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October 29, 1998

HAND DELIVERED

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

981462-EI

Re: FPSC Staff Audit  
UNDOCKETED: AFA 98-082-2-1

Dear Ms. Bayo:

Enclosed for filing in the above matter are the original and fifteen (15) copies of Tampa Electric Company's Request for Specified Confidential Treatment of FPSC Staff Audit workpapers. This request is accompanied by a detailed justification for the confidential treatment requested. The confidential documents in question are being filed under a separate cover letter.

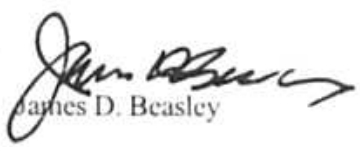
Also enclosed are two copies of a public version of the subject documents, with the sensitive information blacked out rather than highlighted.

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,

RECEIVED  
BUREAU OF RECORDS

  
James D. Beasley

JDB/pp  
Enclosures

12108

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: FPSC Staff Audit )  
\_\_\_\_\_ )

UNDOCKETED AFA 98-082-2-1  
FILED: October 29, 1998

**TAMPA ELECTRIC COMPANY'S  
REQUEST FOR SPECIFIED CONFIDENTIAL TREATMENT**

Pursuant to §366.093, Fla. Stat., Tampa Electric Company ("Tampa Electric" or "the company") submits the following Request for Specified Confidential Treatment of certain Staff workpapers prepared in connection with the above Staff Audit and as grounds therefor, says:

1. Tampa Electric has reviewed certain Commission Staff Audit workpapers following the exit conference conducted October 8, 1998 in this matter. Attached hereto as Exhibit "A" is a detailed justification for the requested confidential treatment of the highlighted portions of the Staff's workpapers.

**Duration of Requested Confidential Treatment**

2. Tampa Electric requests that the information for which the company seeks confidential classification not be declassified for 24 months from the date of confidential classification. Much of the confidential information contained in the Staff Audit workpapers pertains to the cost of doing business of Tampa Electric's unregulated affiliates, such as Gatliff Coal Company and TECO Transport and Trade. The need for two or more years of confidentiality is vital not only to Tampa Electric and its ratepayers, but to Tampa Electric's non-regulated competitive affiliates as well. Disclosure of this sensitive cost information prior to the expiration of the requested 24 month period could adversely affect Tampa Electric's ability to negotiate similar contracts with other providers. Such disclosure would also adversely affect the non-regulated affiliates in their ability to negotiate contracts with parties other than Tampa

12103 10.29.98

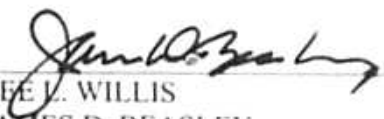
Electric. This has been recognized on numerous occasions. See, for example, Order No. PSC-98-1312-CFO-EI, issued October 9, 1998 in Docket No. 980001-EI granting a two year period of confidentiality with regard to various cost information pertaining to Tampa Electric Company's non-regulated affiliates.

3. The material for which classification is sought is intended to be and is treated by Tampa Electric and its affiliates as private and has not been disclosed.

WHEREFORE, Tampa Electric submits the foregoing as its Request for Specified Confidential Treatment of the information identified in Exhibit "A" as confidential proprietary business information.

DATED this 29<sup>th</sup> day of October, 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

TAMPA ELECTRIC COMPANY

Undocketed AFA 98-082-2-1

Justification for Confidentiality of Audit Workpapers  
for the Twelve Months Ended December 31, 1997

Preliminary Comment:

Virtually all of the types of information sought to be protected herein have been recognized on numerous recent occasions by the Commission to constitute proprietary business information the confidentiality of which is entitled to protection under Section 366.093, Fla. Stat. See, for example, Order No. 23942 issued in Docket No. 900001-EI on December 28, 1990; Order No. 24043 issued in Docket No. 910001-EI on January 29, 1991; Order No. 24294 issued March 27, 1991 in Docket No. 910001-EI; Order No. 24615 issued in Docket No. 910001-EI on June 5, 1991; and Order No. PSC-95-0773-CFO-EI issued June 27, 1995 in Docket No. 950001-EI. A copy of the last mentioned order is attached hereto as Exhibit "A" and by reference made a part hereof.

