

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Complaint by Allied Universal Corporation and Chemical Formulators, Inc. against Tampa Electric Company for violation of Sections 366.03, 366.06(2), and 366.07, F.S., with respect to rates offered under commercial/industrial service rider tariff; petition to examine and inspect confidential information; and request for expedited relief.

DOCKET NO. 000061-EI  
ORDER NO. PSC-01-2252-CFO-EI  
ISSUED: November 16, 2001

ORDER GRANTING IN PART AND DENYING IN PART TAMPA ELECTRIC COMPANY'S REQUEST FOR CONFIDENTIALITY OF DOCUMENTS NOS. 05470-01, 05471-01, 05472-01, AND 05473-01

On January 20, 2000, Allied Universal Corporation and Chemical Formulators, Inc. (Allied) filed a formal complaint against Tampa Electric Company (TECO). The complaint alleged that: 1) TECO violated Sections 366.03, 366.06(2), and 366.07, Florida Statutes, by offering discriminatory rates under its Commercial/Industrial Service Rider (CISR) tariff; and, 2) TECO breached its obligation of good faith under Order No. PSC-98-1081A-FOF-EI. Odyssey Manufacturing Company (Odyssey) and Sentry Industries (Sentry) intervened. They are separate companies but have the same president. Allied, Odyssey and Sentry manufacture bleach.

Background

By Order No. PSC-01-1003-AS-EI issued on April 3, 2001, the Commission approved a Settlement Agreement that resolved all issues in this docket. Part of the Settlement Agreement required that an evidentiary record containing specified documents be created. The Settlement Agreement required that all prefiled testimony, all depositions, and all discovery responses provided by Tampa Electric Company would be admitted as evidence in this docket. Because those documents contained information that could potentially be confidential, the parties were required to submit requests for

DOCUMENT NUMBER-DATE

14570 NOV 16 01

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confidential classification of any such information. Consistent with Rule 25-22.006, Florida Administrative Code, all parties were given the opportunity to respond to or supplement any requests for confidential treatment.

On May 1, 2001, TECO requested confidential classification, pursuant to Rule 25-22.006, Florida Administrative Code, and Section 366.093, Florida Statutes, of information contained in the following documents: 1) deposition transcript of William Ashburn (Document No. 05470-01); 2) deposition transcript of Lawrence Rodriguez (Document No. 05471-01); 3) deposition transcript of David Sweat (Document No. 05472-01); and, 4) deposition transcript of Victoria Westra (Document No. 05473-01).

Attachment A of this Order lists, for each deposition, the pages and lines for which TECO seeks confidential classification, and the justifications for its request. TECO asserts that the information is entitled to protection against public disclosure pursuant to Section 366.093, Florida Statutes, and Rule 25-22.006, Florida Administrative Code. TECO states that it treats the information as private and has not disclosed it.

#### Legal Standard

Florida law presumes that documents submitted to governmental agencies shall be public records. The only exceptions to this presumption are the specific statutory exemptions provided in the law and exemptions granted by governmental agencies pursuant to the specific terms of a statutory provision. This presumption is based on the concept that government should operate in the "sunshine." Rule 25-22.006(4)(c), Florida Administrative Code, provides that it is the Company's burden to demonstrate that the documents fall into a statutory exemption or that the information is proprietary confidential business information, the disclosure of which will cause the Company or its ratepayers harm.

Section 366.093, Florida Statutes, defines "proprietary confidential business information" as:

[I]nformation, regardless of form or characteristics, which is owned or controlled by the person or company, is intended to be and is treated by the person or company as

private in that the disclosure of the information would cause harm to the ratepayers or the person's or company's business operations, and has not been disclosed unless disclosed pursuant to a statutory provision, an order of a court or administrative body, or private agreement that provides that the information will not be released to the public.

Analysis and Rulings

TECO's Requests for the deposition transcripts of David Sweat and Victoria Westra are granted. The information for which TECO requests confidential classification, in these transcripts, meets the criteria of Section 366.093, Florida Statutes.

**Document No. 05470-01, Deposition Transcript (Volumes 1, 2, and 3) of William Ashburn, and late-filed deposition exhibit 7 and 8.**

TECO's confidentiality request for Document No. 05470-01 shall be granted, except for the pages and lines listed in the table below.

Page	Lines	Justification
11	1-10 12-25	Information does not disclose negotiated terms of Allied's CSA or inputs into the RIM analysis.
12	1-11	Grant confidentiality only for numerical value on line 7. Rest of the information does not disclose negotiated terms of Allied's CSA or inputs into the RIM analysis.
81	11-14, 16-19	Information does not disclose negotiated terms of Odyssey's CSA, inputs into the RIM analysis, or operational characteristics of Odyssey.
84	14-18	Information does not disclose negotiated terms of Odyssey's CSA; information refers to TECO's interruptible customers.
89	25	Information refers to a public document.

101	7,8,9	Numerical value can be found in TECO's quarterly CISR report. TECO did not request confidential classification of the value.
125	17-24	Numerical value in line 22 is confidential. The remaining information is a general description of the RIM model that does not disclose customer-specific inputs or results.
126	4-14, 18-25	The information is a general description of the RIM model that does not disclose customer-specific inputs or results.
131	18-22	General description of the RIM model that does not disclose customer-specific inputs or results.
132	2-25	Grant confidentiality only for first word in lines 7 and 16 and numerical RIM values in lines 6, 11, and 15. Rest of the information is a general description of the RIM model that does not disclose customer-specific inputs or results.
133	1-20	Grant confidentiality only for numerical values in lines 18 and 19. Rest of the information is a general description of the RIM model that does not disclose customer-specific inputs or results.
139	19-25	General description of the RIM model that does not disclose customer-specific inputs or results.
140	1-12	General description of the RIM model that does not disclose customer-specific inputs or results.
145	16-18	Question with respect to the RIM model that does not disclose specific RIM information.
146	5	Question with respect to the RIM model that does not disclose specific RIM information.

146	11-19	General description of the RIM model that does not disclose customer-specific inputs or results.
147	6-9	General description of the RIM model that does not disclose customer-specific inputs or results.
158	22-25	General description of the RIM model that does not disclose customer-specific inputs or results.
177	11-12	Information does not reveal operational characteristics or electrical usage of Odyssey or Allied.
180	1	Information does not reveal operational characteristics or electrical usage of Odyssey or Allied.
179	7-18, 23	Grant confidentiality only for first 3 words in line 10; rest of the information does not reveal operational characteristics or electrical usage of Odyssey or Allied.
183	19-24	General description of the RIM model that does not disclose customer-specific inputs or results.
200	20	Numerical value can be found in TECO's quarterly CISR report. TECO did not request confidential classification of the value in its quarterly report.
201	1	Numerical value can be found in TECO's quarterly CISR report. TECO did not request confidential classification of the value in its quarterly report.
212	4-6	General description of the RIM model that does not disclose customer-specific inputs or results.

222	7-13	Grant confidentiality for line 11 only; rest of the information does not qualify as proprietary business information.
223	7-8, 13-15	Information does not qualify as proprietary business information.
224	15,18	Information does not qualify as proprietary business information. Information merely references a docket.
225	15	Information does not qualify as proprietary business information.
226	24	Information does not qualify as proprietary business information. Petition referenced is a public document.
252	13-17	Information does not disclose results from the RIM analysis or operational characteristics, and does not qualify as proprietary business information.

