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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

04 MAY 14 PM 4:33

In Re: Review of Tampa Electric)
 Company's 2004-2008 Waterborne) DOCKET NO. 031033-EI
 Transportation Contract with TECO)
 Transport and Associated Benchmark) FILED: May 14, 2004
)

COMMISSION
CLERK

CSX TRANSPORTATION'S OBJECTIONS TO STAFF'S
FIRST SET OF INTERROGATORIES TO CSXT (NOS. 1-14)

CSX Transportation ("CSXT"), pursuant to the Order Establishing Procedure issued in this docket on December 11, 2003, hereby respectfully submits its objections to the Staff of the Florida Public Service Commission's ("Staff") First Set of Interrogatories to CSXT (Nos. 1-14) which was served on CSXT on May 6, 2004.

GENERAL OBJECTIONS

CSXT objects to Staff's First Set of Interrogatories on the grounds set forth in paragraphs A-C below. Each of CSXT's responses will be subject to and qualified by these general objections.

A. CSXT objects to any interrogatory that calls for the creation of information as opposed to the reporting of presently existing information as an improper expansion of CSXT's obligations under the law Staff invokes.

B. CSXT objects to any interrogatory that calls for information protected by the attorney-client privilege, the work product doctrine, the accountant-client privilege, the trade secret privilege, or any other applicable privilege or protection afforded by law, whether such privilege or protection appears at the time

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response is first made to these interrogatories or is later determined to be applicable for any reason. CSXT in no way intends to waive any such privilege or protection.

C. CSXT objects to any interrogatory that calls for confidential proprietary business information and/or the compilation of information that is considered confidential proprietary business information.

SPECIFIC OBJECTIONS

CSXT makes the following specific objections to Staff's First Set of Interrogatories. CSXT's specific objections are numbered to correspond with the number of Staff's interrogatories.

1. Given the design parameters of the rail coal receiving facilities, the expected coal shipments for 2004-2008, and normal operation and maintenance expected for such facilities, what amount of annual revenue in demurrage does CSX expect it would have generated from Tampa Electric related to CSX's Bid A if the utility had excepted the bid? Please show all calculations and detail all assumptions.

OBJECTION: CSXT objects to this interrogatory to the extent that it calls for confidential, proprietary business information. CSXT will file a request for confidential treatment concerning any confidential information contained in its response to this

interrogatory. In addition, CSXT will provide its response to this interrogatory to other parties in this docket subject to an appropriate non-disclosure agreement.

3. Do the CSX Bids A and B allow for the use of carrier crews in the unloading of coal at Big Bend or Polk Station? Please explain.

OBJECTION: CSXT objects to this interrogatory to the extent that it calls for confidential, proprietary business information. CSXT will file a request for confidential treatment concerning any confidential information contained in its response to this interrogatory. In addition, CSXT will provide its response to this interrogatory to other parties in this docket subject to an appropriate non-disclosure agreement.

4. If the use of carrier crews in the unloading of coal at Big Bend or Polk Station for CSX Bids A and B is presumed, is the use of these crews necessary to support CSX's response to Tampa Electric's Interrogatory No. 37?

OBJECTION: CSXT objects to this interrogatory to the extent that it calls for confidential, proprietary business information.

CSXT will file a request for confidential treatment concerning any confidential information contained in its response to this interrogatory. In addition, CSXT will provide its response to this interrogatory to other parties in this docket subject to an appropriate non-disclosure agreement.

5. Does CSX believe that the transportation rate per ton which could be calculated from the tonnages and revenues included in its response to Tampa Electric's Interrogatory No. 38 were the best estimates of the market rates for delivering coal to Big Bend and Polk Station, via either waterborne or rail transportation, for some or all portion of TECO's solid fuel transportation requirements, without consideration of any terms or conditions it might believe are objectionable within the Tampa Electric RFP? Please explain.

OBJECTION: CSXT objects to this interrogatory to the extent that it calls for confidential, proprietary business information. CSXT will file a request for confidential treatment concerning any confidential information contained in its response to this interrogatory. In addition, CSXT will provide its response to this interrogatory to other parties in this docket subject to an appropriate non-disclosure agreement.

6. Please describe each instance known to CSX during the period 1994 to present wherein any power plant for which CSX delivered coal, synfuel, or petroleum coke depleted its on site storage supply to such an extent that the plant had to either curtail or cease dispatch of its power generation. In each instance, please indicate the entity responsible for the depletion event and the duration of the curtailment or cessation of dispatch of power generation.

