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July 13, 1994

IN REPLY REFER TO:

HAND DELIVERED

Tallahassee

Ms. Blanca S. Bayo, Director  
Division of Records and Reporting  
Florida Public Service Commission  
101 East Gaines Street  
Tallahassee, Florida 32399-0850

Re: Fuel and Purchased Power Cost Recovery Clause  
with Generating Performance Incentive Factor;  
FPSC Docket No. 940001-EI

NOTICE OF INTENT TO REQUEST CONFIDENTIAL CLASSIFICATION

Dear Ms. Bayo:

In connection with the Staff's audit of Tampa Electric Company's fuel adjustment filings, Mr. Ken Dudley of the Commission's Division of Electric and Gas has requested that Tampa Electric supply for his review a copy of the Coal Supply Agreement between Consolidation Coal Company ("Consol") and Tampa Electric. Attached hereto is a copy of that Coal Supply Agreement.

The Consol/Tampa Electric Coal Supply Agreement contains in various places confidential proprietary business information which, if disclosed publicly, would be harmful to Tampa Electric's ability to contract for goods and services on favorable terms. As such, this information is entitled to be protected pursuant to §366.093, Fla. Stat. This letter will serve as Tampa Electric's notice to the Commission that it intends to seek a formal designation by the Commission that certain of the information contained in this agreement is entitled to protection under §366.093, Fla. Stat.

It is my understanding that Mr. Dudley has indicated that he expects to complete his review of the enclosed agreement on or before expiration of the 21-day period within which Tampa Electric must formally petition the Commission for confidential treatment. We further understand that if the document is returned to us prior to the expiration of that 21-day time frame, we may avoid making

DOCUMENT NUMBER-DATE

06971 JUL 13 94

FPSC-RECORDS/REPORTING

RECEIVED & FILED  
28  
FPSC DIVISION OF RECORDS

Ms. Blanca S. Bayo  
July 13, 1994  
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such formal request. We hereby commit on behalf of Tampa Electric to maintain in our files a copy of the Consol/Tampa Electric Coal Supply Agreement after the enclosed copy is returned to us. In that way, should the Staff need to review this agreement again at some time in the future, it would be readily available and could be supplied in a similar manner very promptly.

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  
Enclosure

cc: Mr. Kenneth Dudley (w/o enc.)  
Ms. Martha Carter Brown (w/o enc.)

MACEARD AND AUSTEV FERGUSON & McMULLEN

Confidential filing has been assigned Document No. 06972-94 and placed in the confidential files pending receipt of a Request for Confidentiality.

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