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October 3, 2001

#### HAND DELIVERED



Ms. Blanca S. Bayo, Director Division of Commission Clerk and Administrative Services Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, Florida 32399-0850

> Fuel and Purchased Power Cost Recovery Clause with Generating Performance Re:

Incentive Factor; FPSC Docket No. 010001-El

Dear Ms. Bayo:

Enclosed for filing in the above docket are the original and ten (10) copies of Tampa Electric Company's Supplement to Motion for a Protective Order Relating to Florida Industrial Power Users Group's Third Set of Interrogatories.

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,

JDB/pp Enclosures

cc:

LEG

All parties of record (w/enc.)

DOCUMENT NUMBER-DATE

12537 OCT -35

FPSC-COMMISSION CLERK

#### BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION



In re: Fuel and Purchased	)	
Power Cost Recovery Clause	)	
and Generating Performance	)	DOCKET NO. 010001-EI
Incentive Factor.	)	FILED: October 3, 2001
	)	

# TAMPA ELECTRIC COMPANY'S SUPPLEMENT TO MOTION FOR A PROTECTIVE ORDER RELATING TO FLORIDA INDUSTRIAL POWER USERS GROUP'S THIRD SET OF INTERROGATORIES

Tampa Electric Company ("Tampa Electric" or "the company"), pursuant to Rule 28-106.206, Florida Administrative Code, and Rule 1.280(c), Florida Rules of Civil Procedure, supplements its Motion for a Protective Order filed September 27, 2001 in this proceeding relative to the Florida Industrial Power Users Group's ("FIPUG") Third Set of Interrogatories and, says:

- 1. As counsel for FIPUG was advised on September 28, 2001, Tampa Electric's Motion for a Protective Order was intended to include Interrogatory No. 51 in the interrogatories referred to in Tampa Electric's motion but inadvertently omitted such reference.
- 2. Interrogatory No. 51 seeks the same types of information as Interrogatories Nos. 43, 44 and 45. That information was highlighted in yellow as confidential information in Tampa Electric's answers and the omission of reference to Interrogatory No. 51 to it in the Motion for a Protective Order was purely inadvertent.
- 3. All of the above was explained to FIPUG's counsel and Tampa Electric Company's answers to Interrogatories Nos. 43, 44, 45 and 51 were voluntarily provided to

counsel for FIPUG on the afternoon September 28, 2001 pursuant to an amendment to the parties' Non-Disclosure Agreement.

4. FIPUG was provided this information on an expedited confidential basis notwithstanding Tampa Electric's pending Motion for a Protective Order.

WHEREFORE, Tampa Electric Company supplements its Motion for a Protective Order filed on September 27, 2001 by adding thereto the inadvertently omitted reference to FIPUG's Interrogatory No. 51.

DATED this \_3 day of October 2001.

Respectfully submitted,

LEE L. WILLIS

JAMES D. BEASLEY

Ausley & McMullen

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ATTORNEYS FOR TAMPA ELECTRIC COMPANY

### **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true copy of the foregoing Motion for Protective Order, filed

on behalf of Tampa Electric Company, has been furnished by hand delivery (\*) or U. S. Mail on this

day of October, 2001 to the following:

Mr. Wm. Cochran Keating, IV\* Staff Counsel Division of Legal Services Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0850

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YETORNEY