The above listed passages do not involve confidential information. The remaining portions of the Request meet the criteria of Section 366.093, Florida Statutes, and shall be granted confidential classification.

**Document No. 05471-01, Deposition Transcript (Volumes 1 and 2) of Lawrence Rodriguez.**

Document No. 05471-01 is granted confidential classification, except for the pages and lines listed in the table below.

Page	Lines	Justification
94	13-15	Grant confidentiality only for numerical value on line 15. Remaining information is a general description of TECO's objective and similar information can be found at Page 111, lines 4-5 or TECO's Prehearing Statement as filed January 19, 2001.

95	24-25	General description of TECO's objective; similar information can be found at Page 111, lines 4-5 or TECO's Prehearing Statement as filed January 19, 2001.
97	24-25	General description of TECO's objective; similar information can be found at Page 111, lines 4-5 or TECO's Prehearing Statement as filed January 19, 2001.
98	3	Numerical value can be found in TECO's quarterly CISR report. TECO did not request confidential classification of the value in the quarterly report.
99	6,7-9	General description of TECO's objective; similar information can be found at Page 111, lines 4-5 or TECO's Prehearing Statement as filed January 19, 2001.
100	14, 16	General description of TECO's objective; similar information can be found at Page 111, lines 4-5 or TECO's Prehearing Statement as filed January 19, 2001.
106	7-25	General information about TECO's interruptible customers that does not disclose negotiated terms of either Allied's or Odyssey's CSA.
107	1,3-9, 12-16, 22	General information about TECO's interruptible customers that does not disclose negotiated terms of either Allied's or Odyssey's CSA.
108	9-11, 13-14, 16, 21	General information about TECO's interruptible customers that does not disclose negotiated terms of either Allied's or Odyssey's CSA.
109	8-9, 13-15, 17, 23-25	General information about TECO's interruptible customers that does not disclose negotiated terms of either Allied's or Odyssey's CSA.
110	1-2	General information about TECO's interruptible customers that does not disclose negotiated terms of either Allied's or Odyssey's CSA.

114	12	General statement that does not disclose a specific action taken between TECO and either Allied or Odyssey.
115	8-9	Question that does not disclose a specific action taken between TECO and either Allied or Odyssey.
127	21,24	Information does not disclose operational characteristics of Odyssey or Allied.
128	3-6, 8,9	Information does not disclose operational characteristics of Odyssey or Allied.
210	8	General information about the RIM analysis.

The above listed passages do not involve confidential information. The remaining portions of the Request meet the criteria of Section 366.093, Florida Statutes, and shall be granted confidential classification.

Based on the foregoing, it is

ORDERED by Chairman E. Leon Jacobs, Jr. as Prehearing Officer, that the Request for Confidential Classification filed by Tampa Electric Company on May 1, 2001, is granted in part and denied in part as described in the body of this Order. It is further

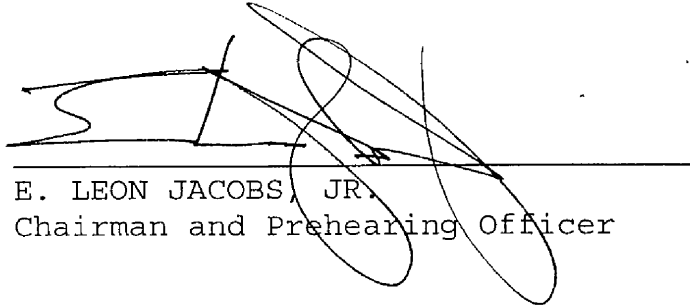
ORDERED that pursuant to Section 366.093, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, any confidentiality granted to the material specified herein shall expire eighteen months from the date of the issuance of this Order in the absence of a renewed request for confidentiality pursuant to Section 366.093, Florida Statutes. It is further

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



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By ORDER of Chairman E. Leon Jacobs, Jr. as Prehearing Officer, this 16th day of November, 2001.



E. LEON JACOBS, JR.  
Chairman and Prehearing Officer

( S E A L )

MKS

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), 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.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

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 25-22.0376, 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

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the case of a water or wastewater utility. A motion for reconsideration shall be filed with the Director, Division of the Commission Clerk and Administrative Services, 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.

ATTACHMENT A  
Allied's Request for Confidential Classification

Page	Line(s)	Description
<b>1.</b>		<b>REBUTTAL TESTIMONY OF CHARLES F. PHILLIPS, JR</b>
3	9	numeric value
3	10	numeric value
3	11-13	text after "contained"
3	15	numeric value
3	15-16	text between "was" and "while"
3	17-18	text after "was"
4	3	numeric value
4	4-6	text after "annually at"
4	7	numeric value
4	8-9	numeric value
4	14	text before citation
4	17	numeric value
4	20	numeric value
6	20	numeric value
7	6-13	all text
7	15-17	text after "in valuing the"
12	6	numeric value
12	7	numeric value

**ATTACHMENT A  
DOCKET NO. 000061-EI  
REQUEST FOR CONFIDENTIAL CLASSIFICATION  
OF ALLIED/CFI REBUTTAL TESTIMONY**

<b>Page</b>	<b>Line(s)</b>	<b>Description</b>
<b>2.</b>		<b>REBUTTAL TESTIMONY OF ROBERT M. NAMOFF</b>
2	20	numeric value
4	1	numeric value
4	7	numeric value
4	15	numeric value
4	17	numeric value
4	19	numeric value
4	20	numeric value
4	21	test after "essentially"
5	14-17	test after ("CSA")
6	1	numeric value
6	22	text after "of"
7	1-2	text preceding "per MWH"
8	9	numeric value
<b>3.</b>		<b>REBUTTAL TESTIMONY OF JAMES W. PALMER</b>
2	1	numeric value
3	17	numeric value

ATTACHMENT B  
Allied's Request for Confidential Classification  
(Exhibits)

<b>Exhibit</b>	<b>Page(s)</b>
CFP-2	1096-O
CFP-3	1752a-A
RMN-15	23-O
RMN-16	139-O to 142-O 154-O to 165-O
RMN-17	836-O to 837-O 26-O to 27-O 351-O to 356-O 829-O to 830-O 39-O to 41-O 798-O 266-O to 271-O 789-O to 790-O 792-O 787-O to 788-O 782-O to 784-O 776-O
RMN-18	8-O
RMN-19	11-O to 14-O 29-O to 32-O 315-O and 317-O to 318-O

ATTACHMENT A  
TECO's Request for Confidential Classification

Justification for Confidentiality of Portions of the Deposition Transcript  
and, as Applicable, Deposition Exhibits of Witness William Ashburn:

PAGE	LINE(S)	DESCRIPTION	RATIONALE
6	6-12	All	(2)
6	22-23	All	(2)
7	1-7	All	(1), (2)
8	3-6	All	(2)
8	12-14	All	(2)
8	17-18	All	(2)
10	19	Numeric value	(2)
10	23	Numeric value	(2)
11	1-10	All	(1), (2)
11	12-25	All	(1), (2)
12	1-11	All	(2), (4)
12	15-22	All	(1), (2), (4)
14	13	Numeric value	(2)
15	3	Numeric values	(2)
15	11	Numeric value	(2)
16	1-3	All	(1)
16	6	Numeric values	(1)
16	12	Numeric values	(1)
16	13	Numeric values	(1)
16	15-21	All	(1)
16	23-25	All	(1)
17	1-3	All	(1)
17	9	Numeric value	(1)
17	10-15	All	(1)
17	17-18	All	(1)
19	22-23	All	(2)
20	1	Entire line	(2)
20	23-25	All	(2)
21	1-4	All	(2)
21	13-19	All	(2)
23	24-25	All	(2)
24	22-23	All	(2)
25	17	Numeric value	(2)
26	3	Numeric value	(2)
26	4	Numeric value	(2)
26	7	Numeric value	(2)
27	2	Numeric values	(1)
27	17	Numeric value	(1)
27	20	Numeric value	(1),(3)
27	21-25	All	(2)
28	3	Numeric value	(1),(3)
28	15-16	All	(2)
28	17	All text preceding ". You"	(2)
28	22-24	All	(2)