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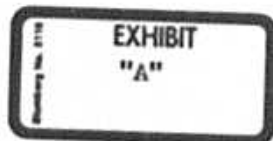
<u>Workpaper No.</u>	<u>Lines</u>	<u>Rationale</u>
Page 1 (2 of 3)	25, 26	(1)
Page 1 (3 of 3)	5	(2)

Rationale for Confidentiality:

- (1) Line 25 discloses 1997 revenues and line 26 discloses 1997 operating income for a non-regulated subsidiary of TECO Energy, Inc. Disclosure of these operating results for our non-regulated companies will put them at a competitive disadvantage since their non-regulated competitors are not required to publish the type of operating financial information contained in these schedules. The material for which classification is sought is intended to be and is treated by TECO Energy, Inc. as confidential private information and has not been disclosed on an individual company by company basis. As such, this information warrants protection under Section 366.093 (d) and (e) Fla. Stat.
- (2) Line 5 discloses 1997 revenues and operating income for a non-regulated subsidiary of TECO Energy, Inc. This is the same type of information for which confidential treatment is requested in rationale (1) above and is entitled to confidential protection for the same reasons.

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<u>Workpaper No.</u>	<u>Lines</u>	<u>Rationale</u>
Page 10-4/1	1,3,5,7,8,9	(1)



**Rationale for Confidentiality:**

- (1) This is the exact information as filed in the Tampa Electric 1997 transportation market price application and is confidential for the same reasons stated and granted in Docket No. 980001-EI, Order No. PSC-98-1351-CFO-EI issued October 12, 1998.

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<u>Workpaper No.</u>	<u>Lines</u>	<u>Rationale</u>
Page 10-4/2	1,3,5,7	(1)

**Rationale for Confidentiality:**

- (1) This is the exact information as filed in the Tampa Electric annual coal market price application and is confidential for the same reasons stated and granted in Docket No. 980001-EI, Order No. PSC-98-1351-CFO-EI issued October 12, 1998.

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<u>Workpaper No.</u>	<u>Lines</u>	<u>Columns</u>	<u>Rationale</u>
Page 10-8/2 (1 of 2)	All	a,b,c,f,g,h,i,j,k,l,m,n,o	(1)
Page 10-8/2 (1 of 2)	1	a,b,c,e,f,g,h,i,j,k,l,m,n,o	(2)
Page 10-8/2 (2 of 2)	All	a,c,d,e,f,g,h,i,j,k,l,n,o,p,q,r	(1)
Page 10-8/2 (2 of 2)	1	a,b,c,d,e,f,g,h,i,j,k,l,m,n,o,p,q,r	(2)
Page 10-8/3 (1 of 3)	All	a,b,c,f,g,h,i,j,k,l,m,n,o,p	(1)
Page 10-8/3 (1 of 3)	1	a,b,c,e,f,g,h,i,j,k,l,m,n,o,p,q	(2)
Page 10-8/3 (2 of 3)	All	a,b,c,d,e,f,g,h,i,j,m,o,p,q,r,s	(1)
Page 10-8/3 (2 of 3)	1	a,b,c,d,e,f,g,h,i,j,k,l,m,n,o,p,q,r,s	(2)
Page 10-8/3 (3 of 3)	All	a,b,c,d,e,f	(1)
Page 10-8/3 (3 of 3)	1	a,b,c,d,e,f	(2)
Page 10-8/4 (1 of 2)	All	a,c,d,e,f,g,i,j,k,l,m	(1)
Page 10-8/4 (1 of 2)	1	a,c,d,e,f,g,h,i,j,k,l,m	(2)
Page 10-8/4 (2 of 2)	All	a,b,d,e,f,g,h,i,j,k,l,m,n,o,p,q,r	(1)
Page 10-8/4 (2 of 2)	2,3,4,5		(1)
Page 10-8/4 (2 of 2)	1	a,b,c,d,e,f,g,h,i,j,k,l,m,n,o,p,q,r	(2)

**Rationale for Confidentiality:**

- (1) These columns disclose the taxable income and compute the taxes of all TECO Energy, Inc. non-regulated companies. The taxable income can be used to determine the profitability of the companies. Furthermore, because this workpaper details how the tax calculation is derived, all the other amounts in each column can be used to back into the tax calculation, and therefore the taxable income and profitability of each company. Disclosure of these

operating results for our non-regulated companies will put them at a competitive disadvantage since their non-regulated competitors are not required to publish the type of operating financial information contained in these schedules. The material for which classification is sought is intended to be and is treated by TECO Energy, Inc. as confidential private information and has not been disclosed on an individual company by company basis. As such, this information warrants protection under Section 366.093 (d) and (e) Fla. Stat.

