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June 19, 1996

HAND DELIVERY

Ms. Blanca S. Bayo, Director  
Division of Records and Reporting  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

Re: Prudency Review to Determine Regulatory  
Treatment of Tampa Electric Company's  
Polk Unit; FPSC Docket No. 960409-EI

Dear Ms. Bayo:

Enclosed for filing in the above docket is the original and ten (10) copies of Tampa Electric Company's Request for Confidential Classification of certain information contained in portions of Late-Filed Deposition Exhibits Nos. 18 and 20 provided by Tampa Electric witness Charles R. Black. Also enclosed are two redacted copies of the single page in each deposition exhibit which is in need of confidential protection. We are submitting under separate cover highlighted confidential versions of these two pages.

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,

Lee E. Willis

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

- ACK
- AFA
- APP
- CAF
- CMU
- CTR
- EAG
- LEG
- LIN
- OPC
- RCH
- SEC
- WAS
- OTH

RECEIVED & FILED

FPSC-BUREAU OF RECORDS

Redacted  
DOCUMENT NUMBER-DATE

06614 JUN 19 96

FPSC-RECORDS/REPORTING

Request  
DOCUMENT NUMBER-DATE

06613 JUN 19 96

FPSC-RECORDS/REPORTING

DOCUMENT NUMBER-DATE

06615 JUN 19 96

FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Prudency Review to Determine )  
Regulatory Treatment of Tampa Electric )  
Company's Polk Unit. )

DOCKET NO. 960409-EI

FILED: June 19, 1996

REQUEST FOR CONFIDENTIAL CLASSIFICATION

Tampa Electric Company ("Tampa Electric" or "the company") hereby requests confidential classification of certain portions of the Late-Filed Deposition Exhibits of Tampa Electric witness Charles R. Black, and in support thereof, says:

Portions of Late-Filed Deposition Exhibit No. 18

1. Late-Filed Deposition Exhibit No. 18 calls for the fuel contract approved by the Department of Energy. Page 2 of that agreement contains two delivered coal prices under the agreement. Public disclosure of the information in question could adversely affect Tampa Electric's ability to contract for goods and services on reasonable terms. The information in question is entitled to protection against public disclosure under Section 366.093, Florida Statutes. Attached hereto as Exhibit "A" is a line and column referenced explanation of the rationale for affording confidential protection to the two prices contained in the agreement.

2. Tampa Electric treats the above-referenced contract information as private and has not publicly disclosed such information.

Portions of Late-Filed Deposition Exhibit No. 20

3. This Late-Filed Deposition Exhibit consists of a listing of Polk Power Station project commitments which exceed \$1 million.

DOCUMENT NUMBER-DATE

06613 JUN 19 96

FPSC-RECORDS/REPORTING

Tampa Electric hereby requests confidential treatment of the amounts shown in the column headed "Initial Commitment." These commitments reflect information concerning bids and other contractual data the disclosure of which would impair the efforts of Tampa Electric to contract for goods and services on favorable terms. As such, this information is entitled to protection under Section 366.093, Florida Statutes.

4. Attached hereto as Exhibit "B" is a statement of the rationale for protecting the information shown in the Initial Commitment column.

**Requested Duration of Confidential Classification**

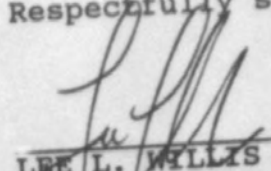
5. Tampa Electric requests that the above-referenced documents be returned to the company consistent with the Commission's rules after the Staff has had a reasonable opportunity to review such materials and prior to any public disclosure of such materials. Alternatively, Tampa Electric requests that the DOE approved fuel supply contract be treated as confidential for the duration of the agreement plus six months. Public disclosure prior to that time could adversely affect Tampa Electric's ability to negotiate a new fuel supply agreement with a new supplier.