PAGE	LINE(S)	DESCRIPTION	RATIONALE
30	6	All text following "purposes,"	(3)
30	7-8	All	(3)
30	23	Numeric value	(2)
30	24	Numeric value	(2)
33	3	Text between "3," and "Investment"	(1), (4)
33	5	All text following "says"	(2)
33	6-9	All	(2)
33	8	Numeric values	(2)
33	13	Numeric value	(2)
33	14	Numeric value	(2)
33	16	Numeric value	(2)
33	20	Numeric values	(2)
33	22	Numeric value	(2)
33	23	Text between "of" and "investments"	(1), (2), (4)
33	23	Numeric value	(2)
33	24	Numeric value	(2)
34	18	Entire line	(1), (4)
34	20	Numeric value	(2)
34	24	Text between "the" and "annual"	(1), (2), (4)
35	7	Text between "the" and "benefit"	(1), (4)
35	9	Numeric value	(2)
35	12	First word in line	(1), (4)
35	14	Numeric value	(2)
35	23-24	All	(2)
36	3-7	All	(2)
36	9-13	All	(2)
36	21-22	All	(2)
37	6	Numeric reference	(2)
37	9	All Numeric references	(2)
37	10	Numeric value	(2)
37	11	Numeric value	(2)
37	12	Numeric value	(2)
37	19	Numeric value	(2)
40	18	All text between "5," and "the"	(2)
40	21-25	All	(1), (2)
41	6	All text following "change,"	(1)
41	7	Entire line	(1)
41	9	All text following "insistent,"	(1)
41	10-14	All	(1)
41	17	All text following "date,"	(1)
41	18-24	All	(1), (2)
42	5-9	All	(2)
42	11	Entire line	(2)
42	14	Numeric value	(2)
42	15	Numeric value	(2)
43	16	Numeric value	(2)
43	19	Numeric value	(2)

<u>PAGE</u>	<u>LINE(S)</u>	<u>DESCRIPTION</u>	<u>RATIONALE</u>
43	21	Entire line	(2)
44	9	Numeric value	(2)
44	10	Numeric value	(2)
44	15	Numeric value	(1)
44	22-25	All	(1), (2)
45	3	Numeric value	(2)
46	9-10	All	(2), (3), (4)
46	12	Last two words on line	(2), (3), (4)
46	13	Entire line	(2), (3), (4)
46	16	All text preceding "which"	(2), (3), (4)
46	21-25	All	(2), (3), (4)
47	3-4	All	(3)
47	6-25	All	(1), (3), (4)
48	7	Text between "6," and "O&M"	(4)
48	10-11	All	(4)
48	13	Last word in line	(4)
48	14	First word in line	(4)
49	11-25	All	(1), (2), (3)
50	1-2	All	(1), (4)
62	1	All	(2), (3)
62	8-10	All	(2), (3)
62	15-16	All	(3)
62	20	All	(3)
63	7	All text following "forecast"	(2), (3)
63	8	Entire line	(2), (3)
73	2-3	All	(1), (2)
73	4	All text preceding "I'm"	(1), (2)
73	12	All text following "cost."	(1), (2)
73	13-18	All	(1), (2)
73	23	Entire line	(1), (2)
74	3	Text between "the" and "or"	(1), (2)
74	11	Last two words on line	(1), (2)
74	23	Entire line	(1), (2)
74	24	All text preceding "Hang"	(1), (2)
74	25	All text following "basically,"	(1), (2)
75	1-4	All	(1), (2)
75	12	Entire line	(1), (2)
79	11	All text following " the"	(1), (4)
79	12	First word in line	(1), (4)
79	22	Text between "is" and "per"	(1)
80	6-14	All	(1)
80	16	All text preceding "that"	(1)
81	11-14	All	(1), (3)
81	16-19	All	(2)
82	7	Numeric value	(1), (3)
83	18-20	All	(1)
84	9-11	All	(1)



PAGE	LINE(S)	DESCRIPTION	RATIONALE
84	14-18	All	(1)
84	21-24	All	(1)
85	4-7	All	(1)
85	9-12	All	(1)
85	17-19	All	(1)
85	23-25	All	(1)
86	3-5	All	(1)
86	10-17	All	(1)
86	21-25	All	(1)
87	2	Entire line	(1)
87	3	First word in line	(1)
87	8-10	All	(1)
87	12	Entire line	(1)
87	14	All text preceding "Is"	(1)
88	1-6	All	(1)
88	9	All text following "calculate"	(1)
88	10-11	All	(1)
88	12	First word in line	(1)
88	14-20	All	(1)
89	3-12	All	(1)
89	14-17	All	(1)
89	25	Text between "like," and "or"	(1)
90	8-16	all	(1)
90	21	Last word in line	(1)
90	22-23	All	(1)
91	4	Last three words in line	(1)
91	5-10	All	(1)
91	11	All text following "Allied"	(1)
91	14	All text preceding " that's"	(1)
92	15	all text following "reads,"	(1)
92	16-19	All	(1)
94	16	Numeric value	(1)
94	17-20	All	(1)
94	25	Numeric value	(1)
95	4	Numeric values	(1)
95	6	Numeric value	(1)
95	9	Numeric value	(1)
95	10	Numeric value	(1)
95	11	Numeric value	(1)
95	12	Numeric value	(1)
95	13	Numeric value	(1)
95	16	Numeric value	(1)
95	18-25	All	(1)
96	2	Numeric value	(1)
96	20	Numeric value	(1)
97	1	Numeric value	(1)
97	2	Numeric value	(1)

PAGE	LINE(S)	DESCRIPTION	RATIONALE
97	10-21	All	(1)
98	1-5	All	(1), (2)
98	7-25	All	(1)
99	18	Numeric values	(1)
99	21	Numeric values	(1)
99	22	Numeric values	(1)
100	2-9	All	(1)
100	24-25	All	(1)
101	7	Numeric value	(1)
101	8	Numeric value	(1)
101	9	Numeric value	(1)
101	13-14	All	(1)
102	9	All text following "1999"	(1)
102	10-18	All	(1)
102	22-24	All	(1)
102	25	Last two words in line	(1)
103	1	All text preceding "of the"	(1)
103	4	First two words in line	(1)
103	7	Text between "heading" and "at"	(1)
103	10	Last word in line	(1)
103	16	Entire line	(1)
103	19-20	All	(1)
104	3-6	All	(4)
104	8	Entire line	(1), (4)
104	13-14	All	(1), (2), (4)
104	16-17	All	(1), (4)
105	1-4	All	(2), (4)
105	6-25	All	(1), (2), (4)
106	4-5	All	(1), (2)
106	10	Numeric value	(2)
106	11-12	All	(2), (4)
106	18-25	All	(2)
107	1-9	All	(1), (2), (4)
107	10	First three words in line	(1), (2)
107	15-17	All	(2), (4)
108	9	Entire line	(2)
108	13	All text following "right."	(2)
108	14	Entire line	(2)
108	18	Entire line	(2)
108	19	All text preceding "but"	(2)
109	4-5	All	(2)
109	11	Numeric value	(2)
110	1-7	All	(1), (2)
110	11	All text following "group."	(1), (2)
110	12	Entire line	(1), (2)
111	8	Numeric value	(2)
111	11	Numeric value	(2)