- (2) Line 1 lists the name of each individual company for which the tax calculation is being performed. By deleting the names of each company, the numbers in each column cannot be used by competitors to derive the profitability of any individual company. This would be a second way of protecting the confidentiality of the operating financial information on this workpaper. The rationale for protecting the profitability of each individual non-regulated company is the same as that identified in rationale (1).

<u>Workpaper No.</u>	<u>Rationale</u>
Page 10-8/5 (1 of 10)	(1)
Page 10-8/5 (2 of 10)	(1)
Page 10-8/5 (3 of 10)	(1)
Page 10-8/5 (4 of 10)	(1)
Page 10-8/5 (5 of 10)	(1)
Page 10-8/5 (6 of 10)	(1)

**Rationale for Confidentiality:**

- (1) These workpapers contain the Tax Allocation Agreement between TECO Energy, Inc. and all of its subsidiaries [Tampa Electric and all unregulated subsidiaries]. Disclosure of the agreement provides details as to how taxes, and thus ultimately profitability, of the subsidiaries are determined. Details of agreements between the non-regulated subsidiaries and TECO Energy, Inc. will put them at a competitive disadvantage, since their non-regulated competitors are not required to publish contractual information of the type contained in these schedules. The material for which classification is sought is intended to be and is treated by TECO Energy, Inc. as confidential private contractual information and has not been disclosed to the public. As such, this information should be considered as proprietary confidential business information and warrants protection under Section 366.093 (d) and (e) Fla. Stat.

<u>Workpaper No.</u>	<u>Lines</u>	<u>Columns</u>	<u>Rationale</u>
Page 10-13/1	1-11, 13-29	(b)	(1)
Page 10-13/1	12	(b)	(1)
Page 10-13/1	30	(b)	(1)
Page 10-13/1	31,35-38	(b)	(1)

Page 10-13/1	1-11, 13-29	(c)	(2)
Page 10-13/1	12	(c)	(2)
Page 10-13/1	30	(c)	(2)
Page 10-13/1	31	(c)	(2)
Page 10-13/1	32-34	(a)	(1)

**Rationale for Confidentiality:**

- (1) This schedule is used to compute the weighted average per ton water transportation price from all Tampa Electric coal sources, shown on line 31. Confidential protection has been requested for the same number on line 1 of workpaper 10-4/1 above. Disclosure of this information would impair the efforts of Tampa Electric to contract for goods and services on favorable terms. In addition, it would harm the competitive interests of Tampa Electric's transportation affiliates and thereby ultimately harm Tampa Electric and its customers. The prices shown can be used with other publicly available data to determine the segmented transportation prices for river barge transportation services as well as ocean barge transportation services. There exists vigorous competition among suppliers of these transportation services and any public disclosure of prices charged by Tampa Electric's affiliates would eliminate any negotiating leverage which the affiliates have in marketing their services to others. Disclosing the amounts charged by these affiliates to Tampa Electric would permit the affiliates' other customers, who may be paying higher prices for similar services, to bargain for more favorable terms from the affiliates.
- (2) The total transportation dollars for each coal supplier in column (c) is the detailed information supporting the 1997 transportation market price application filing, Docket No.980001-EI, Order No. PSC-98-1351-CFO-EI, and is confidential for the same reasons stated and granted in that order.