6. With respect to the amounts shown in the Initial Commitment column in Late-Filed Deposition Exhibit No. 20, Tampa Electric, likewise, requests that this information be returned to the company after Staff has had an opportunity to review it. Alternatively, the company requests that this information be treated as confidential for an initial period of 18 months with an

opportunity for the company to seek an extension of the confidential classification at the end of the 18 month period.

DATED this 19<sup>th</sup> day of June, 1996.

Respectfully submitted,



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JAMES D. BEASLEY  
KENNETH R. HART  
Ausley & McMullen  
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Tallahassee, FL 32302  
(904) 224-9115

ATTORNEYS FOR TAMPA ELECTRIC COMPANY

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing Request for Confidential Classification, filed on behalf of Tampa Electric Company, has been furnished by U. S. Mail or hand delivery (\*) on this 19<sup>th</sup> day of June, 1996 to the following:

Mr. Robert V. Elias\*  
Staff Counsel  
Division of Legal Services  
Florida Public Service  
Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

Mr. Joseph A. McGlothlin  
Ms. Vicki Gordon Kaufman  
McWhirter, Reeves, McGlothlin,  
Davidson, Rief & Bakas  
117 S. Gadsden Street  
Tallahassee, FL 32301

Mr. Jack Shreve  
Mr. John Roger Howe  
Deputy Public Counsel  
Office of Public Counsel  
c/o The Florida Legislature  
111 West Madison Street - #812  
Tallahassee, FL 32399-1400

Mr. John W. McWhirter, Jr.  
McWhirter, Reeves, McGlothlin,  
Davidson, Rief & Bakas  
100 North Tampa Street  
Suite 2800  
Tampa, FL 33602

  
ATTORNEY

Justification for Confidentiality of Charles R. Black  
Late-Filed Exhibit No. 18  
Coal Purchase Agreement PLK-1195 - Consolidation Coal Company

<u>Workpaper No.</u>	<u>Lines</u>	<u>Column</u>	<u>Rationale</u>
Page 2	30	(a)	(1)
Page 2	32	(b)	(2)

**Rationale for Confidentiality:**

- (1) The dollar amount shown in this line and column, when used in conjunction with the FPSC Form 423-2, would enable one to determine the segmented transportation costs, including transloading and ocean berging. This is detailed contractual information the public disclosure of which would impair the efforts of Tampa Electric to contract for goods or services on favorable terms for similar types of fuel. As such, this information is entitled to confidential treatment and should be protected under Section 366.093(3)(d), Florida Statutes. This will prevent competitors of Tampa Electric's affiliates in the barge transportation and transloading business from obtaining an unfair advantage over these affiliates and thereby driving up the cost of coal transportation to Tampa Electric. Higher transportation rates could result in an increase in costs to the customer through higher electric rates.
- (2) The dollar amount shown in this line and column is detailed future contractual information the public disclosure of which would impair the efforts of Tampa Electric to contract for goods or services on favorable terms for similar types of fuel. This information is entitled to confidential protection as described above in rationale (1).

Justification for Confidential of Charles R. Black's  
Late-Filed Deposition Exhibit No. 20

<u>PAGE NO.</u>	<u>LINES</u>	<u>COLUMN</u>	<u>RATIONALE</u>
1	1-45	(a)	(1)

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**Rationale for Confidentiality:**

- (1) The dollar amounts shown in each of the lines under column (a) represent bid prices by various vendors for materials, services and other work performed in connection with the Polk Power Station project. Public disclosure of this information would enable competitors of the winning bidders to more finely tune their bids in future projects. This would work to the detriment of the winning bidders in the Polk Power Station project. It would also work to the detriment of Tampa Electric and its customers in future projects where the vendors listed on Late-Filed Deposition Exhibit No. 20 and their competitors are bidding on Tampa Electric projects. Consequently, this information is entitled to exemption from public disclosure pursuant to Section 366.093(3)(d), Florida Statutes, in that it is 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.