

AUSLEY & MCMULLEN

ATTORNEYS AND COUNSELORS AT LAW

227 SOUTH CALHOUN STREET  
P.O. BOX 391 (ZIP 32302)  
TALLAHASSEE, FLORIDA 32301  
(850) 224-9115 FAX (850) 222-7560

SEP 11 PM 4:09

RECEIVED  
TALLAHASSEE

September 11, 1998

HAND DELIVERED

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

Re: Petition by Tampa Electric Company for Approval of Cost Recovery for a new Environmental Program, the Big Bend Units 1 and 2 Flue Gas Desulfurization System: FPSC Docket No. 980693-E1

Dear Ms. Bayo:

Enclosed for filing in the above docket, on behalf of Tampa Electric Company, are the original and fifteen (15) copies of Tampa Electric Company's Request for 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,

  
James D. Beasley

JDB/pp  
Enclosures

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

DOCUMENT NUMBER-DATE

09984 SEP 11 88

FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition by Tampa Electric )  
Company for Approval of Cost Recovery )  
for a new Environmental Program, the )  
Big Bend Units 1 and 2 Flue Gas )  
Desulfurization System. )  
\_\_\_\_\_ )

DOCKET NO. 980693-EI  
FILED: September 11, 1998

**TAMPA ELECTRIC COMPANY'S  
REQUEST FOR CONFIDENTIAL CLASSIFICATION**

Pursuant to Section 366.093, Florida Statutes, and Fla. Admin. Code Rule 25-22.006, Tampa Electric Company ("Tampa Electric" or "the company") submits this its Request for Confidential Classification of portions of the following one page document:

Late Filed Deposition Exhibit No. 4, page 2 of 2 of witness Charles R. Black, entitled 1998 Monthly Fuel Price Forecast - Hardee Power Station 1998 Operating Plan

In support thereof, the company says:

1. The above-referenced document was submitted to the Division of Records and Reporting in a confidential filing dated August 21, 1998 along with a Notice of Intent to Seek Confidential Classification of such document.
2. Tampa Electric is submitting a highlighted version of the above listed document under a separate cover letter and is accompanying this filing with two redacted versions of such documents in accordance with the Commission's rule.
3. Tampa Electric requests that the highlighted portions of the above-referenced document be classified as confidential and protected from public disclosure pursuant to Section

DOCUMENT NUMBER-DATE

09984 SEP 11 88

FPSC-RECORDS/REPORTING


366.093, Florida Statutes, and Fla. Admin Code Rule 25.22.006 for the reasons explained in the detailed Justification for Confidential Treatment attached hereto as Exhibit "A".

4. The material for which classification is sought is intended to be and is treated by Tampa Electric and its affiliates as confidential and has not been disclosed to the public.

WHEREFORE, Tampa Electric Company submits the foregoing as its request for confidential classification of the information identified in Exhibit "A".

DATED this 11<sup>th</sup> day of September, 1998.

Respectfully submitted,

  
\_\_\_\_\_  
LEE L. WILLIS  
JAMES D. BEASLEY  
Ausley & McMullen  
Post Office Box 391  
Tallahassee, Fl 32302  
(850) 224-9115

ATTORNEYS FOR TAMPA ELECTRIC COMPANY

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true copy of the foregoing Request for Confidential Classification, filed on behalf of Tampa Electric Company, has been furnished by hand delivery (\*) or U. S. Mail on this 11<sup>th</sup> day of September, 1998 to the following:

Ms. Grace Jaye\*  
Staff Counsel  
Division of Legal Services  
Florida Public Service Commission  
Room 390L - Gunter Building  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

Mr. John W. McWhirter, Jr.  
McWhirter, Reeves, McGlothlin,  
Davidson, Rief & Bakas, P.A.  
Post Office Box 3350  
Tampa, Florida 33601

Mr. Joseph A. McGlothlin  
Ms. Vicki Gordon Kaufman  
McWhirter, Reeves, McGlothlin,  
Davidson, Rief & Bakas, P.A.  
117 South Gadsden Street  
Tallahassee, FL 32301

Mr. Jack Shreve  
Office of Public Counsel  
111 W. Madison Street, #812  
Tallahassee, FL 32399-1400

Ms. Gail Kamaras  
Legal Environmental Assistance Foundation  
1114-E Thomasville Road  
Tallahassee, FL 32303-6290

  
\_\_\_\_\_  
ATTORNEY

**JUSTIFICATION FOR CONFIDENTIAL TREATMENT OF  
LATE FILE DEPOSITION EXHIBIT NO. 4 OF CHARLES R. BLACK**

<u>Column</u>	<u>Line No.</u>	<u>Rationale</u>
3	1	(2)
1 - 5	2 - 14	(1)
3	2 - 14	(2)
Footnote (2)	Highlighted Information	(2)
Footnote (3)	Highlighted Information	(2)
Footnote (4)	Highlighted Information	(2)
Footnote (5)	Highlighted Information	(2)

**Rationale for Confidentiality**

- (1) The numerical information represents cost forecasts which, if disclosed, would provide insight to suppliers of TECO Power Services concerning TPS view of the market place that could be used against TPS in negotiations and in competitive sales situations. Such disclosure would also harm Tampa Electric who purchases power from TECO Power Services. This, in turn, would be harmful to the customers of Tampa Electric. As such the information in questions represents proprietary confidential business information, the disclosure of which would be harmful to Tampa Electric, its customers and affiliates. This information is entitled to confidential protection under Section 366.093, Florida Statutes.
- (2) This information is the result of a negotiated contract with an affiliate (TECO Power Services negotiating with Peoples Gas for available FGT capacity). Disclosure of this information would be harmful to both Peoples Gas in its negotiations with others for available PGS capacity on the FGT system. It would also be harmful to TECO Power Services in a competitive market place as it would disclose one aspect of its cost structure. As such, the information in question is entitled to confidential protection under Section 366.093, Florida Statutes, as contractual information, the disclosure of which would adversely affect the ability of Tampa Electric and its affiliates to negotiated for goods and services on favorable terms.