<u>PAGE</u>	<u>LINE(S)</u>	<u>DESCRIPTION</u>	<u>RATIONALE</u>
111	13	Numeric value	(2)
111	22-25	All	(2)
112	10-12	All	(4)
112	17-19	All	(4), (2)
113	1-3	All	(1), (2)
113	10	Last two words in line	(1), (2)
114	13-14	All	(2)
114	16	All	(4)
115	14	Entire line	(2), (4)
115	15	First word in line	(4)
115	19	Entire line	(2), (4)
115	21	Entire line	(2), (4)
115	24	Entire line	(2), (4)
115	25	All text preceding "how"	(2), (4)
116	8	Text between "of" and "for"	(2)
117	8	Last word in line	(4)
117	14-19	All	(2), (4)
118	4-7	All	(2)
118	10-13	All	(2), (4)
118	17	All text following "you"	(2), (4)
118	18	Numeric value	(2), (4)
118	21	Numeric value	(2)
119	2-7	All	(2)
119	14-19	All	(2), (4)
119	22-25	All	(3)
122	2	Last two words in line	(1), (3)
122	7-11	All	(1), (3)
122	16-23	All	(1), (3)
123	7	Numeric value	(1)
123	19-20	All	(4)
123	21	First word in line	(1)
125	17-24	All	(2)
126	4-14	All	(2)
126	18-25	All	(2)
130	9	Text between "using" and "if"	(2), (4)
131	18-22	All	(2)
131	23	All text preceding "And"	(2)
132	2-25	All	(1), (2)
133	1-20	All	(2)
136	21	Numeric value	(1)
137	13	Last two words in line	(1)
137	14-16	All	(1)
137	17	All text preceding "What"	(1)
139	19-25	All	(2)
140	1-12	All	(2)
143	11-18	All	(2), (3)
143	24-25	All	(2), (3)

<u>PAGE</u>	<u>LINE(S)</u>	<u>DESCRIPTION</u>	<u>RATIONALE</u>
144	2-24	All	(1), (2)
145	7-13	All	(1), (2)
145	16-23	All	(2)
146	5	Entire line	(2)
146	11-19	All	(1), (2)
146	22	All	(2)
146	24-25	All	(1), (2)
147	1-9	All	(1), (2)
147	12-16	All	(2)
147	20-25	All	(2)
148	4-5	All	(2)
149	3-12	All	(1), (2)
149	19-25	All	(2)
150	8	All	(2)
150	17	All	(2)
151	2-25	All	(1), (2)
152	1-5	All	(1), (2)
152	21-25	All	(2)
153	1-2	All	(2)
154	1-4	All	(2)
155	9-17	All	(1), (2)
156	1	Numeric value	(2)
158	9-14	All	(1), (2)
158	22-25	All	(2)
159	4-6	All	(1)
159	9-15	All	(1)
171	21-24	All	(1)
172	1	All text following "reads:"	(1)
172	2-14	All	(1), (2)
172	16	All text following " answer,"	(1)
172	17-19	All	(1)
177	11	Last two words in line	(3)
177	12	Entire line	(3)
179	7	Last two words in line	(3)
179	8-18	All	(3)
179	23	All text following "is"	(3)
180	1	First two words in line	(3)
180	7	Numeric value	(3)
180	8	Entire line	(3)
180	9	Text between " be" and "and"	(3)
180	11	All text following "running"	(3)
180	12	First three words in line	(3)
180	16	Numeric value	(3)
180	18	All text preceding "in our"	(3)
181	11	All text following "cases;"	(2), (5)
181	12-14	All	(2), (5), (3)
181	15	All text preceding "Do"	(3)

PAGE	LINE(S)	DESCRIPTION	RATIONALE
183	19-24	All	(2)
184	1	All text following "3,"	(1)
184	2	Entire line	(1)
184	4	Last two words in line	(1)
184	5-6	All	(1)
184	8	All text following "if"	(1)
184	9	All text preceding "but"	(1)
184	11	All text following "for"	(1), (4)
184	12	All text preceding "correct"	(1), (2), (4)
184	15-16	All	(1), (2), (4)
184	18	All text following "Odyssey"	(1), (2), (4)
184	19	First two words in line	(1), (2), (4)
184	21	All text following "In fact,"	(2)
184	22	Entire line	(2)
184	23	First word in line	(2)
184	24	Last word in line	(2)
185	1-7	All	(2)
188	23	Numeric value	(1)
188	24	Numeric value	(1)
189	11	Numeric value	(1)
189	20	Numeric value	(1)
189	24	Numeric value	(1)
190	2	Numeric value	(1)
190	10	Numeric value	(1)
190	14	Numeric value	(1)
190	16	Entire line	(1)
190	17	First word in line	(1)
190	18-19	All	(1)
190	20	All text following " RIM"	(1)
190	21	Entire line	(1)
190	24-25	All	(2)
191	3	Numeric value	(1)
191	17	Numeric values	(1)
191	20	Numeric value	(1)
192	4	Numeric value	(1)
192	5	Numeric value	(1)
192	13	Numeric values	(1)
195	5	Numeric values	(1), (3)
197	1-3	All	(1)
200	5	Entire line	(1)
200	6	Numeric values	(1)
200	8	Numeric value	(1)
200	10	Numeric value	(1)
200	14	Numeric value	(1)
200	17	Numeric value	(1)
200	20	Numeric value	(1)
200	22	All text following "Continues,"	(1)

<u>PAGE</u>	<u>LINE(S)</u>	<u>DESCRIPTION</u>	<u>RATIONALE</u>
201	1	Numeric value	(1)
201	2	All text following "be"	(1)
201	5	All text following " reads,"	(5)
201	6-7	All	(5)
201	10	Entire line	(5)
201	13-20	All	(4)
201	22-24	All	(2), (4)
202	1-4	All	(2)
202	9-11	All	(4)
202	12	All text following "agreed"	(4)
202	13-21	All	(1), (2), (4)
202	24	All	(2)
203	3-5	All	(2)
203	8	All text following " fact,"	(2)
203	9-25	All	(1), (2)
204	1-2	All	(1), (2), (4)
204	6-10	All	(1), (2)
204	12	All text following "help."	(2)
204	13-19	All	(2)
204	24-25	All	(2), (4)
205	1	Entire line	(1)
205	4	Entire line	(2), (4)
205	7	Last word in line	(1)
205	8-11	All	(1), (2), (4)
205	14-17	All	(2), (4)
205	22-24	All	(1), (2)
206	8	Last three words in line	(1), (4)
206	9-12	All	(1), (2), (4)
206	18	All text following " agreement"	(1), (4)
206	20	Text between "Yes" and "correct."	(2)
206	21-23	All	(1), (2), (4)
206	25	All text between " Well" and "whatever	(2)
207	1-5	All	(2)
210	10	All text following "reads"	(5)
210	11-13	All	(5)
210	18-19	All	(5)
211	25	Entire line	(5)
212	4-5	All	(2), (5)
212	6	Numeric value	(2)
222	7-13	All	(5)
223	7-18	All	(5)
223	25	Entire line	(5)
224	1	Entire line	(1)
224	3	All text preceding " per"	(5)
224	5-11	All	(5)
224	15	Entire line	(1), (6)
224	18	Entire line	(1), (6)

