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April 1, 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

RECEIVED FPSC
04 APR - 1 PM 4:06
COMMISSION CLERK

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 Notice of Intent to Seek Confidential Classification and Motion for Temporary Protective Order of portions of its answers to the Fourth Set of Interrogatories (Nos. 53-73) of the Staff of the Florida Public Service Commission.

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.

RECEIVED & FILED

Sincerely,

[Signature]
FPSC-BUREAU OF RECORDS

James D. Beasley

- AUS
CAF
CMP
COM JDB/pp
CTR Enclosure
ECR
GCL
OPC cc: All Parties of Record (w/enc.)
MMS
SEC
OTH comp records

DOCUMENT NUMBER-DATE

04195 APR-1 04

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: April 1, 2004
_____)

**TAMPA ELECTRIC COMPANY'S NOTICE OF INTENT
TO SEEK CONFIDENTIAL CLASSIFICATION AND
MOTION FOR TEMPORARY PROTECTIVE ORDER**

Pursuant to Section 366.093, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, Tampa Electric Company hereby serves Notice of its Intent to Seek Confidential Classification of portions of its answers to the Fourth Set of Interrogatories (Nos. 53-73), propounded by the Staff of the Florida Public Service Commission ("Staff") and, as grounds therefor, states:

1. Tampa Electric this date is filing and serving its answers to Staff's Fourth Set of Interrogatories (Nos. 53-73), portions of which contain highly proprietary confidential business information entitled to protection under the above-referenced statute and rule.
2. Tampa Electric is serving on the Commission's Staff through the Office of the Commission Clerk, a single unredacted version of its answers containing the confidential information highlighted in yellow and stamped "CONFIDENTIAL" pursuant to a Notice of Intent to Seek Confidential Classification.
3. Tampa Electric is also serving a single copy of the unredacted answers to OPC pursuant to a Motion for Temporary Protective Order as contemplated in Rule 25-22.006(6)(c), Florida Administrative Code, with the confidential information highlighted in yellow and stamped "CONFIDENTIAL."

4. Tampa Electric is also serving FIPUG, Michael B. Twomey, and CSXT's counsel a single unredacted version of its answers to Staff's Interrogatories pursuant to Non-Disclosure Agreements the parties have entered into for purposes of this docket.


5. Public disclosure of any of the confidential information contained in Tampa Electric's answers would be very detrimental to the competitive and economic interests of Tampa Electric, its transportation affiliate and others with whom Tampa Electric transacts business. Tampa Electric is entitled to confidential protection of the information in question pursuant to Section 366.093, Florida Statutes, and Rule 25-22.006, Florida Administrative Code.

6. Pursuant to the protections afforded in the Commission's Rule 25-22.006, Florida Administrative Code, all parties shall treat the confidential information as confidential and not disclose any of this information to any person beyond the scope of the rule and the Non-Disclosure Agreements in the case of FIPUG, Michael B. Twomey and CSXT.

WHEREFORE, Tampa Electric serves this its Notice of Intent to Seek Confidential Classification and moves the Commission for entry of a Temporary Protective Order as set forth above.

DATED this 15th day of April 2004.

Respectfully submitted,



LEE L. WILLIS
JAMES D. BEASLEY
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 and correct copy of the foregoing Notice of Intent and Motion for Temporary Protective Order has been furnished by U. S. Mail, hand delivery (*) on this 15th day of April 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

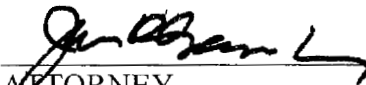
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