

BEFORE THE PUBLIC SERVICE COMMISSION

In Re: Fuel and Purchased Power)
Cost Recovery Clause and)
Generating Performance Incentive)
Factor.)

DOCKET NO. 900001-EI
ORDER NO. 23467-A
ISSUED: 11-8-90

AMENDED ORDER ON TAMPA ELECTRIC COMPANY'S REQUEST
FOR CONFIDENTIAL TREATMENT OF PORTIONS OF
ITS JUNE, JULY, AUGUST, SEPTEMBER,
AND OCTOBER, 1989, FORMS 423

In Order No. 23467, issued September 11, 1990, it was ordered that Tampa Electric Company's (TECO) requests for confidential treatment of its June, 1989 through October, 1989, 423 forms be granted. To more accurately reflect the intent of the Commission, the following paragraph which reads:

In requesting confidentiality for their October, 1989 423-1(b) forms, TECO argues that columns I and J contain old and new values for column I from Form 423-1(a) for the month designated in column B. That information is already the subject of a request for confidential treatment. TECO claims that when it appears in Form 423-1(a), the values shown are algebraic functions of the invoice price. Thus, the publication of these columns together, or independently, could allow a supplier to derive the invoice price paid by TECO.

should be added after the last complete paragraph on page 2 of Order No. 23467.

The third to the last complete sentence in the second complete paragraph on page 4 which reads:

We find that the waterborne costs contained in columns G, I, K, L, M, N, O, and P involve transfer pricing arrangements between TECO and its unregulated waterborne affiliates, Mid-South Towing, Electro-Coal Transfer, and Gulf Coast Transit, and, as such, are not inherently entitled confidentiality.

DOCUMENT NUMBER-DATE
10011 NOV-8 1990
PSC RECORDS/REPORTING

should be deleted in its entirety and replaced with:

We find that the waterborne costs contained in columns G, I, K, L, M, N, O, and P involve acceptable cost allocation between TECO and its waterborne affiliates, Mid-South Towing, Electro-Coal Transfer, and Gulf Coast Transit, and, as such, are entitled to confidentiality.

The last complete sentence on the second complete paragraph on page 4, which reads:

See discussion below relating to Commission Order No. 20298.

should be deleted.

The sentence beginning on the third to the last line on this same paragraph beginning with the word "Because" and ending with the word "confidential" should be deleted.

The second complete sentence on page 6 beginning with the word "We" and ending with the word "untraceable" should be deleted.

The word "not" found in the third complete sentence on page 6 should be deleted.

The second to the last sentence in the first paragraph on page 6 beginning with the word "further" and ending with the word "above" should be deleted.

The word "not" in the second and third to the last lines of this same paragraph should be deleted.

The following paragraphs which read:

TECO also requests confidential treatment for columns J and K on Forms 432-2(c) for the month October, 1989. TECO argues that information under J and K reveals the actual rate paid for river barge transportation, and thus, the data is proprietary and confidential. Disclosure of this information would enable competitors to determine the price TECO pays their coal suppliers. Furthermore, this information should also be protected for the same reasons

information contained in Form 423-2, column G was found confidential.

The data in columns J and K also consists of the direct rail rate which when subtracted from the total delivered price of coal, reveals the rate paid for Gatliff coal. This is contractual information, according to TECO, and if made public would "impair the efforts of the public utility to contract for goods and services on favorable terms" and have a direct impact on TECO's future fuel contracts by informing potential bidders of prices currently being paid. Section 366.093(3)(d) FLA. STAT. (1989)

should be added after the last complete paragraph on page 6.

In consideration of the above, it is

ORDERED that the following paragraph which reads:

In requesting confidentiality for their October, 1989 423-1(b) forms, TECO argues that columns I and J contain old and new values for column I from Form 423-1(a) for the month designated in column B. That information is already the subject of a request for confidential treatment. TECO claims that when it appears in Form 423-1(a), the values shown are algebraic functions of the invoice price. Thus, the publication of these columns together, or independently, could allow a supplier to derive the invoice price paid by TECO.

should be added after the last complete paragraph on page 2 of Order No. 23467. It is further

ORDERED that the third to the last complete sentence in the second complete paragraph on page 4 of Order No. 23467 is to be deleted and replaced with:

We find that the waterborne costs contained in columns G, I, K, L, M, N, O, and P involve acceptable cost allocation between TECO and its waterborne affiliates, Mid-South Towing, Electro-Coal Transfer, and Gulf Coast Transit, and, as such, are entitled to confidentiality.

It is further

ORDERED that the last complete sentence on the second complete paragraph on page 4, which reads:

See discussion below relating to Commission Order No. 20298.

is to be deleted. It is further

ORDERED that the sentence beginning on the third to the last line on this same paragraph beginning with the word "Because" and ending with the word "confidential" is to be deleted. It is further

ORDERED that the second complete sentence on page 6 beginning with the word "We" and ending with the word "untraceable" is to be deleted. It is further

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ORDER NO. 23467-A
DOCKET NO. 900001-EI
PAGE 5

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are to be added after the last complete paragraph on page 6. It is further

ORDERED that if a protest is filed within 14 days of the date of this Order, it will be resolved by the appropriate Commission panel.

By ORDER of Commissioner Betty Easley, as Prehearing Officer, this 8th day of November, 1990.


BETTY EASLEY, Commissioner
and Prehearing Officer

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