

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Request for Confidential ) DOCKET NO. 940772-EI  
Classification of Polk Power ) ORDER NO. PSC-96-1103-CFO-EI  
Station Contract Audit Report by ) ISSUED: August 29, 1996  
Tampa Electric Company )  
\_\_\_\_\_)

ORDER GRANTING TAMPA ELECTRIC COMPANY'S  
REQUEST FOR EXTENSION OF CONFIDENTIAL CLASSIFICATION  
TIME PERIOD

On January 17, 1995, Order No. PSC-95-0091-CFO-EI (Order) was issued granting Tampa Electric Company's (TECO) Request for Confidential Classification of listed portions of Document No. 06113-94 and Document No. 06715-94. The Order noted that the length of time for confidential classification was until June 30, 1996, and that TECO could request an extension of the time period at that time. Order, p. 2. TECO filed such a request for extension of the confidential classification time period (Request) on June 17, 1996.

Review of the Request demonstrates that TECO's rationale for continued confidential classification of Documents No. 06113-94 and No. 06175-94 is unchanged from its original Request for Confidential Classification filed July 7, 1994. Then, as now, the utility relied upon Section 366.093(3)(d), Florida Statutes. While TECO does not claim that this material will never become stale, the utility does argue credibly that the information at issue has not become stale at this time. Therefore, disclosure could harm the company and, ultimately, its ratepayers by interfering with TECO's ability to get the lowest possible bids. To avoid that, the listed portions of Document No. 06113-94 and Document No. 06715-94 should be given confidential classification until February 28, 1998.

In view of the above, it is

ORDERED by Commissioner Diane K. Kiesling, as Prehearing Officer, that the Request for Extension of Confidentiality filed by Tampa Electric Company is granted. It is further

ORDERED that this information shall be classified as proprietary confidential business information for the period discussed in the body of this Order. It is further

ORDERED that this Order will be the only notification period by the Commission concerning the expiration of the confidentiality period.

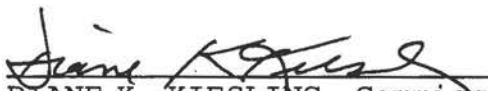
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BY ORDER of Commissioner Diane K. Kiesling as Prehearing Officer, this 29th day of August, 1996.

  
DIANE K. KIESLING, Commissioner  
and Prehearing Officer

(S E A L)

RCB

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.59(4), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Any party adversely affected by this order, which is preliminary, procedural or intermediate in nature, may request: (1) reconsideration within 10 days pursuant to Rule 25-22.038(2), Florida Administrative Code, if issued by a Prehearing Officer; (2) reconsideration within 15 days pursuant to Rule 25-22.060, Florida Administrative Code, if issued by the Commission; or (3) judicial review by the Florida Supreme Court, in the case of an electric, gas or telephone utility, or the First District Court of Appeal, in the case of a water or wastewater utility. A motion for reconsideration shall be filed with the Director, Division of Records and Reporting, in the form prescribed by Rule 25-22.060, Florida Administrative Code. Judicial review of a preliminary, procedural or intermediate ruling or order is available if review of the final action will not provide an adequate remedy. Such review may be requested from the appropriate court, as described above, pursuant to Rule 9.100, Florida Rules of Appellate Procedure.