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<u>Workpaper No.</u>	<u>Lines</u>	<u>Columns</u>	<u>Rationale</u>
Page 10-13/1-1, 1 of 6	3,4,5	a,b,c,d,e,f,g,h,i,j,k,l,m	(1)
Page 10-13/1-1, 1 of 6	7,8,10	a,b,c,d,f,h,i,j,k,l,m	(1)
Page 10-13/1-1, 1 of 6	12,13,15	a,b,c,d,e,f,g,h,i,j,k,l,m	(1)
Page 10-13/1-1, 1 of 6	17,18,20	d,e,m	(1)
Page 10-13/1-1, 1 of 6	23,25	a,b,c,e,g,i,j,k,l,m	(1)
Page 10-13/1-1, 2 of 6	2,3,4,5	a,b,c,d,e,f,g,h,i,j,k,l,m	(1)
Page 10-13/1-1, 2 of 6	7,8,10	g,h,i,j,m	(1)
Page 10-13/1-1, 2 of 6	12,13,15	a,b,c,d,e,f,g,h,i,j,k,l,m	(1)
Page 10-13/1-1, 2 of 6	17,18,20	a,b,m	(1)
Page 10-13/1-1, 2 of 6	22,23,25	h,m	(1)
Page 10-13/1-1, 3 of 6	3,5	e,m	(1)
Page 10-13/1-1, 3 of 6	7,8,9,10	c,m	(1)
Page 10-13/1-1, 3 of 6	13,15	j,m	(1)
Page 10-13/1-1, 3 of 6	17,18,20	b,c,d,e,f,g,h,i,j,k,l,m	(1)

Page 10-13/1-1, 3 of 6	22,23,25	a,b,c,d,m	(1)
Page 10-13/1-1, 4 of 6	3,4,5	a,b,c,d,e,f,m	(1)
Page 10-13/1-1, 4 of 6	7,8,9,10	c,d,e,f,g,h,i,j,k,l,m	(1)
Page 10-13/1-1, 4 of 6	13,15	c,d,e,f,m	(1)
Page 10-13/1-1, 4 of 6	18,20	k,m	(1)
Page 10-13/1-1, 4 of 6	22,23,25	a,m	(1)
Page 10-13/1-1, 5 of 6	2,3,5	a,b,d,e,f,g,h,i,j,k,l,m	(1)
Page 10-13/1-1, 5 of 6	7,8,10	a,b,c,d,e,f,g,h,i,j,k,l,m	(1)
Page 10-13/1-1, 5 of 6	12,13,15	a,b,c,d,e,f,g,h,i,j,k,m	(1)
Page 10-13/1-1, 5 of 6	17,18,20	c,m	(1)
Page 10-13/1-1, 5 of 6	22,23,25	a,b,c,d,e,f,g,h,i,j,k,l,m	(1)
Page 10-13/1-1, 5 of 6	28,30	c,m	(1)
Page 10-13/1-1, 6 of 6	2,3,5	f,k,m	(1)
Page 10-13/1-1, 6 of 6	7,8,10	c,m	(1)
Page 10-13/1-1, 6 of 6	12,13,15	g,h,i,j,k,l,m	(1)
Page 10-13/1-1, 6 of 6	18,20	a,f,m	(1)
Page 10-13/1-1, 6 of 6	22,23,25	d,m	(1)
Page 10-13/1-1, 6 of 6	27,28,30	g,i,j,k,l,m	(1)

**Rationale for Confidentiality:**

- (1) Workpapers 10-13/1-1, 1 through 6, are the detailed monthly calculations to support the weighted average per ton water transportation price from all Tampa Electric coal sources in schedules 10-4/1 and 10-13/1, for which confidential protection under Section 366.093 (3) (d) and (e), Fla. Stat. has been requested above. Disclosure of this information would impair the efforts of Tampa Electric to contract for goods and services on favorable terms and when used in conjunction with the Commission Forms 423's would allow one to back-into the actual price per ton paid to individual coal suppliers. This information in the Forms 423's has previously been granted confidential treatment. In addition, it would harm the competitive interests of Tampa Electric's transportation affiliates and thereby ultimately harm Tampa Electric and its customers. The prices shown are the actual segmented transportation prices for river and ocean barging transportation services. There exists vigorous competition among suppliers of these transportation services and any public disclosure of prices charged by Tampa Electric's affiliates would eliminate any negotiating leverage which the affiliates have in marketing their services to others. Disclosing the amounts charged by these affiliates to Tampa Electric would permit the affiliates' other customers, who may be paying higher prices for similar services, to bargain for more favorable terms from the affiliates. The average per ton water transportation prices from specific Tampa Electric coal sources in column (m) are the same amounts as on workpaper 10-13/1, column (b), and is confidential for those same reasons.

