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ORIGINAL

November 6, 2001

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COMMISSION
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Ms. Blanca S. Bayo, Director
Division of Commission Clerk
and Administrative Services
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. 010001-EI

Dear Ms. Bayo:

Enclosed for filing in the above docket are the original and ten (10) copies of Tampa
Electric Company's Motion for a Protective Order Relating to Late-Filed Deposition Exhibit No.
1 of W. Lynn Brown.

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,


James D. Beasley

JDB/pp
Enclosures

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

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DOCUMENT NUMBER-DATE

14089 NOV-6 01

FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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

DOCKET NO. 010001-EI
FILED: November 6, 2001

**TAMPA ELECTRIC COMPANY'S
MOTION FOR A PROTECTIVE ORDER RELATING TO
LATE-FILED DEPOSITION EXHIBIT NO. 1 OF W. LYNN BROWN**

Tampa Electric Company ("Tampa Electric" or "the company"), pursuant to Section 366.093, Florida Statutes, and Rule 25-22.006(6), Florida Administrative Code, moves the Commission for the entry of a protective order protecting against public disclosure certain portions of Late-Filed Deposition Exhibit No. 1 of Tampa Electric's witness, W. Lynn Brown and, as grounds therefor, says:

1. Tampa Electric is this date filing on a confidential basis one copy each of pages 2 through 80 of Late-Filed Deposition Exhibit No. 1 of Tampa Electric witness, W. Lynn Brown. The referenced pages have been stamped confidential and printed on yellow paper warning that the information contained in the pages is proprietary confidential business information.

2. The pages in question are portions of Tampa Electric Company's distributed generation proposal and contract for distributed generation units utilized by Tampa Electric at its Hookers Point plant and at various substations within Tampa Electric's system.

3. The terms and conditions on the referenced contract pages were negotiated between Tampa Electric and the provider of the distributed generation equipment. The contract constitutes information concerning bids or other contractual data, the disclosure of which would impair the efforts of Tampa Electric to contract for goods or services on favorable terms in the

future. Tampa Electric may, in fact, wish to take further bids and/or extend the term of the current contract and public disclosure of the contents of the contract could impair Tampa Electric's negotiating position. As such, the information in question is entitled to confidential protection under Section 366.093(3)(d), Florida Statutes.

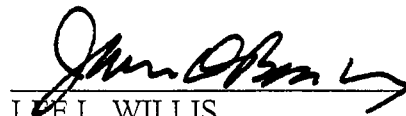
4. Any potential provider of leasing services similar to that addressed in the contract would gain considerable advantage over Tampa Electric in the negotiation process by having access to the terms and conditions set forth in the pages referred to above.

5. The material for which confidential classification is sought is intended to be and is treated by Tampa Electric as private and has not been disclosed.

WHEREFORE, Tampa Electric moves the Commission to enter a protective order pursuant to Section 366.093, Florida Statutes, and Rule 25-22.006(6), Florida Administrative Code, declaring to be confidential and protecting from public disclosure pages 2 through 80 of Late-Filed Deposition Exhibit No. 1 of witness of W. Lynn Brown, said exhibit constituting the distributed generation units contract for units at substations.

DATED this 6th day of November 2001.

Respectfully submitted,



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ATTORNEYS FOR TAMPA ELECTRIC COMPANY

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing Motion for a Protective Order has been furnished by U. S. Mail or hand delivery (*) on this 6th day of November 2001 to the following:

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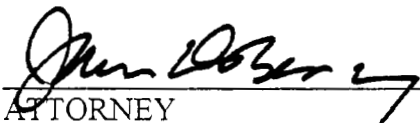
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