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January 14, 2008

HAND DELIVERED

RECEIVED-FPSC
08 JAN 14 AM 10:39
COMMISSION
CLERK

Ms. Ann Cole, Director
Office of Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

Re: Complaint No. 694187E by Cutrale Citrus Juices USA, Inc. against Tampa Electric Company for refusing to provide transformer ownership discount for electrical service provided through Minute Maid substation;
FPSC Docket No. 070733-EI

Dear Ms. Cole:

Enclosed for filing in the above docket are the original and fifteen (15) copies of Tampa Electric Company's Answer to Petition of Cutrale Citrus Juices USA., Inc.

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.

CMP _____

COM _____

CTR _____

ECR _____

GCL 1

OPC _____ IDB/pp

RCA 1 Enclosure

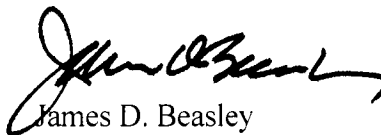
SCR cc: All Parties of Record (w/enc.)

SGA _____

SEC _____

OTH CK updated
1/14/08 R.V.W.

Sincerely,



James D. Beasley

DOCUMENT NUMBER-DATE

00334 JAN 14 08

FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Complaint No. 694187E by Cutrale)
Citrus Juices USA, Inc. against Tampa)
Electric Company for refusing to provide)
transformer ownership discount for electrical)
service provided through Minute Maid substation.)
_____)

DOCKET NO. 070733-EI
FILED: January 14, 2008

**TAMPA ELECTRIC COMPANY'S ANSWER TO
PETITION OF CUTRALE CITRUS JUICES USA, INC.**

Tampa Electric Company ("Tampa Electric" or "the company"), Respondent in the above entitled proceeding, files this its Answer to the document entitled "Formal Petition for Relief" filed December 18, 2007 in this proceeding on behalf of Petitioner, Cutrale Citrus Juices USA, Inc. ("Cutrale") and, says:

1. Tampa Electric fully concurs in the conclusions reached by the Staff of the Florida Public Service Commission ("Commission") to the effect that Cutrale is not entitled to the transformer ownership discount ("Discount") requested in Cutrale's petition, and that Tampa Electric has not violated any applicable statutes, rules, company tariffs or orders of the Commission in refusing to provide the requested Discount to Cutrale.¹

2. With respect to the electric service at issue in Cutrale's petition, Cutrale is not served from a primary voltage distribution feeder and has not avoided all transformation associated with its primary service. Tampa Electric owns, operates and maintains the substation that serves only the Cutrale facility, and transforms 69 kV transmission voltage to the Cutrale

¹ The Staff's rationale for its conclusions is explained in detail in the April 21, 2006 letter from Ms. Elisabeth Draper to Mr. Edward Hart and the November 28, 2007 letter from Ms. Martha Carter Brown to Mr. Robert P. Majors, attached as Exhibits B and E, respectively, to Cutrale's petition.

DOCUMENT NUMBER-DATE

00334 JAN 14 8

FPSC-COMMISSION CLERK

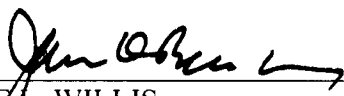
utilization voltage. Tampa Electric's rates for the electric service provided to Cutrale reflect the costs incurred to provide service to Cutrale at that utilization voltage. Therefore, Cutrale does not qualify for the Discount under the Tampa Electric tariff provisions attached to the Cutrale petition as Exhibit A.

3. Granting the Discount to Cutrale would deviate from the terms of service required by the Commission, as approved in Tampa Electric's tariff, and would afford Cutrale an undue or unreasonable preference or advantage in contravention of Section 366.03, Florida Statutes.

WHEREFORE, Tampa Electric respectfully requests that the Commission enter its order finding and concluding that Cutrale is not entitled to the Discount requested or any of the relief sought in paragraph 19 of Cutrale's petition.

DATED this 14th day of January 2008.

Respectfully submitted,



LEE L. WILLIS
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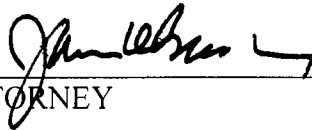
ATTORNEYS FOR TAMPA ELECTRIC COMPANY

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Answer, filed on behalf of Tampa Electric Company, has been furnished by U. S. Mail or hand delivery (*) on this 14th day of January 2008 to the following:

Cutrale Citrus Juices USA, Inc.
602 McKean Street
Auburndale, FL 33843

Mr. Robert J. Major
Winderweedle, Haines, Ward
& Woodman, P.A.
Post Office Box 1391
Orlando, FL 32802-1391



ATTORNEY