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<u>Workpaper No.</u>	<u>Lines</u>	<u>Columns</u>	<u>Rationale</u>
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Page 10-13/1-2	1-5	(b)	(1)
Page 10-13/1-2	1-5	(c)	(2)
Page 10-13/1-2	6, 7	(c)	(3)

**Rationale for Confidentiality:**

- (1) The price per ton of coal purchased reflected in lines 1-5 is contractual data the disclosure of which would adversely affect the ability of Tampa Electric and Gatliff to contract for the purchase and sale, respectively, of goods (coal) on favorable terms. As such, this information is protected under Section 366.093 (3) (d) and (e), Fla. Stat. If the contractual price charged by Gatliff Coal Company to Tampa Electric for coal supplied under the parties' current contract is made public, it will adversely affect Gatliff's ability to negotiate higher prices with other purchasers. If other potential purchasers are knowledgeable of Gatliff coal pricing to Tampa Electric, it may be viewed by these potential purchasers as a ceiling on the amount they are willing to pay for Gatliff coal. This would place Gatliff coal at a competitive disadvantage in the negotiating process.
- (2) This data can be used in conjunction with lines 1-5 column (a) to compute the per ton price of coal purchased which confidential treatment has been requested in rationale (1) which would adversely affect Tampa Electric's ability to contract for goods on favorable terms.
- (3) This data can be used in conjunction with line 6 column (a) to compute the per ton price of coal purchased which confidential treatment has been requested in rationale (1) which would adversely affect Tampa Electric's ability to contract for goods on favorable terms.

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<u>Workpaper No.</u>	<u>Lines</u>	<u>Columns</u>	<u>Rationale</u>
Page 10-28/2	4, 9	(c)	(1)
Page 10-28/2	1, 12	(c)	(2)
Page 10-28/2	10	(b)	(3)
Page 10-28/2	13	(c)	(4)
Page 10-28/2	14	(c)	(5)
Page 10-28/2	15	(c)	(6)

**Rationale for Confidentiality:**

- (1) This is the same amount that has been requested confidential treatment on workpaper 10-4/1 line 1, and is confidential for the same reasons. Disclosure of this information would impair the efforts of Tampa Electric to contract for goods and services on favorable terms. In addition, it would harm the competitive interests of Tampa Electric's transportation affiliates and thereby ultimately harm Tampa Electric and its customers.
- (2) This is the same amount that has been requested confidential treatment on workpaper 10-4/1, line 5, and is confidential for the same reasons. Disclosure would adversely affect Tampa Electric's ability to contract for services on favorable terms.

- (3) This is the same amount that has been requested confidential treatment on workpaper 10-4/1, line 3, and is confidential for the same reasons.
- (4) This is the same amount that has been requested confidential treatment on workpaper 10-4/1, line 7, and is confidential for the same reasons.
- (5) This is the same amount that has been requested confidential treatment on workpaper 10-4/1, line 8, and is confidential for the same reasons.
- (6) The prior years' cumulative benefit shown on line 14 is, likewise, entitled to confidential protection. This number is an arithmetic function of the prior years' weighted average price for transportation services and its disclosure would enable a competitor to determine that weighted average price from the total tons transported which confidential treatment has been requested in rationale (1) which would adversely affect Tampa Electric's ability to contract for services on favorable terms. The net benefit of 1988-1997 shown on line 15 is, likewise, entitled to confidential protection. This number is an arithmetic calculation of lines 13 and 14, disclosure of which would allow a competitor to calculate those amounts.

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<u>Workpaper No.</u>	<u>Lines</u>	<u>Columns</u>	<u>Rationale</u>
Page 10-28/2-1	1-11, 13-29	(b)	(1)
Page 10-28/2-1	12	(b)	(1)
Page 10-28/2-1	30	(b)	(1)
Page 10-28/2-1	31	(b)	(1)
Page 10-28/2-1	1-11, 13-29	(c)	(1)
Page 10-28/2-1	12	(c)	(1)
Page 10-28/2-1	30	(c)	(1)
Page 10-28/2-1	31,35-38	(c)	(1)
Page 10-28/2-1	32-34	(a)	(1)

**Rationale for Confidentiality:**

- (1) This schedule is a duplicate of workpaper 10-13/1 and is confidential for the same reasons.

