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January 28, 2004

HAND DELIVERED

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

Re: Review of Tampa Electric Company's waterborne transportation contract with
TECO Transport and associated benchmark; FPSC Docket No. 031033-EI

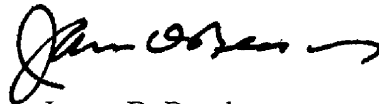
Dear Ms. Bayo:

Enclosed for filing in the above docket are the original and fifteen (15) copies of Tampa
Electric Company's Motion for Temporary Protective Order.

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
Enclosure

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

DOCUMENT NUMBER-DATE

01268 JAN 28 03

FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Review of Tampa Electric Company's)
Waterborne transportation contract with) DOCKET NO. 031033-EI
TECO Transport and associated benchmark.) FILED: January 28, 2004
_____)

**TAMPA ELECTRIC COMPANY'S
MOTION FOR TEMPORARY PROTECTIVE ORDER**

Tampa Electric Company ("Tampa Electric" or "the company") pursuant to Section 366.093, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, moves the Commission for entry of a temporary protective order protecting against public disclosure and exempting from the Public Records Law certain information included in Tampa Electric's answers to Office of Public Counsel's Fourth Request for Production of Documents (Nos. 30-76) and, as grounds therefor, says:

1. Tampa Electric this date is furnishing Office of Public Counsel ("OPC") its answers to OPC's Fourth Request for Production of Documents (Nos. 30-76) consisting of Bates stamp pages numbers 1 through 8331. Included within these answers are highly proprietary confidential business information consisting of trade secrets, information concerning bids or other contractual data, the disclosure of which would impair the efforts of Tampa Electric and its affiliates to contract for goods or services on favorable terms, as well as information relating to competitive interests the disclosure of which would impair the competitive business of Tampa Electric and its affiliate.

2. The confidential information included in Tampa Electric's answers to OPC's Fourth Request for Production of Documents is easily identifiable as being either printed on yellow paper stock or highlighted in yellow.

3. Rule 25-22.006(6)(c), Florida Administrative Code, provides for a utility or other person to agree to allow Public Counsel to inspect or take possession of utility information for the purpose of determining what information is to be used in a proceeding before the Commission pursuant to a request for a temporary protective order exempting the information from Section 119.07(1), Florida Statutes. Tampa Electric is in need of such protection with respect to the confidential information contained in its responses to OPC's Fourth Requests for Production of Documents.

WHEREFORE, Tampa Electric Company submits the foregoing in support of its request for entry of a temporary protective order protecting as against public disclosure the confidential information being supplied this date to OPC in response to OPC's Fourth Requests for Production of Documents (Nos. 30-76).

DATED this 28th day of January 2004.

Respectfully submitted,



LEE L. WILLIS
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Ausley & McMullen
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Tallahassee, Florida 32302
(850) 224-9115

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 U. S. Mail or hand delivery (*) on this 28th day of January 2004 to the following:

Mr. Wm. Cochran Keating, IV*
Senior Attorney
Division of Legal Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0863

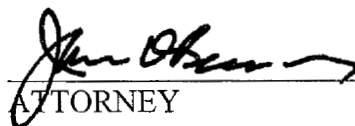
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ATTORNEY

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