

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Investigation into Earnings )  
for 1995 and 1996 of Tampa Electric )  
Company. )

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DOCKET NO. 950379-EI  
FILED: March 8, 1996

**TAMPA ELECTRIC COMPANY'S RESPONSE AND  
OBJECTION TO STAFF'S FIRST REQUEST FOR PRODUCTION  
OF DOCUMENTS TO TAMPA ELECTRIC COMPANY (NOS. 1 - 6)**

Tampa Electric Company ("Tampa Electric" or "the company"), pursuant to Rules 25-22.034 and 25-22.035, Florida Administrative Code, and Rules 1.280 and 1.350, Fla. R. Civ. P., submits the following objection and response to Staff's First Request for Production of Documents to Tampa Electric Company (Nos. 1 - 6):

1. Tampa Electric objects to publicly producing certain pricing information regarding the sale of sulfuric acid from Polk Unit One (Staff's Request No. 2) and certain coal transportation rate information contained in its coal transportation contract with an independent transportation company (Staff's Request No. 4). To protect the proprietary nature of the information in question while accommodating the Staff's desire to inspect the requested documents, Tampa Electric is submitting herewith a separate Notice of Intent to Request Confidential Classification of the confidential information produced in response to Staff's Requests Nos. 2 and 4.

2. Tampa Electric responds to the Staff's First Request for Production of Documents by saying that, subject to Tampa Electric's right to protect the confidentiality of the information described above, the documents responsive to Requests Nos. 1 - 6 will be

DOCUMENT NUMBER-DATE

02900 MAR-8 96

FPSC-RECORDS/REPORTING

produced by Tampa Electric at a date and time mutually acceptable to the Staff and Tampa Electric on or after Friday, March 8, 1996, in the offices of Macfarlane Ausley Ferguson & McMullen, 227 South Calhoun Street, Tallahassee, Florida 32302, counsel for Tampa Electric Company. Counsel for the company and the Staff have agreed to confer during the week of March 11 to schedule Staff's review of the requested documents.

3. Tampa Electric's willingness to produce the documents requested by Staff should not be construed as any concession by Tampa Electric that it considers any information contained in the documents to be relevant to any issue pending before the Commission or any issue which may be properly raised before the Commission.

DATED this 8th day of March, 1996.

Respectfully submitted,



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Macfarlane Ausley Ferguson & McMullen  
Post Office Box 391  
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(904) 224-9115

ATTORNEYS FOR TAMPA ELECTRIC COMPANY

CERTIFICATE OF SERVICE


I HEREBY CERTIFY that a true copy of the foregoing Response and Objection, filed on behalf of Tampa Electric Company, has been furnished by U. S. Mail or hand delivery (\*) on this 8th day of March, 1996 to the following:

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Division of Legal Services  
Florida Public Service  
Commission  
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