

# AUSLEY & McMULLEN

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January 9, 2006

HAND DELIVERED

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

Re: Fuel and Purchased Power Cost Recovery Clause with Generating Performance  
Incentive Factor; FPSC Docket No. 060001-EI

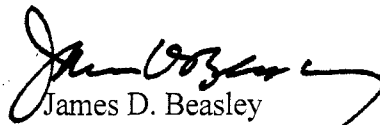
Dear Ms. Bayo:

Enclosed for filing in the above docket are the original and ten (10) copies of Tampa Electric Company's Response to Citizens' Motion for Clarification and/or Reconsideration and Citizens' Request for Oral Argument thereon.

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  
Enclosures

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

DOCUMENT NUMBER-DATE

00178 JAN-9 06

FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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

DOCKET NO. 060001-EI  
FILED: January 9, 2006

**TAMPA ELECTRIC COMPANY'S RESPONSE TO CITIZENS'  
MOTION FOR CLARIFICATION AND/OR RECONSIDERATION  
AND CITIZENS' REQUEST FOR ORAL ARGUMENT THEREON**

Tampa Electric Company ("Tampa Electric" or "the company"), pursuant to Rule 25-22.060 and Rule 25-106.204, Florida Administrative Code, responds as follows to the January 6, 2006 motion for a clarification and/or reconsideration filed by the Office of Public Counsel and to OPC's Request for Oral Argument on such motion:

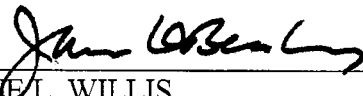
1. Tampa Electric does not object to the clarification requested by OPC, although it does not believe such clarification to be necessary.
2. Tampa Electric never considered the language of Order No. PSC-05-1252-FOF-EI to mean that other parties would be excluded from any meeting between Tampa Electric and the Staff. Tampa Electric only construes the order to mean that the subject of Tampa Electric's GPIF should be addressed. Likewise, Tampa Electric does not believe that the order intended that a meeting between Tampa Electric, the Staff and other parties would be a necessary prerequisite to actions by other parties.
3. Rule 25-106.204, Florida Administrative Code, states that motions, other than a motion to dismiss, shall include a statement that the movant has conferred with all other parties of record and shall state as to each party whether the party has any objection to the motion. Had Tampa Electric been consulted, it would have indicated no objection to OPC's motion.

4. Based on the foregoing, Tampa Electric believes that the oral argument request filed by OPC on January 6, 2006 is unnecessary and should be denied.

WHEREFORE, Tampa Electric Company submits the foregoing as its response to OPC's motion for clarification and/or reconsideration and the request for oral argument that accompanied such motion.

DATED this 9<sup>th</sup> day of January 2006.

Respectfully submitted,



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ATTORNEYS FOR TAMPA ELECTRIC COMPANY

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing Response to Citizens' Motion for Clarification and/or Reconsideration and Request for Oral Argument, filed on behalf of Tampa Electric Company, has been furnished by U. S. Mail or hand delivery (\*) on this 9<sup>th</sup> day of January 2006 to the following:

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ATTORNEY