

# MACFARLANE AUSLEY FERGUSON & McMULLEN

ATTORNEYS AND COUNSELORS AT LAW

11 MADISON STREET SUITE 2300  
P. O. BOX 1531 ZIP 33601  
TAMPA FLORIDA 33602  
TEL: 278-8700 FAX: (813) 278-8360

227 SOUTH CALHOUN STREET  
P. O. BOX 991 ZIP 32301  
TALLAHASSEE FLORIDA 32301  
PHONE: 224-9115 FAX: (904) 222-1560

400 CLEVELAND STREET  
P. O. BOX 1669 ZIP 34617  
CLEARWATER FLORIDA 34615  
PHONE: 481-8960 FAX: (813) 442-8417

May 2, 1996

HAND DELIVERY

IN REPLY REFER TO:

Tallahassee

Ms. Blanca S. Bayo, Director  
Division of Records and Reporting  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

ORIGINAL  
FILE COPY

Re: Prudency Review to Determine Regulatory  
Treatment of Tampa Electric Company's  
Polk Unit; FPSC Docket No. 960409-EI

Dear Ms. Bayo:

Enclosed for filing in the above docket on behalf of Tampa Electric Company are the original and fifteen (15) copies of each of the following:

1. Tampa Electric Company's Written Response and Objections to Staff's First Request for Production of Documents to Tampa Electric Company (Nos. 1-9).
2. Tampa Electric Company's Notice of Intent to Request Confidential Classification.

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,

Lee L. Willis

ACK    
 AFA 5   
 APP \_\_\_\_\_   
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 CMU \_\_\_\_\_   
 CTR \_\_\_\_\_   
 EFC Dudley   
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 ENC 1 Enclosures   
 FILE 5   
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 OTH \_\_\_\_\_

cc: All Parties of Record (w/encls.)

WRITTEN RESPONSE  
 DOCUMENT NUMBER - DATE  
 04964 MAY-28  
 FPSC-RECORDS/REPORTING

NOI  
 DOCUMENT NUMBER - DATE  
 04965 MAY-28  
 FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Prudency Review to Determine )  
Regulatory Treatment of Tampa Electric )  
Company's Polk Unit. )

DOCKET NO. 960409-EI

FILED: May 2, 1996

**TAMPA ELECTRIC COMPANY'S NOTICE OF  
INTENT TO REQUEST CONFIDENTIAL CLASSIFICATION**

Tampa Electric Company ("Tampa Electric" or the "company"), pursuant to Rule 25-22.006, Florida Administrative Code, hereby provides notice of its intent to request confidential classification of certain information contained in documents to be produced by Tampa Electric in response to Staff's First Request for Production of Documents Nos. 1 through 9, and says:

1. On April 12, 1996 Staff served on Tampa Electric its First Request for Production of Documents (Nos. 1-9) in the above docket. A copy of Staff's Requests Nos. 1-9 is attached hereto as Exhibit "A". Tampa Electric this date is serving its response and objections to Staff's First Request for Production of Documents.

2. Since receiving Staff's First Request for Production of Documents Tampa Electric has focused its efforts on the task of assembling the requested documents within the accelerated discovery schedule the parties have agreed to. As a result Tampa Electric is still evaluating which of the assembled documents may need confidential classification to protect the interests of Tampa Electric and its customers. Rather than delaying the production of these documents, Tampa Electric is serving this its Notice of Intent to Request Confidential Classification of information

DOCUMENT NUMBER DATE

04965 MAY-2 96

FPSC-RECORDS/REPORTING

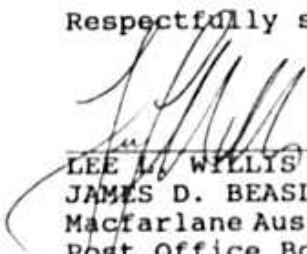
contained in the various documents sought in Staff's Request Nos. 1-9.

3. Once it is determined which of the requested documents Staff desires copies of, Tampa Electric will provide such copies (unless the requests have been objected to), then follow up with a formal and timely request for confidential classification, if necessary, pursuant to Section 366.093, Florida Statutes, and Rule 25-22.005, Florida Administrative Code, to the extent that the copies to be furnished to Staff are determined to contain information which is in need of confidential protection.

WHEREFORE, Tampa Electric Company submits the foregoing Notice of Intent to Request Confidential Classification.

DATED this 2<sup>nd</sup> day of May, 1996.