<u>PAGE</u>	<u>LINE(S)</u>	<u>DESCRIPTION</u>	<u>RATIONALE</u>
224	21	Entire line	(1)
224	22	Entire line	(1)
224	25	Entire line	(6)
225	1-2	All	(1), (6)
225	3	All text preceding "Do"	(1), (6)
225	6	Entire line	(1), (6)
225	7-8	All	(1), (6)
225	10	Entire line	(1), (6)
225	13	All text following "oranges."	(1)
225	15	Text between "disclose" and "customer"	(1), (6)
226	24	Entire line	(1), (6)
230	13	All text following " example,"	(4)
230	14	Entire line	(4)
230	16-17	All	(2)
230	19-20	All	(4)
230	21	Text between "about" and " You"	(4)
230	22	Entire line	(4)
230	23	Text between "about" and " yes"	(4)
230	25	Text following "Electric"	(4)
231	1-4	All	(4)
231	5	Last three words in line	(4)
231	6-7	All	(4), (6)
231	10-13	All	(4)
231	14	First word in line	(4)
231	16-20	All	(4), (6)
231	21	All text preceding "Is"	(4), (6)
231	24	Last two words in line	(4)
233	20	Entire line	(5)
233	22-23	All	(2)
233	25	Entire line	(3)
234	1-3	All	(3)
235	15-16	All	(6)
235	18-19	All	(4)
235	21-25	All	(4), (6)
236	1	Entire line	(6)
242	3	All text preceding " provided"	(1)
245	2	Numeric value	(1)
245	5	All text between " Allied" and "is"	(1)
245	9	Numeric value	(1)
245	11	Numeric value	(1)
245	21	Numeric values	(1)
245	22	All text following " that"	(1)
246	1	Numeric value	(1)
246	2	All text following "this."	(1)
246	3-12	All	(1), (2)
246	14-15	All	(1)
246	17	Entire line	(1)

PAGE	LINE(S)	DESCRIPTION	RATIONALE
246	22-25	All	(1)
247	3-8	All	(1)
247	10-11	All	(1)
247	22	All text following " 5"	(1)
247	23-24	All	(1)
248	1	All text following "the"	(1)
248	12	Last two words in line	(1)
248	13	Entire line	(1)
248	16	All text preceding "and probably"	(1)
248	17	All text following "the"	(1)
248	18	Text between "is" and "I'm"	(1)
248	20	All text preceding "I'm"	(1)
248	23	Entire line	(1)
248	25	Entire line	(1)
249	2	All text following "So,"	(1)
249	3	Entire line	(1)
249	6	First two words in line	(1)
249	7	All text following "says"	(1)
249	8	Entire line	(1)
249	12-17	All	(1)
249	19	All text following "Allied"	(1)
249	20-23	All	(1)
251	6-7	All	(2), (3)
251	8	All text preceding "Does"	(2), (3)
252	6	Numeric value	(3)
252	13	All text following "So,"	(3), (5)
252	14-17	All	(2), (3), (5)
254	20	Entire line	(1)
254	24	All text following "example"	(1)
254	25	Entire line	(1)
255	4	Text between "be" and "meaning"	(1)
255	8-15	All	(1)
257	2	Last two words in line	(3)
257	3	Text between "think" and "is"	(3)
257	16-23	All	(4)
262	22	Numeric value	(2)
262	23	Numeric value	(2)
269	25	Entire line	(3)
270	2	All text following "was"	(3)
270	3-4	All	(1), (3)
270	5	Numeric value	(1)
270	9	Numeric value	(3)
270	10	Numeric value	(3)
270	11	All text following "after"	(3)
270	12-13	All	(3)
270	15-17	All	(3)
270	19-23	All	(3)



PAGE	LINE(S)	DESCRIPTION	RATIONALE
271	1-5	All	(3), (5)
271	7-14	All	(3)
271	15	All text following "okay,"	(4)
271	16-17	All	(4)
271	20	Entire line	(4)
271	22-23	All	(4)
272	2-4	All	(4)
272	8-25	All	(2), (3), (4), (6)
273	4-8	All	(3)
273	10	All text following "again."	(3)
273	11-13	All	(3)
273	15-21	All	(3)
275	18-19	All	(5)
275	20	All text preceding "At the"	(5)
275	24-25	All	(5)
276	1-5	All	(5)
277	1	All text following "specifically"	(5)
277	2	First word in line	(5)
277	4-19	All	(5)
277	21	Entire line	(5)
277	24-25	All	(5)
278	4	All text following "anything"	(5)
278	5-23	All	(3), (4), (5)
Late-Filed Exhibit 7		All	(2), (3)
Late-Filed Exhibit 8		All	(2), (3)

**Rationale for Confidentiality:**

- (1) This type of information would disclose negotiated terms and conditions of either the Odyssey CSA or the Allied CSA. As provided in Tampa Electric's Commission approved Original Tariff Sheet No. 6.720, CSAs shall be considered confidential documents. As the Commission stated in its Order No. PSC-00-1530-PCO-EI issued in this proceeding on August 23 2000, the CISR tariff imposes an affirmative obligation on Tampa Electric not to disclose the information in the CSA other than to the Commission or the Commission's Staff. Public disclosure of this information would harm the interests of Tampa Electric and its general body of ratepayers in future CISR negotiations and would impose a definite chilling effect on the willingness of other at-risk customers to supply information of a business nature in CISR negotiations. As such, this information is entitled to protection against public disclosure under Section 366.093(3)(d) and (e), Florida Statutes.
- (2) This information reflects Tampa Electric Company's highly competitive cost information, such as the inputs to and results of all CISR-related Ratepayer Impact Measure (RIM) analyses. Public disclosure of this information could harm Tampa Electric in two ways. It could hamper Tampa Electric in future CISR negotiations by supplying the customer with knowledge of the rate floor it could demand of Tampa Electric. In addition, disclosure of this information would significantly harm Tampa Electric's negotiating position relative to off-system sales and purchases. This would impair the ability of Tampa Electric to negotiate for goods and services on favorable terms. As such, the information is entitled to protection from public disclosure under Section 366.093(3)(d) and (e), Florida Statutes.