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<u>Workpaper No.</u>	<u>Lines</u>	<u>Columns</u>	<u>Rationale</u>
Page 10-28/3	1,2	a,b,c,d,e	(1)
Page 10-28/3	1,2,3	h,i	(1)
Page 10-28/3	3	e	(1)
Page 10-28/3	4	b,i	(1)

**Rationale for Confidentiality:**

- (1) This is contractual data obtained for the 1997 transportation market price application filing with the understanding that the data would remain confidential and not disclosed to the

public as it could adversely impact the utility providing the data. The amounts requested confidential treatment are actual rates per ton, total dollars, which are calculations of the actual tons times the actual rates per ton, and total cents per ton mile. It is Tampa Electric Company's understanding that this data has previously been granted confidential treatment for the company providing the data. Public disclosure of this data would limit the availability of data necessary to derive the annual benchmark calculation.

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<u>Workpaper No.</u>	<u>Lines</u>	<u>Columns</u>	<u>Rationale</u>
Page 10-28/3-1	1,2	d,e,f,g	(1)
Page 10-28/3-1	3	e	(1)

**Rationale for Confidentiality:**

- (1) This is contractual data obtained for the 1997 transportation market price application filing with the understanding that Tampa Electric would retain and treat the information as confidential and not disclose it to the public as it could adversely impact the utility providing the data. The amounts requested confidential treatment are actual rates per ton, total dollars, which are calculations of the actual tons times the actual rates per ton, and total cents per ton mile. It is Tampa Electric Company's understanding that this data has previously been granted confidential treatment for the company providing the data. Public disclosure of this data would limit the availability of data necessary to derive the annual benchmark calculation.

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<u>Workpaper No.</u>	<u>Lines</u>	<u>Columns</u>	<u>Rationale</u>
Page 10-28/4	1	a	(1)

**Rationale for Confidentiality:**

- (1) This is contractual data obtained for the 1997 transportation market price application filing with the understanding that Tampa Electric would retain and treat the information as confidential and not disclose it to the public as it could adversely impact the utility providing the data. The amount requested confidential treatment is the actual cents per ton mile. It is Tampa Electric Company's understanding that this data has previously been granted confidential treatment for the company providing the data. Public disclosure of this data would limit the availability of data necessary to derive the annual benchmark calculation.

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<u>Workpaper No.</u>	<u>Lines</u>	<u>Columns</u>	<u>Rationale</u>
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**Rationale for Confidentiality:**

- (1) This is contractual data obtained for the 1997 transportation market price application filing with the understanding that Tampa Electric would retain and treat the information as confidential and not disclose it to the public as it could adversely impact the utility providing the data. The amount requested confidential treatment is the actual cents per ton mile. It is Tampa Electric Company's understanding that this data has previously been granted confidential treatment for the company providing the data. Public disclosure of this data would limit the availability of data necessary to derive the annual benchmark calculation.

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<u>Workpaper No.</u>	<u>Lines</u>	<u>Columns</u>	<u>Rationale</u>
Page 10-28/6	1-12	d,e,h	(1)
Page 10-28/6	13	a,e	(1)

**Rationale for Confidentiality:**

- (1) This is contractual data obtained for the 1997 transportation market price application filing with the understanding that Tampa Electric would retain and treat the information as confidential and not disclose it to the public as it could adversely impact the utility providing the data. The amounts requested confidential treatment are actual rates per ton, total dollars, which are calculations of the actual tons times the actual rates per ton, and total cents per ton mile. It is Tampa Electric Company's understanding that this data has previously been granted confidential treatment for the company providing the data. Public disclosure of this data would limit the availability of data necessary to derive the annual benchmark calculation.

