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March 12, 2010

HAND DELIVERED

RECEIVED-FPSC  
10 MAR 12 PM 2:40  
COMMISSION  
CLERK

Ms. Ann Cole, Director  
Division of Commission Clerk  
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. 100001-EI

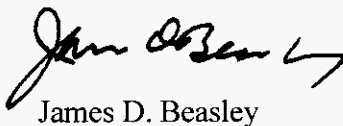
Dear Ms. Cole:

Enclosed for filing in the above docket are the original and seven (7) copies of Tampa  
Electric Company's Request for Confidential Classification of certain information contained in  
Schedule A12, Page 2 of 2, (Bates stamp page 228) for the period January 2009 – December 2009.

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

COM      Enclosure

APA     

ECR 5 cc: All Parties of Record (w/enc.)

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DOCUMENT NUMBER-DATE

01721 MAR 12 0

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. 100001-EI  
FILED: March 12, 2010

**TAMPA ELECTRIC COMPANY'S  
REQUEST FOR CONFIDENTIAL CLASSIFICATION**

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 Schedule A12, Page 2 of 2 (Bates Stamp page 228) for the period January 2009 – December 2009. In support thereof, the company says:

1. A single copy of Schedule A12 (Tampa Electric Company Capacity Costs Actual Purchases and Sales for the Period January 2009 through December 2009) is being simultaneously filed with the Commission on a confidential basis. Page 2 of 2 (Bates Stamp page 228) of that filing contains certain information ("Confidential Information") highlighted in yellow.

2. Subsection 366.093(1), Florida Statutes, provides that any records "found by the Commission to be proprietary confidential business information shall be kept confidential and shall be exempt from s.119.07(1) [requiring disclosure under the Public Records Act]." The proprietary confidential business information includes, but is not limited to:

(d) Information concerning bids or other contractual data, the disclosure of which would impair the efforts of the public utility or its affiliates to contract for goods or services on favorable terms. (Section 366.093(3)(d), Florida Statutes)

DOCUMENT NUMBER - DATE

01721 MAR 12 2010

FPSC-COMMISSION CLERK

3. Proprietary confidential business information also includes:

(e) Information relating to competitive interests, the disclosure of which would impair the competitive business of the provider of the information. (Section 366.093(3)(e), Florida Statutes)


4. The Confidential Information falls within the above statutory categories and, thus, constitutes proprietary confidential business information entitled to protection under Section 366.093 and Rule 25-22.006. The Confidential Information shows actual purchase amounts pursuant to confidential contracts negotiated by and between Tampa Electric Company and certain energy providers. As such, the information in question is information concerning bids or other contractual data the disclosure of which would impair the efforts of Tampa Electric to contract for goods and services on favorable terms. It is also information relating to competitive interests the disclosure of which would impair the competitive business of Tampa Electric.

5. Tampa Electric treats the Confidential Information as such and has not disclosed it publicly.

WHEREFORE, Tampa Electric Company respectfully requests that the highlighted Confidential Information contained in Schedule A12, page 2 of 2 (Bates stamp page 228), for the period January 2009 through December 2009 be afforded confidential classification for the reasons set forth above.

DATED this 12<sup>th</sup> day of March 2010.

Respectfully submitted,

  
\_\_\_\_\_  
JAMES D. BEASLEY  
J. JEFFRY WAHLEN  
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 Request for Confidential Classification, filed on behalf of Tampa Electric Company, has been furnished by U. S. Mail or hand delivery (\*) on this 12<sup>th</sup> day of March 2010 to the following:

Ms. Lisa Bennett\*  
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Florida Public Service Commission  
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Post Office Box 300  
White Springs, FL 32096

  
ATTORNEY

STATE OF FLORIDA

COMMISSIONERS:  
NANCY ARGENZIANO, CHAIRMAN  
LISA POLAK EDGAR  
NATHAN A. SKOP  
DAVID E. KLEMENT  
BEN A. "STEVE" STEVENS III



OFFICE OF COMMISSION CLERK  
ANN COLE  
COMMISSION CLERK  
(850) 413-6770

# Public Service Commission

## ACKNOWLEDGEMENT

DATE: March 12, 2010

TO: James D. Beasley, Ausley Law Firm

FROM: Ruth Nettles, Office of Commission Clerk

RE: Acknowledgement of Receipt of Confidential Filing

This will acknowledge receipt of a **CONFIDENTIAL DOCUMENT** filed in Docket Number 100001 or, if filed in an undocketed matter, concerning A12, Page 2 of 2, Bates Stamp Page 228, and filed on behalf of Tampa Electric Company. The document will be maintained in locked storage.

If you have any questions regarding this document, please contact Kim Peña, Records Management Assistant, at (850) 413-6393.

DOCUMENT NUMBER-DATE  
01722 MAR 12 09  
FPSC-COMMISSION CLERK

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Internet E-mail: [contact@psc.state.fl.us](mailto:contact@psc.state.fl.us)