<u>PAGE</u>	<u>LINE(S)</u>	<u>DESCRIPTION</u>	<u>RATIONALE</u>
(3)		This information if made public would disclose operational characteristics of Odyssey or Allied, such as the projected electrical usage, amount of bleach product to be produced, etc. This is information that could be useful to a competitor of either Odyssey or Allied. As such, it is information relating to competitive interest, the disclosure of which would impair the competitive business of Odyssey or Allied. Public disclosure of this information would also have a significant chilling effect on Tampa Electric's future negotiations with other at-risk customers because they would be concerned that their operational characteristics and production data might be made available to their competitor. As such, this information is entitled to protection under Section 366.093(3)(d) and (e), Florida Statutes.	
(4)		This information discloses the construction of facilities or other actions considered, taken or agreed to be performed by and between Tampa Electric and either Odyssey or Allied as part of their CISR negotiations. As such, this information discloses consideration for the CISR business relationship between Tampa Electric and either Odyssey or Allied. Public disclosure of this information would adversely affect Tampa Electric in future CISR negotiations by disclosing to prospective at-risk customers details of what Tampa Electric had agreed to in prior CISR negotiations. As a result, the information is entitled to confidential treatment under Section 366.093(3)(d), Florida Statutes.	
(5)		This information consists of evaluations, observations and other communications made internally by and between Tampa Electric personnel relative to either the Allied or Odyssey CISR negotiations, the public disclosure of which would place in the public domain proprietary business strategy considerations, CISR negotiation strategies and other proprietary business information. This could adversely affect Tampa Electric in future CISR negotiations as well as in other non-CISR negotiations where this proprietary knowledge is useful to the party or parties with whom Tampa Electric is negotiating. As such, this information is entitled to confidential treatment under Section 366.093(3)(d) and (e), Florida Statutes.	
(6)		This is proprietary strategic or planning oriented business information, unrelated to the Allied/CFI or Odyssey CSA, the public disclosure of which would adversely affect Tampa Electric from a competitive business standpoint. This information would be useful to those with whom Tampa Electric negotiates to provide goods and services or to acquire goods and services to the detriment of Tampa Electric in those negotiations. As such, the information is entitled to confidential protection pursuant to Section 366.093(3)(d) and (e), Florida Statutes, in that disclosure of the information would impair the efforts of Tampa Electric to contract for goods or services on favorable terms and would impair the competitive business interests of Tampa Electric.	

**Justification for Confidentiality of Portions of the Deposition Transcript  
and, as Applicable, Deposition Exhibits of Witness Lawrence Rodriguez:**

<u>PAGE</u>	<u>LINE(S)</u>	<u>DESCRIPTION</u>	<u>RATIONALE</u>
35	8	Numeric values	(1), (3)
35	17	Entire line	(1), (2)
35	19	Entire line	(1), (2)
36	12	Numeric values	(1), (3)
37	16	Entire line	(1)
37	19	Numeric values	(1)
38	6	Numeric value	(1)
39	20-25	All	(1), (2), (3)
40	3	Numeric values	(1), (3)
43	1	Numeric value	(1)
43	6	Numeric value	(1)
43	10	Numeric values	(1)
43	11	Numeric values	(1)
43	16	Numeric values	(1)
43	18	Numeric value	(1)
43	20	Numeric value	(1)
44	2	Numeric value	(1)
50	15	Numeric value	(1)
50	17	Numeric value	(1)
50	18	Numeric value	(1)
51	2	Numeric value	(1)
52	16	Numeric value	(1)
63	3	All text following "like"	(1)
63	4	All text preceding "and those"	(1)
79	13	Last three words in line	(1)
79	14	All text preceding "in"	(1)
79	15-16	All	(1)
79	18	Last three words in line	(1)
79	19-21	All	(1)
80	4	All text following "is"	(1)
80	5	First word in line	(1)
80	6-9	All	(1)
80	11	Last two words in line	(1)
80	12	First word in line	(1)
80	14	Entire line	(1)
80	15	All text preceding "is"	(1)
80	16	Last two words in line	(1)
80	17	First word in line	(1)
80	25	All text following "this clause,"	(1)
81	1	Entire line	(1)
81	4	All text following "meaning of"	(1)
81	5-6	All	(1)
81	7	All text following "be"	(1)
81	8	Entire line	(1)

<u>PAGE</u>	<u>LINE(S)</u>	<u>DESCRIPTION</u>	<u>RATIONALE</u>
81	11	All text following "means,"	(1)
81	12	All text preceding "in that"	(1)
81	14	All text following "paragraph"	(1)
81	15-17	All	(1)
82	7	Entire line	(1)
82	21	All text following "of"	(1)
82	22	All text preceding "at"	(1)
82	24	Text between "know" and "until"	(1)
83	5	All text following "Odyssey"	(1)
83	6	Entire line	(1)
83	7	All text preceding ", which"	(1)
83	9	All text following "about"	(1)
83	10	All text preceding "in"	(1)
83	11	All text following "about"	(1)
83	12	Entire line	(1)
89	6	Text between "a" and "per"	(1)
94	13	Last word in line	(1), (2), (5)
94	14-15	All	(1), (2), (5)
95	24-25	All	(1), (2), (5)
96	18	Numeric values	(1), (2)
96	19	Numeric value	(1), (2)
97	24	Last two words in line	(1), (4), (5)
97	25	Entire line	(1), (4), (5)
98	1	Entire line	(1), (4), (5)
98	3	Text between "as" and "things"	(1)
98	5	Numeric value	(1)
98	10	Numeric value	(1)
98	19	Numeric value	(1)
99	6	Text between "the" and ", in"	(1), (4), (5)
99	7	Last three words in line	(1), (4), (5)
99	8	Entire line	(1), (4), (5)
99	9	All text preceding "And"	(1), (4), (5)
100	6	Numeric values	(1)
100	14	Text between "for" and "and"	(1), (4), (5)
100	15	Numeric value	(1), (4), (5)
100	16	Text between "are" and "that"	(1), (4), (5)
100	17	All text following "him"	(1), (4), (5)
100	18-22	All	(1), (4), (5)
100	25	Numeric value	(1)
101	1	All text preceding "?"	(1), (4)
101	3-12	All	(1), (4)
101	15-20	All	(1), (4)
101	24	Numeric value	(1)
102	14	Numeric value	(1)
102	17	Text between "to" and "of"	(1)
102	18	Last two words in line	(1), (4), (5)
102	19	Entire line	(1), (4), (5)
103	18	Entire line	(1), (4), (5)

<u>PAGE</u>	<u>LINE(S)</u>	<u>DESCRIPTION</u>	<u>RATIONALE</u>
103	19	First word in line	(1), (4), (5)
105	9-13	All	(1)
105	15-21	All	(1)
105	24-25	All	(1)
106	6	Last two words in line	(1)
106	7-25	All	(1)
107	1	Entire line	(1)
107	3-9	All	(1)
107	12-16	All	(1)
107	22	Entire line	(1)
108	9	All text following "that is"	(1)
108	10-11	All	(1)
108	13	Last word in line	(1)
108	14	Entire line	(1)
108	16	Text between "or" and "So"	(1)
108	21	All text following "it"	(1)
109	8-9	All	(1)
109	13-15	All	(1)
109	17	All	(1)
109	23-25	All	(1)
110	1	Entire line	(1)
110	2	All text preceding "Do"	(1)
110	8-12	All	(1)
110	24-25	All	(1)
111	5	Last three words in line	(1)
111	7	First three words in line	(1)
111	8	Last three words in line	(1)
111	9	All text preceding "such"	(1)
111	11-16	All	(1)
111	19	Entire line	(3)
111	21	Numeric value	(1), (2)
112	6-9	All	(1), (4)
112	12-19	All	(1), (4)
112	21-22	All	(1), (2), (4)
114	12	Text between "and" and "is"	(4)
115	8	All text following "and"	(4), (5)
115	9	Entire line	(4), (5)
121	21	All text following "reads,"	(5)
121	22	All text preceding "with"	(5)
122	13	All text preceding "; what"	(5)
122	16-25	all	(5)
123	1-3	all	(5)
123	11	Entire line	(5)
123	14	All text preceding "So,"	(5)
123	24-25	All	(3)
124	1-2	All	(3)
124	4-5	All	(3)
124	8	Entire line	(3)