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<u>Workpaper No.</u>	<u>Lines</u>	<u>Rationale</u>
Page 10-29/1 (1 of 2)	13,14,17	(1)

**Rationale for Confidentiality:**

- (1) Line 13 discloses 1997 revenues and line 14 discloses 1997 operating income for a non-regulated subsidiary of TECO Energy, Inc. Line 17 discloses both 1997 revenues and operating income for a second non-regulated subsidiary. Disclosure of these operating results for our non-regulated companies will put them at a competitive disadvantage since their non-regulated competitors are not required to publish the type of operating financial information contained in these schedules. The material for which classification is sought is

intended to be and is treated by TECO Energy, Inc. as confidential private information and has not been disclosed on an individual company by company basis. As such, this information warrants protection under Section 366.093 (d) and (e) Fla. Stat.

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<u>Workpaper No.</u>	<u>Columns</u>	<u>Rationale</u>
Page 10-29/3	a	(1)
Page 10-29/3	b	(2)
Page 10-29/3	c	(3)

**Rationale for Confidentiality:**

- (1) Column (a) discloses the operating results and thus the profitability of a non-regulated subsidiary of TECO Energy, Inc. Furthermore, because this workpaper is a detailed income statement, each line item can be used in conjunction with the other line items to derive, by summation or subtraction, the operating results and profitability of this company. Disclosure of these operating results for our non-regulated companies will put them at a competitive disadvantage since their non-regulated competitors are not required to publish the type of operating financial information contained in these schedules. The material for which classification is sought is intended to be and is treated by TECO Energy, Inc. as confidential private information and has not been disclosed on an individual company by company basis. As such, this information warrants protection under Section 366.093 (d) and (e) Fla. Stat.
- (2) Column (b) can be used in conjunction with column (c) or (d) to derive column (a), for which confidential treatment has been requested in rationale (1). Therefore, it qualifies for confidential protection for the same reasons as in rationale (1).
- (3) Column (c) can be used in conjunction with column (d) to derive column (a), for which confidential treatment has been requested in rationale (1). Therefore, it qualifies for confidential protection for the same reasons as in rationale (1).

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<u>Workpaper No.</u>	<u>Columns</u>	<u>Rationale</u>
Page 10-29/5	c	(1)
Page 10-29/5	b	(2)
Page 10-29/5	d	(3)
Page 10-29/5	e	(4)

**Rationale for Confidentiality:**

- (1) Column (c) discloses the operating results and thus the profitability of a non-regulated subsidiary of TECO Energy, Inc. Furthermore, because this workpaper is a detailed income statement, each line item can be used in conjunction with the other line items to

derive, by summation or subtraction, the operating results and profitability of this company. Disclosure of these operating results for our non-regulated companies will put them at a competitive disadvantage since their non-regulated competitors are not required to publish the type of operating financial information contained in these schedules. The material for which classification is sought is intended to be and is treated by TECO Energy, Inc. as confidential private information and has not been disclosed on an individual company by company basis. As such, this information warrants protection under Section 366.093 (d) and (e) Fla. Stat.

- (2) Column (b) can be used in conjunction with column (a) derive column (c), for which confidential treatment has been requested in rationale (1). Therefore, it qualifies for confidential protection for the same reasons as in rationale (1).
- (3) Column (d) can be used in conjunction with column (e) or (f) to derive column (c), for which confidential treatment has been requested in rationale (1). Therefore, it qualifies for confidential protection for the same reasons as in rationale (1).
- (4) Column (e) can be used in conjunction with column (f) to derive column (c), for which confidential treatment has been requested in rationale (1). Therefore, it qualifies for confidential protection for the same reasons as in rationale (1).

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<u>Workpaper No.</u>	<u>Lines</u>	<u>Rationale</u>
Page 43-5 Summary 1	1, 2	(1)
Page 43-5 Summary 2	1	(2)

**Rationale for Confidentiality:**

- (1) Line 1 discloses 1997 revenues and line 2 discloses 1997 operating income for a non-regulated subsidiary of TECO Energy, Inc. Disclosure of these operating results for our non-regulated companies will put them at a competitive disadvantage since their non-regulated competitors are not required to publish the type of operating financial information contained in these schedules. The material for which classification is sought is intended to be and is treated by TECO Energy, Inc. as confidential private information and has not been disclosed on an individual company by company basis. As such, this information warrants protection under Section 366.093 (d) and (e) Fla. Stat.
- (2) Line 1 discloses 1997 revenues and operating income for a non-regulated subsidiary of TECO Energy, Inc. This is the same type of information for which confidential treatment is requested in rationale (1) above and is entitled to confidential protection for the same reasons.

