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August 17, 2005

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: Fuel and Purchased Power Cost Recovery Clause with Generating  
Performance Incentive Factor; FPSC Docket No. 050001-EI

Dear Ms. Bayo:

Enclosed for filing in the above docket are the original and ten (10) copies of Tampa Electric Company's Notice of Intent to Request Confidential Classification and Motion for Temporary Protective Order regarding answers to Staff's Second Request for Production of Documents (Nos. 5-7) dated December 21, 2004.

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: Adrienne Vining (w/enc.)  
All Parties of Record (w/enc.)

DOCUMENT NUMBER DATE  
07989 AUG 17 05  
FPSC-COMMISSION CI FRK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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

DOCKET NO. 050001-EI  
FILED: August 17, 2005

**TAMPA ELECTRIC COMPANY'S  
NOTICE OF INTENT TO REQUEST CONFIDENTIAL CLASSIFICATION  
AND 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, files this its Notice of Intent to Request Confidential Classification and Motion for Temporary Protective Order regarding certain proprietary and confidential business information set forth in Tampa Electric Company's answers to Staff's Second Request for Production of Documents Nos. 5-7 dated December 21, 2004 in Docket No. 040001-EI. As grounds therefor, the company says:

1. Under separate transmittal Tampa Electric is filing this date a banker's box of documents labeled Tampa Electric Company's Response to Staff's Second Request for Production of Documents Nos. 5-7 December 21, 2004 submitted in Docket No. 040001-EI and marked Bates Stamp pages 1 – 1554 with proprietary confidential business information highlighted in yellow or printed on yellow paper stock. Publication of the confidential information would harm the competitive and financial interests of Tampa Electric Company.

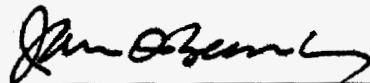
2. Tampa Electric will follow this Notice with a formal request for confidential classification within the 21 day time period set forth in Rule 25-22.006, Florida Administrative Code.

3. This Notice of Intent also serves as Tampa Electric's Motion for Temporary Protective Order as contemplated in Rule 25-22.006.

WHEREFORE, Tampa Electric submits the foregoing Notice of Intent to Request Confidential Classification and Motion for Temporary Protective Order.

DATED this 17<sup>th</sup> day of August 2005.

Respectfully submitted,



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LEE L. WILLIS  
JAMES D. BEASLEY  
Ausley & McMullen  
Post Office Box 391  
Tallahassee, FL 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 to Request Confidential Classification and Motion for Temporary Protective Order has been furnished by U. S. Mail or hand delivery (\*) on this 17<sup>th</sup> day of August 2005 to the following:

Ms. Adrienne E. Vining\*  
Ms. Jennifer Rodan  
Office of General Counsel  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
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Legal Department  
CSX Transportation  
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Jacksonville, FL 32202



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ATTORNEY

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