<u>PAGE</u>	<u>LINE(S)</u>	<u>DESCRIPTION</u>	<u>RATIONALE</u>
124	14	Entire line	(3)
127	21	Entire line	(3)
127	24	Entire line	(3)
128	3-6	all	(3)
128	8	All text following "around"	(3)
128	9-10	All	(3)
128	15	Entire line	(5)
129	5	Entire line	(5)
129	8	Entire line	(5)
129	13-15	All	(5)
129	16	All text preceding "So"	(5)
129	23	Text between "Allied" and "I"	(5)
130	9-10	All	(5)
131	6	All text preceding "It's"	(5)
132	21	Entire line	(5)
140	3-12	All	(1), (4), (5)
140	13	Numeric value	(5)
162	13	All text following "says,"	(3)
162	14	Entire line	(3)
164	1	All numeric values	(1), (3)
177	5	Numeric value	(1), (3)
177	11	Numeric value	(1), (3)
177	16	Numeric value	(1), (3)
178	3	Numeric value	(1), (3)
185	9	All numeric values	(1), (3)
185	14	Numeric value	(1), (3)
186	5-6	All	(3)
191	18	Text between "like" and ", for"	(1)
192	1-3	All	(1), (5)
193	1	Numeric value	(1)
193	4	Numeric value	(1)
193	6	Numeric value	(1)
193	7	Numeric value	(1)
193	13	Numeric value	(1)
194	11	Numeric value	(1)
195	3	Numeric value	(1)
195	16	Numeric value	(1)
200	9	Numeric value	(1)
208	21-24	All	(1)
209	1-9	All	(1)
209	11	All numeric values	(1)
209	22	Numeric value	(1)
209	23	Numeric value	(1)
210	8	Text preceding "I know"	(1), (4), (5)

Rationale for Confidentiality:

<u>PAGE</u>	<u>LINE(S)</u>	<u>DESCRIPTION</u>	<u>RATIONALE</u>
(1)		This type of information would disclose negotiated terms and conditions of either the Odyssey CSA of the Allied CSA. As provided in Tampa Electric's Commission approved Original Tariff Sheet No. 6.720, CSAs shall be considered confidential documents. As the Commission stated in its Order No. PSC-00-1530-PCO-EI issued in this proceeding on August 23 2000, the CISR tariff imposes an affirmative obligation on Tampa Electric not to disclose the information in the CSA other than to the Commission or the Commission's Staff. Public disclosure of this information would harm the interests of Tampa Electric and its general body of ratepayers in future CISR negotiations and would impose a definite chilling effect on the willingness of other at-risk customers to supply information of a business nature in CISR negotiations. As such, this information is entitled to protection against public disclosure under Section 366.093(3)(d) and (e), Florida Statutes.	
(2)		This information reflects Tampa Electric Company's highly competitive cost information, such as the inputs to and results of all CISR-related Ratepayer Impact Measure (RIM) analyses. Public disclosure of this information could harm Tampa Electric in two ways. It could hamper Tampa Electric in future CISR negotiations by supplying the customer with knowledge of the rate floor it could demand of Tampa Electric. In addition, disclosure of this information would significantly harm Tampa Electric's negotiating position relative to off-system sales and purchases. This would impair the ability of Tampa Electric to negotiate for goods and services on favorable terms. As such, the information is entitled to protection from public disclosure under Section 366.093(3)(d) and (e), Florida Statutes.	
(3)		This information if made public would disclose operational characteristics of Odyssey or Allied, such as the projected electrical usage, amount of bleach product to be produced, etc. This is information that could be useful to a competitor of either Odyssey or Allied. As such, it is information relating to competitive interest, the disclosure of which would impair the competitive business of Odyssey or Allied. Public disclosure of this information would also have a significant chilling effect on Tampa Electric's future negotiations with other at-risk customers because they would be concerned that their operational characteristics and production data might be made available to their competitor. As such, this information is entitled to protection under Section 366.093(3)(d) and (e), Florida Statutes.	
(4)		This information discloses the construction of facilities or other actions considered, taken or agreed to be performed by and between Tampa Electric and either Odyssey or Allied as part of their CISR negotiations. As such, this information discloses consideration for the CISR business relationship between Tampa Electric and either Odyssey or Allied. Public disclosure of this information would adversely affect Tampa Electric in future CISR negotiations by disclosing to prospective at-risk customers details of what Tampa Electric had agreed to in prior CISR negotiations. As a result, the information is entitled to confidential treatment under Section 366.093(3)(d), Florida Statutes.	
(5)		This information consists of evaluations, observations and other communications made internally by and between Tampa Electric personnel relative to either the Allied or Odyssey CISR negotiations, the public disclosure of which would place in the public domain proprietary business strategy considerations, CISR negotiation strategies and other proprietary business information. This could adversely affect Tampa Electric in future CISR negotiations as well as in other non-CISR negotiations where this proprietary knowledge is useful to the party or parties with whom Tampa Electric is negotiating. As such, this information is entitled to confidential treatment under Section 366.093(3)(d) and (e), Florida Statutes.	

<u>PAGE</u>	<u>LINE(S)</u>	<u>DESCRIPTION</u>	<u>RATIONALE</u>
(6)		This is proprietary strategic or planning oriented business information, unrelated to the Allied/CFI or Odyssey CSA, the public disclosure of which would adversely affect Tampa Electric from a competitive business standpoint. This information would be useful to those with whom Tampa Electric negotiates to provide goods and services or to acquire goods and services to the detriment of Tampa Electric in those negotiations. As such, the information is entitled to confidential protection pursuant to Section 366.093(3)(d) and (e), Florida Statutes, in that disclosure of the information would impair the efforts of Tampa Electric to contract for goods or services on favorable terms and would impair the competitive business interests of Tampa Electric.	



**Justification for Confidentiality of Portions of the Deposition Transcript  
and, as Applicable, Deposition Exhibits of Witness C. David Sweat:**

<u>PAGE</u>	<u>LINE(S)</u>	<u>DESCRIPTION</u>	<u>RATIONALE</u>
9	12	Entire line	(4)
13	4	Entire line	(4)
13	23	Entire line	(1), (4)
15	7	First two words in line	(4)
15	8-25	All	(4)
16	1-2	All	(4)
16	6-9	All	(4)
16	15-25	All	(4)
17	3	Entire line	(4)
17	7	Entire line	(4)
17	13-14	All	(4)
17	16-17	All	(4)
17	19-20	All	(4)
17	22-23	All	(4)
17	25	All	(4)
18	2-16	All	(2), (4)
18	25	Entire line	(4)
19	1-2	All	(2)
19	7-10	All	(2), (5)
19	17	All text following " customer"	(2), (4), (5)
19	18-24	All	(2), (4), (5)
20	4	Numeric value	(2)
20	8	Numeric value	(2)
20	9	First word in line	(4)
20	13	Entire line	(4)
20	16-25	All	(2), (4), (5)
21	1-6	All	(2), (4)
21	11-20	All	(2), (4)
21	22-24	All	(4)
22	3-7	All	(4)
22	16-22	All	(4), (6)
23	1-16	All	(4), (6)
23	18-24	All	(6)
24	1-4	All	(4)
24	6	Entire line	(4)
24	15-25	All	(6)
25	4-13	All	(2), (6)
25	15-25	All	(2), (4), (6)
26	2-10	All	(2)
26	13-21	All	(1), (4), (6)
26	25	Entire line	(4)
27	1-2	All	(4)
27	5-25	All	(1), (4), (6)
28	1-18	All	(1), (2), (4), (6)
28	21-25	All	(1), (2), (6)

