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October 30, 2006

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COMMISSION
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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 fifteen (15) copies of Tampa
Electric Company's Request for Confidential Classification and Motion for a Temporary
Protective Order of certain information contained in portions of its answer to the Florida Public
Service Commission Staff's Sixth Set of Interrogatories (No. 44).

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,

[Handwritten signature of James D. Beasley]
James D. Beasley

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JDB/pp
Enclosure

cc: All parties of record (w/enc.)

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Fuel and Purchased Power Cost Recovery	)	
Clause with Generating Performance Incentive	)	DOCKET NO. 060001-EI
Factor.	)	FILED: October 30, 2006
_____	)	

**TAMPA ELECTRIC COMPANY'S  
REQUEST FOR 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, hereby requests confidential classification of certain highlighted information contained in portions of the company's answers to the Florida Public Service Commission Staff's Sixth Set of Interrogatories (No. 44). The confidential information in question appears on Bates stamp page 3 which is Page 1 of 1 of the company's answer to Interrogatory No. 44. This request is also intended to serve as a request for a temporary protective order, within the contemplation of Rule 25-22.006(6)(b), Florida Administrative Code, such that it will protect the confidential information from public disclosure while in the possession of the Office of Public Counsel. As grounds therefor, the company says:

1. Interrogatory No. 44 asks for the company to provide an analysis of realized losses or gains from natural gas hedging positions for the period January through September 2006.
2. Tampa Electric's answer to Interrogatory No. 44 discloses not only the MMBTU values but also the weighted average hedge price, hedge value and gain or loss from hedging positions. This type of information, if made public, would disclose Tampa Electric Company's

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hedging strategy – something which the Commission on numerous occasions has deemed to be confidential proprietary business information.

3. Public disclosure of Tampa Electric's hedging strategy and the various volumes, prices, hedging value and gains or losses on hedging which make up that strategy would adversely affect Tampa Electric's competitive position.

4. Public disclosure of details regarding the implementation of Tampa Electric's hedging would impair Tampa Electric's efforts to contract for goods and services on favorable terms and/or impair the competitive business of Tampa Electric.

5. Rule 25-22.006(6)(c) provides in relevant part:

[t]he utility may request a temporary protective order exempting the information from Section 119.07(1), Florida Statutes. If the information is to be used in a proceeding before the Commission, then the utility must file a specific request for a protective order under paragraph (a) above. If the information is not to be used in a proceeding before the Commission, then Public Counsel shall return the information to the utility in accordance with the record retention requirements of the Department of State.

6. Tampa Electric respectfully requests that the Commission enter a temporary protective order affording Tampa Electric the protection that is needed in order to allow OPC to take possession of the confidential information.

7. Attached hereto are two redacted versions of the page containing the confidential information. Tampa Electric by separate letter is submitting a single confidential version of its answer to Staff's Interrogatory No. 44.


8. Tampa Electric treats the confidential information as such and has not disclosed it publicly. A recent example of the Commission having granted confidential treatment to the company's hedging strategies and details regarding the company's risk management plan appear in Order No. PSC-06-0831-CFO-EI issued October 6, 2006 in Docket No. 060001-EI. See, also,

Order No. PSC-05-0508-CFO-EI issued May 9, 2005 in Docket No. 050001-EI. In this order the Commission concluded that information regarding Tampa Electric's hedging strategies and prioritizations is entitled to confidential protection under Section 366.093(3), Florida Statutes, in that the information in question constitutes information relating to competitive interests, the disclosure of which would impair the competitive business of the provider of the information. See, also, Order No. PSC-05-0583-CFO-EI issued May 26, 2005 in Docket No. 050001-EI. In that order the Commission agreed with Tampa Electric's contention that disclosing its risk exposure levels on a monthly basis would provide an indicator of vulnerability to market price which information could be used by suppliers of fuel and purchased power to the competitive detriment of Tampa Electric.

WHEREFORE, Tampa Electric Company requests confidential treatment of the MMBTU, weighted average hedge price, hedge value and gain/(loss) columns set forth in its answer to Interrogatory No. 44 of the Florida Public Service Commission Staff and requests that a temporary protective order be issued regarding such information to protect it from public disclosure while in the possession of the Office of Public Counsel.

DATED this 30<sup>th</sup> day of October 2006.

Respectfully submitted,

  
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(850) 224-9115

ATTORNEYS FOR TAMPA ELECTRIC COMPANY

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Request for Confidential Classification and Motion for Temporary Protective Order, filed on behalf of Tampa Electric Company, has been furnished by U. S. Mail or hand delivery (\*) on this 30<sup>th</sup> day of October 2006 to the following:

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