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February 15, 2001

**By Hand Delivery**

Ms. Blanca S. Bayo, Director  
Division of Records and Reporting  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Betty Easley Conference Center, Room 110  
Tallahassee, FL 32399-0850

RECEIVED-FPSC  
01 FEB 15 AM 11:54  
RECORDS AND REPORTING

Re: Docket No.000061-EI

Dear Ms. Bayo:

Enclosed for filing on behalf of Allied/CFI are the originals and fifteen copies each of: (1) Allied/CFI's Notice of Intent and Preliminary List of Confidential Documents To Be Used At Hearing; and (2) Allied/CFI's Response to Odyssey Manufacturing Company's Motion For Authorization to Disclose Confidential Information Pursuant to Protective Agreement.

Please acknowledge these filings by date stamping the extra copy of this letter "filed" and returning the copy to me.

Thank you for your assistance with this filing.

RECEIVED & FILED  
*John R. Ellis*  
FPSC-BUREAU OF RECORDS

Sincerely,  
*John R. Ellis*  
John R. Ellis

- APP \_\_\_\_\_
- CAF \_\_\_\_\_
- CMP \_\_\_\_\_
- COM 3
- CTR \_\_\_\_\_
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- SEC I
- SER \_\_\_\_\_
- OTH \_\_\_\_\_

JRE/sy  
Enclosures  
cc: Parties of Record

*NOI/Preliminary list*  
DOCUMENT NUMBER-DATE  
02135 FEB 15 01  
FPSC-RECORDS/REPORTING

*Response*  
DOCUMENT NUMBER-DATE  
02136 FEB 15 01  
FPSC-RECORDS/REPORTING

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Complaint of Allied Universal Corporation and Chemical Formulators, Inc. against Tampa Electric Company for violation of Sections 366.03, 366.06(2) and 366.07, Florida Statutes, with respect to rates offered under Commercial/Industrial Service Rider tariff; petition to examine and inspect confidential information; and request for expedited relief.

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Docket No. 000061-EI

Filed: February 15, 2001

**ALLIED/CFI'S RESPONSE TO ODYSSEY MANUFACTURING COMPANY'S MOTION FOR AUTHORIZATION TO DISCLOSE CONFIDENTIAL INFORMATION PURSUANT TO PROTECTIVE AGREEMENT**

Allied Universal Corporation ("Allied") and its affiliate, Chemical Formulators, Inc. ("CFI"), hereinafter referred to collectively as "Allied/CFI," by and through their undersigned counsel, and pursuant to Rule 28-106.204, Florida Administrative Code, submit the following response to the motion of Odyssey Manufacturing Company ("Odyssey") for authorization to disclose confidential information pursuant to protective agreement, and state:

1. Odyssey's motion states (at paragraph nine) that Allied/CFI opposes the motion, but neglects to state the terms of that opposition.
2. Allied/CFI opposes Odyssey's motion as to participation by the two proposed additional attorneys at the Final Hearing on February 19, 2001, and not as to other matters. Allied/CFI's opposition is based on its concern that the request is made at the eleventh hour and that the number of counsel (and witnesses) who will be participating at the Final Hearing on February 19, 2001 already raises the potential that the hearing will not be completed on that date.

DOCUMENT NUMBER-DATE

02136 FEB 15 2001

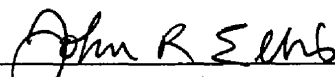
FPSC-RECORDS, REPORTING

3. The terms of Allied/CFI's opposition were stated to Odyssey's counsel Mr. Schiefelbein by voicemail message on February 14, 2001, in response to counsel's request of the preceding evening for a statement of Allied/CFI's position on Odyssey's intended motion.

4. If Odyssey's motion is granted, Allied/CFI requests that the order granting the motion reflect that the parties to this proceeding are permitted to consult with and to disclose confidential information to attorneys of their choosing who are licensed to practice in Florida, and who sign and agree to be bound by the terms of the Protective Agreement in this proceeding as a precondition to disclosure, without prior authorization from the Commission.

WHEREFORE, Allied/CFI: (1) consents to the granting of Odyssey's Motion for Authorization to Disclose Confidential Information Pursuant to Protective Agreement, as to prehearing and posthearing participation by Messrs. Wharton and Patton in this proceeding; and (2) requests that the Prehearing Officer issue an order confirming that the parties may consult with and may disclose confidential information to such attorneys of their choosing who are licensed to practice in Florida, and who sign and agree to be bound by the terms of the Protective Agreement in this proceeding as a precondition to disclosure, without prior authorization from the Commission.

Respectfully submitted,



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Attorneys for Allied Universal Corporation and  
Chemical Formulators, Inc.

### **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a copy of the foregoing Allied/CFI's Response to Odyssey Manufacturing Company's Motion for Authorization to Disclose Confidential Information Pursuant to Protective Agreement was furnished by hand delivery(\*), telecopier (\*\*), and/or U. S. Mail to the following this 15th day of February, 2001:

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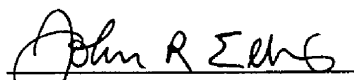
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