PAGE	LINE(S)	DESCRIPTION	RATIONALE
29	1	Numeric value	(1), (2)
29	2	All Text preceding "that"	(1)
29	11	Numeric value	(2)
29	13-15	All	(2)
29	19	Numeric value	(2)
29	22-24	All	(4)
30	9-10	All	(4)
30	15-20	Numeric value	(2)
30	24	Numeric value	(2)
31	3	Numeric value	(2)
31	5	Numeric value	(2)
31	14	Numeric value	(2)
31	17-22	All	(2), (4)
31	24-25	All	(2)
32	23	Numeric value	(2)
32	25	Entire line	(4)
33	1-3	All	(2), (4)
33	5-18	All	(2), (4), (5)
33	20-22	All	(2), (4)
33	25	Entire line	(4)
34	2-25	All	(2), (4), (6)
35	1-3	All	(4)
35	24	All text following " Especially"	(3)
36	19	Text between "for" and "values"	(1), (2)
36	20	Text between "the" and "value"	(1), (2)
36	24	Text between "in" and "value"	(1), (2)
37	3	Text between "The" and "value"	(1), (2)
37	5	Entire line	(1), (2)
37	7	Entire line	(1), (2)
37	9	Entire line	(1), (2)
37	10	second sentence	(1), (2)
37	11	First sentence	(2)
37	12	Numeric value	(2)
37	14	Numeric value	(2)
37	15	Numeric value	(2)
37	18	First two words in line	(1), (2)
37	19	Numeric value	(2)
38	5	Numeric value	(2)
38	24	Text between "the" and ", the"	(1), (2), (5)
38	25	Text between "the" and ", for"	(1), (2), (5)
39	1	Numeric value	(1), (5)
39	2-4	All	(1), (5)
39	6-11	All	(1), (5)
39	16-24	All	(1), (2), (5)
40	6	Entire line	(1), (2), (4)
40	7	Numeric value	(2)
40	14	Text between "item," and ", besides"	(1), (4)
40	16	Last word in line	(1), (4)

<u>PAGE</u>	<u>LINE(S)</u>	<u>DESCRIPTION</u>	<u>RATIONALE</u>
40	17	First word in line	(1), (4)
40	18	Last two words in line	(1), (4)
40	19	Last word in line	(1), (4)
40	20	First word in line	(1)
40	21	All Text preceding "; we"	(4)
41	3	Entire line	(2), (5)
41	5-12	All	(2), (4), (5)
41	14	Entire line	(4)
41	16-17	All	(2), (4)
41	19-25	All	(2), (4), (5)
42	1-25	All	(4)
43	1-25	All	(2), (4)
44	1-16	All	(2), (4)
45	14-16	All	(1), (4), (5)
48	6	Numeric value	(2)
48	13	Numeric value	(2)
48	15	Numeric value	(2)
48	25	Entire line	(4)
49	3	Entire line	(4)
49	4	First two words in line	(4)
49	9	Numeric value	(2)
49	13	All Text following "the"	(4)
49	19	Entire line	(2), (4)
49	21	Last two words in line	(4), (5)
49	22	All Text preceding ", I"	(4), (5)
49	24	All Text following "That's"	(2), (5)
50	7-18	All	(2), (4), (5)
50	20-25	All	(2), (4), (5)
51	1	Entire line	(4)
51	2	Numeric value	(2)
51	3	Numeric value	(2)
51	4	Numeric values	(2)
51	6	Numeric value	(2)
51	18-22	All	(6)
51	25	Entire line	(6)
52	7-9	All	(6)
52	11-14	All	(6)
52	23-25	All	(6)
53	7-25	All	(6)
54	7	Entire line	(6)
54	10-11	All	(4)
54	23-25	All	(4)
55	1-5	All	(5)
55	9-13	All	(4)
55	22-25	All	(4)
56	10-13	All	(4), (5)
57	7-8	All	(4), (5)
57	10-13	All	(4)

<u>PAGE</u>	<u>LINE(S)</u>	<u>DESCRIPTION</u>	<u>RATIONALE</u>
57	22-23	All	(2)
58	3	Numeric value	(2)
58	4-5	All	(4)
58	8-15	All	(4)
58	18-20	All	(2), (4)
59	2	Numeric value	(2)
59	18	First three words in line	(1),(4)
59	22	Numeric values	(1), (2)
60	1-5	All	(1), (2), (4)
60	11	Last three words in line	(1), (4)
60	20	First three words in line	(1), (4)
61	7-21	All	(1), (4)
63	6-11	All	(4), (6)
63	13-16	All	(4), (6)
63	19-25	All	(6)
64	13-14	All	(3)
64	19	Last word in line	(3)
64	20	Entire line	(3)
65	9	Last two words in line	(3)
65	19	Text between "the" and "area"	(3)
65	22-23	All	(6)
67	8-10	All	(4)
67	12-16	All	(4)
68	9	All	(4)
68	11-15	All	(2), (4)
68	18	All Text following "102."	(4)
68	19-20	All	(2), (4)
68	22	Numeric value	(2)
68	24-25	All	(4)
69	1-3	All	(4)
69	5-6	All	(4)
69	23	Numeric value	(2)
70	7	Entire line	(4)
70	9	All Text following "102-0, the"	(2), (4)
70	10	Numeric value	(2)
70	11	Numeric references	(2)
70	12	Entire line	(2), (4)
70	14-20	All	(2), (4), (5)
71	2	Numeric value	(2)
71	5	Numeric units of measure	(3)
71	8	Numeric value	(2)
71	25	Text between "under" and ", "	(6)
72	1	All Text preceding "The"	(6)
72	8-19	All	(4), (5), (6)
72	24-25	All	(4), (6)
74	16	Numeric value	(2)
74	17	First three words in line	(4)
74	20	Numeric value	(2)

PAGE	LINE(S)	DESCRIPTION	RATIONALE
74	22	Numeric value	(2)
75	4	Last three words in line	(1), (4)
75	19	Numeric value	(2)
75	20	Entire line	(1), (4)

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**Justification for Confidentiality of Portions of the Deposition Transcript  
and, as Applicable, Deposition Exhibits of Witness Victoria Westra:**

<u>PAGE</u>	<u>LINE(S)</u>	<u>DESCRIPTION</u>	<u>RATIONALE</u>
8	16	Numeric value	(1)
10	22	Numeric value	(1)
11	8	Numeric value	(1)
13	5-7	All	(1)
13	9	First three words in line	(1)
13	15	Numeric value	(1)
13	17	Numeric value	(1)
13	18	Numeric value	(1)
13	19	Entire line	(1)
59	25	Numeric value	(1), (3)
60	1	Numeric value	(1), (3)
68	18	Numeric values	(1), (3)
77	10	last three words in line	(1)
77	11	Entire line	(1)
77	22	All text preceding "it"	(1)
88	2-5	All	(5)
88	6	Entire line	(5)
109	8	Numeric value	(1)
109	9	Numeric value	(1)
109	10	Numeric value	(1)

**Rationale for Confidentiality:**

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