OBJECTION: CSXT objects to this interrogatory to the extent that it calls for confidential, proprietary business information. CSXT will file a request for confidential treatment concerning any confidential information contained in its response to this interrogatory. In addition, CSXT will provide its response to this interrogatory to other parties in this docket subject to an appropriate non-disclosure agreement.

7. Please identify all known locational congestion points that CSX expects could delay or hinder the delivery of solid fuel requirements to Big Bend and Polk Station, and the estimated duration and time of delay, during the 2004 to 2008 time period.

OBJECTION: CSXT objects to this interrogatory to the extent that it calls for confidential, proprietary business information. CSXT will file a request for confidential treatment concerning any confidential information contained in its response to this interrogatory. In addition, CSXT will provide its response to this interrogatory to other parties in this docket subject to an appropriate non-disclosure agreement.

8. Please describe specific examples where CSX and TECO Transport compete with each other in the movement of coal, phosphate, coal ash, aggregates, sand, or citrus pumice, including the origin, destination, annual tonnages, period during which such competition began, and the basis for knowing such competition exists.

OBJECTION: CSXT objects to this interrogatory to the extent that it calls for confidential, proprietary business information. CSXT will file a request for confidential treatment concerning any confidential information contained in its response to this interrogatory. In addition, CSXT will provide its response to this interrogatory to other parties in this docket subject to an appropriate non-disclosure agreement.

11. Please refer to Exhibit RFW-2 to Robert White's testimony, Page 20 of 23. Please describe the location and capacity of the Conrad-Yelvington Distribution facility, the rail and truck miles to both the Big Bend and Polk plants, and the anticipated time period during which CSX would have had to use the facilities to deliver coal per its bid responsive to Tampa Electric's 2003 RFP for coal transportation.

OBJECTION: CSXT objects to this interrogatory to the extent that it calls for confidential, proprietary business information. CSXT will file a request for confidential treatment concerning any confidential information contained in its response to this interrogatory. In addition, CSXT will provide its response to this interrogatory to other parties in this docket subject to an appropriate non-disclosure agreement.

14. What technical and infrastructure limitations or obstacles, besides Big Bend and Polk infrastructure development, would CSX experience in delivering the full requirements of coal transportation specified in Tampa Electric's RFP (5.5 million tons)? Please explain.

OBJECTION: CSXT objects to this interrogatory to the extent that it calls for confidential, proprietary business information.

CSXT will file a request for confidential treatment concerning any confidential information contained in its response to this interrogatory. In addition, CSXT will provide its response to this interrogatory to other parties in this docket subject to an appropriate non-disclosure agreement.

Filed this 14th day of May, 2004.

LANDERS & PARSONS

A handwritten signature in black ink, reading "Robert Scheffel Wright". The signature is written in a cursive style and is positioned above a horizontal line.

Robert Scheffel Wright
Florida Bar No. 966721
John T. LaVia, III
Florida Bar No. 853666
310 West College Avenue (32301)
Post Office Box 271
Tallahassee, Florida 32302
Phone: 850/681-0311
FAX: 850/224-5595

Counsel for CSX Transportation

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the original and seven copies of the foregoing has been filed with the Clerk's Office, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399 and that a true and correct copy of the foregoing has been served by U.S. Mail or hand delivery (*) this 14th day of May, 2004, on the following:

Wm. Cochran Keating, Esq.*
Jennifer Rodan, Esq.
Division of Legal Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Robert Vandiver, Esq.
Associate Public Counsel
Office of Public Counsel
111 West Madison Street, Room 812
Tallahassee, FL 32399-1400

Lee L. Willis, Esq.*
James D. Beasley, Esq.
Ausley & McMullen
227 South Calhoun Street
Tallahassee, FL 32301

Vicki Gordon Kaufman, Esq.
Timothy J. Perry, Esq.
McWhirter, Reeves, McGlothlin, Davidson
Decker, Kaufman, Arnold & Steen, P.A.
117 South Gadsden Street
Tallahassee, FL 32301

Florida Industrial Power Users Group
c/o John W. McWhirter, Jr., Esq.
McWhirter Reeves
400 North Tampa Street, Suite 2450
Tampa, FL 33602

Florida Retail Federation
John Rogers, Esq.
227 South Acams Street
Tallahassee, FL 32301

Ms. Angela Llewellyn
Regulatory Affairs
P.O. Box 111
Tampa, FL 33601-0111

Michael B. Twomey, Esq.
P.O. Box 5256
Tallahassee, FL 32314-5256

TECO Transport Company
c/o Benjamin Hill III/Landis Curry III
Hill Ward Law Firm
P.O. Box 2231
Tampa, FL 33601-2231


Attorney