigan #
AFCEC/JA-ULFSC
139 Barnes Drive, Suite 1
Tyndall Air Force Base, Florida 32403
thomas.jernigan.3@us.af.mil

Ebony M. Payton #
AFCEC-CN-ULFSC
139 Barnes Drive, Suite 1
Tyndall Air Force Base, Florida 32403
Ebony.Payton.ctr@us.af.mil

Robert Scheffel Wright #
John LaVia, III #
Gardner, Bist, Wiener, Wadsworth, Bowden,
Bush, Dee, LaVia & Wright, P.A.
1300 Thomaswood Drive
Tallahassee, FL 32308
shef@gbwlegal.com
jlavia@gbwlegal.com

Sari Amiel #
Sierra Club
50 F. Street NW, Eighth Floor
Washington, DC 20001
sari.amiel@sierraclub.org

Petition to Intervene Pending



ATTORNEY