## MCWHIRTER REEVES ATTORNEYS AT LAW

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PLEASE REPLY To:

TALLAHASSEE

October 17, 2003

TALLAHASSEE OFFICE: 117 SOUTH GADSDEN TALLAHASSEE, FLORIDA 32301 (850) 222-2525 (850) 222-5606 FAX

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## VIA HAND DELIVERY

Blanca S. Bayo, Director Division of Records and Reporting Betty Easley Conference Center 4075 Esplanade Way Tallahassee, Florida 32399-0870

Re: Docket No.: 020898-EQ

Dear Ms. Bayo:

On behalf of Cargill Fertilizer, Inc. (Cargill), enclosed for filing and distribution is 1 highlighted **CONFIDENTIAL** copy and the original and 2 copies of the following:

Cargill Fertilizer, Inc.'s Notice of Intent to Request Specified Confidential Classification.

Please acknowledge receipt of the above on the extra copy of each and return the stamped copy to me. Thank you for your assistance.

Sincerely

Vicki Gordon Kaufman

CAF VGK/bae
CMP Enclosure

GCL OPC MMS SEC This docketed notice of intent was filed with Confidential Document No. 020-03 The document has been placed in confidential storage pending timely receipt of a request for confidentiality.

ntiality. (SeeDN 10072-03)

ORIGINAL

### BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Application of Cargill Fertilizer, Inc. to engage in self-service wheeling of waste heat cogenerated power to, from and between points within Tampa Electric Company's service area.

Docket No. 020898-EQ

Filed: October 17, 2003

## CARGILL FERTILIZER, INC.'S NOTICE OF INTENT TO REQUEST SPECIFIED CONFIDENTIAL CLASSIFICATION

Cargill Fertilizer, Inc. (Cargill), pursuant to Rule 25-22.006, Florida Administrative Code, files this Notice of Intent to Request Specified Confidential Classification.

- 1. Attached hereto is the Late-Filed Deposition Exhibit (No. 1), "Cargill August 2000 Commitment Request to Reconfigure Sulfuric Acid Plant #8 for Process Improvement and 2.36MW Incremental Power Generation," to the October 14, 2003 Deposition of Roger F. Fernandez. Cargill considers the information contained in this Late-Filed Deposition Exhibit to be confidential and/or proprietary.
- 2. Because the Late-Filed Deposition Exhibit contains information that Cargill claims to be confidential and/or proprietary, Cargill files this Notice of Intent to Request Specified Confidential Classification pursuant to Rule 25-22.006(3)(a), Florida Administrative Code, in order to allow the Commission to take possession of the exhibits without delay. Cargill will file a Request for Confidential Classification in accordance with the applicable Commission rules. The original of this Notice has been filed with the Division of Records and Reporting, and a copy has been served on all parties of record.

John W. McWhirter, Jr.

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Attorneys for Cargill Fertilizer, Inc.

# ATTACHMENT IS CONFIDENTIAL

### CERTIFICATE OF SERVICE

I HERBY CERTIFY that a true and correct copy of the foregoing Cargill Fertilizer, Inc.'s Notice of Intent to Request Specified Confidential Classification has been furnished by (\*) hand delivery or U.S. Mail on this 17th day of October 2003 to the following:

(\*) Rosanne Gervasi Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, Florida 32399

James D. Beasley Ausley & McMullen 227 South Calhoun Street Post Office Box 391 Tallahassee, Florida 32302

Harry W. Long, Jr. Tampa Electric Company Post Office Box 111 Tampa, Florida 33601

Vicki Gordon Kaufman