Respectfully submitted,



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LEE L. WILLIS  
JAMES D. BEASLEY  
Macfarlane Ausley Ferguson & McMullen  
Post Office Box 391  
Tallahassee, Florida 32302  
(904) 224-9115

ATTORNEYS FOR TAMPA ELECTRIC COMPANY

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing Notice of Intent to Request Confidential Classification , filed on behalf of Tampa Electric Company, has been furnished by U. S. Mail or hand delivery (\*) on this 2<sup>nd</sup> day of May, 1996 to the following:

Mr. Robert V. Elias\*  
Staff Counsel  
Division of Legal Services  
Florida Public Service  
Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

Mr. Jack Shreve  
Mr. John Roger Howe  
Deputy Public Counsel  
Office of Public Counsel  
c/o The Florida Legislature  
111 West Madison Street - #812  
Tallahassee, FL 32399-1400

Ms. Vicki Gordon Kaufman  
McWhirter, Reeves, McGlothlin,  
Davidson, Rief & Bakas  
117 S. Gadsden Street  
Tallahassee, FL 32301

Mr. John W. McWhirter, Jr.  
McWhirter, Reeves, McGlothlin,  
Davidson, Rief & Bakas  
100 North Tampa Street  
Suite 2800  
Tampa, FL 33602

  
\_\_\_\_\_  
ATTORNEY

TEC\960409.N01

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Prudence review to ) DOCKET NO. 960409-EI  
determine regulatory treatment )  
of Tampa Electric Company's Polk ) DATE: April 12, 1996  
Unit. )  
\_\_\_\_\_ )

STAFF'S FIRST REQUEST FOR PRODUCTION OF DOCUMENTS TO  
TAMPA ELECTRIC COMPANY (NOS. 1 - 9)

Pursuant to Rule 25-22.034, Florida Administrative Code, and Rule 1.350, Florida Rules of Civil Procedure, the Staff of the Florida Public Service Commission, by and through its undersigned attorney, hereby serves the following Request for Production of Documents upon Tampa Electric Company (TECO).

Please produce the following documents at the Florida Public Service Commission, 2540 Shumard Oak Boulevard, Gerald L. Gunter Building, Tallahassee, Florida 32399-0850, no later than thirty days after service of this request for the purpose of inspection and copying.

DEFINITION

As used herein, the word "documents" shall mean the original and any non-identical copies of any writing or record, including but not limited to a book, pamphlet, periodical, letter, memorandum, telegram, report, study, interoffice or intraoffice memorandum, memorandum reflecting an oral communication, handwritten or other notes, working paper, draft, application,

STAFF'S FIRST REQUEST FOR PRODUCTION OF DOCUMENTS TO TAMPA ELECTRIC  
COMPANY (NOS. 1 - 9)  
DOCKET NO. 960409-EI

permit, chart, paper, graph, survey, index, tape, disc, data sheet  
or data processing card, computer printout, or any other written,  
recorded, transcribed, filed or graphic matter, however produced or  
reproduced.

STAFF'S FIRST REQUEST FOR PRODUCTION OF DOCUMENTS TO TAMPA ELECTRIC  
COMPANY (NOS. 1 - 9)  
DOCKET NO. 960409-EI

DOCUMENTS REQUESTED

1. Please provide complete copies of all fuel price forecasts used by TECO for system planning purposes including the forecasts relied on for TECO's 10-year plan reviews and the forecasts used in TECO's evaluation of the cost-effectiveness of the Polk County IGCC from 1992 through 1995, inclusive.

STAFF'S FIRST REQUEST FOR PRODUCTION OF DOCUMENTS TO TAMPA ELECTRIC  
COMPANY (NOS. 1 - 9)  
DOCKET NO. 960409-EI

2. Please provide complete copies of all reports, studies, economic assumptions, escalators, factors, fuel type quality assumptions, fuel availability, transportation assumptions, publications and other sources or references used to develop each fuel forecast used by TECO for system planning purposes including the 10-year plan reviews and the evaluation of the cost-effectiveness of the Polk County IGCC from 1992 through 1996, inclusive.



STAFF'S FIRST REQUEST FOR PRODUCTION OF DOCUMENTS TO TAMPA ELECTRIC  
COMPANY (NOS. 1 - 9)  
DOCKET NO. 960409-EI

3. Please provide complete copies of all reports, studies, evaluations, and other documents relied on by TECO in 1993 when TECO concluded an 80 percent blend of Pet Coke with 20 percent Galatia coal was a viable feed stock for the Polk County gasifier.

STAFF'S FIRST REQUEST FOR PRODUCTION OF DOCUMENTS TO TAMPA ELECTRIC  
COMPANY (NOS. 1 - 9)  
DOCKET NO. 960409-EI

4. Please provide complete copies of all reports, studies, evaluations, and other documents relied on by TECO in 1995 when TECO concluded a 65 percent blend of Pet Coke with 35 percent PRB coal was a viable feed stock for the Polk County gasifier.

STAFF'S FIRST REQUEST FOR PRODUCTION OF DOCUMENTS TO TAMPA ELECTRIC  
COMPANY (NOS. 1 - 9)  
DOCKET NO. 960409-EI

5. Please provide complete copies of all reports, studies, evaluations and other documents relied on by TECO to determine that firm natural gas transportation was not a cost effective option in each year beginning in 1992 through 1996, inclusive.

STAFF'S FIRST REQUEST FOR PRODUCTION OF DOCUMENTS TO TAMPA ELECTRIC  
COMPANY (NOS. 1 - 9)  
DOCKET NO. 960409-EI

6. Please provide copies of all internal memos and correspondence with tax consultants, CPA's, or the Internal Revenue Service dealing with the use of a seven year tax life for the Polk IGCC Unit.

STAFF'S FIRST REQUEST FOR PRODUCTION OF DOCUMENTS TO TAMPA ELECTRIC  
COMPANY (NOS. 1 - 9)  
DOCKET NO. 960409-EI

7. Please provide copies of all internal memos and correspondence with tax consultants, legislators or their assistants, legislative committees, or the Internal Revenue Service concerning revisions to IRC Section 29 through legislative changes.

STAFF'S FIRST REQUEST FOR PRODUCTION OF DOCUMENTS TO TAMPA ELECTRIC  
COMPANY (NOS. 1 - 9)  
DOCKET NO. 960409-EI

8. Please produce a copy of every document identified in TECO's response to Interrogatory No. 3 in this docket.

STAFF'S FIRST REQUEST FOR PRODUCTION OF DOCUMENTS TO TAMPA ELECTRIC  
COMPANY (NOS. 1 - 9)  
DOCKET NO. 960409-EI

9. Please produce a copy of every document identified in TECO's response to Interrogatory No. 19 in this docket, unless provided pursuant to another response to Staff's First Request for Production of Documents.



ROBERT V. ELIAS  
Staff Counsel

Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Gerald L. Gunter  
Tallahassee, Florida 32399-0850  
(904) 413-6199

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Prudence review to ) DOCKET NO. 960409-EI  
determine regulatory treatment )  
of Tampa Electric Company's Polk ) FILED: April 12, 1996  
Unit. )  
\_\_\_\_\_ )

CERTIFICATE OF SERVICE

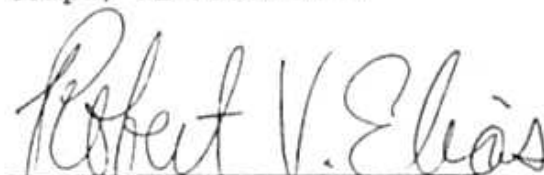
I HEREBY CERTIFY that the original and one true and correct copy of Staff's First Set of Request for Production of Documents to Tampa Electric Company (Nos. 1 - 9) have been furnished by Hand Delivery, to Mr. Lee Willis, Macfarlane Ausley Ferguson and McMullen, 227 South Calhoun Street, Tallahassee, Florida 32301, on behalf of Tampa Electric Company and that one true and correct copy has been furnished by U. S. Mail this 12th day of April, 1996, to the following:

Florida Industrial Power  
Users Group  
Vicki Kaufman, Esquire  
117 South Gadsden Street  
Tallahassee, FL 32301

McWhirter Reeves McGlothlin  
Davidson Rief & Bakas  
John W. McWhirter, Esquire  
Post Office Box 3350  
Tampa, FL 33601-3350

Office of Public Counsel  
John Roger Howe, Esquire  
c/o The Florida Legislature  
111 W. Madison Street  
Tallahassee, FL 32399-1400

Tampa Electric Company  
Ms. Jana Hathorne  
Regulatory Affairs Department  
Post Office Box 111  
Tampa, FL 33601-0111



ROBERT V. ELIAS  
Staff Counsel

Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Gerald L. Gunter  
Tallahassee, Florida 32399-0850  
(904) 413-6199