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<u>Workpaper No.</u>	<u>Lines</u>	<u>Columns</u>	<u>Rationale</u>
Page 43-5	2-15	(g)	(1)
Page 43-5	2-15	(h)	(2)

Page 43-5	2-15	(i)	(3)
Page 43-5	2-15	(j)	(4)
Page 43-5	2-15	(l)	(5)
Page 43-5	12-15	(o)	(6)

**Rationale for Confidentiality:**

- (1) This column discloses operating income, and therefore the profitability, of TECO Energy, Inc.'s non-regulated companies. Disclosure of these operating results for our non-regulated companies will put them at a competitive disadvantage since their non-regulated competitors are not required to publish the type of operating financial information contained in these schedules. The material for which classification is sought is intended to be and is treated by TECO Energy, Inc. as confidential private information and has not been disclosed on an individual company by company basis. As such, this information warrants protection under Section 366.093 (d) and (e) Fla. Stat.
- (2) Column (h) can be used with footnotes a, b, c, and d to derive column (g), for which confidential treatment has been requested in rationale (1). Therefore, it qualifies for confidential protection for the same reasons as in rationale (1).
- (3) Column (i) can be used with the total on line 16 of column (h) to derive column (g), for which confidential treatment has been requested in rationale (1). Therefore, it qualifies for confidential protection for the same reasons as in rationale (1).
- (4) Column (j) can be used with columns (c ) and (f) to compute the percentages in column (i), for which confidential treatment has been requested in rationale (3). Therefore, it qualifies for confidential protection for the same reasons as in rationale (3).
- (5) Column (l) can be used with column (k) to compute the percentages in column (j), for which confidential treatment has been requested in rationale (4). Therefore, it qualifies for confidential protection for the same reasons as in rationale (4).
- (6) Column (o) repeats the numbers recorded in column (l), for which confidential treatment has been requested in rationale (5). Therefore, it qualifies for confidential protection for the same reasons as in rationale (5).

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<u>Workpaper No.</u>	<u>Lines</u>	<u>Rationale</u>
Page 45-1	1,3,5,7,8,9	(1)

**Rationale for Confidentiality:**

- (1) This is a duplicate of workpaper 10-4/1, the Tampa Electric 1997 transportation market price application, and is confidential for the same reasons.

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<u>Workpaper No.</u>	<u>Lines</u>	<u>Rationale</u>
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Page 45-2	1-11, 13-29	(b)	(1)
Page 45-2	12	(b)	(1)
Page 45-2	30	(b)	(1)
Page 45-2	31,35-38	(b)	(1)
Page 45-2	1-11, 13-29	(c)	(1)
Page 45-2	12	(c)	(1)
Page 45-2	30	(c)	(1)
Page 45-2	31	(c)	(1)
Page 45-2	32-34	(a)	(1)

**Rationale for Confidentiality:**

- (1) This is a duplicate of workpaper 10-13/1, the Tampa Electric 1997 transportation market price application detail support, and is confidential for the same reasons

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<u>Workpaper No.</u>	<u>Lines</u>	<u>Columns</u>	<u>Rationale</u>
Page 45-2/1, 1 of 6	3,4,5	a,b,c,d,e,f,g,h,i,j,k,l,m	(1)
Page 45-2/1, 1 of 6	7,8,10	a,b,c,d,f,h,i,j,k,l,m	(1)
Page 45-2/1, 1 of 6	12,13,15	a,b,c,d,e,f,g,h,i,j,k,l,m	(1)
Page 45-2/1, 1 of 6	17,18,20	d,e,m	(1)
Page 45-2/1, 1 of 6	23,25	a,b,c,e,g,i,j,k,l,m	(1)
Page 45-2/1, 2 of 6	2,3,4,5	a,b,c,d,e,f,g,h,i,j,k,l,m	(1)
Page 45-2/1, 2 of 6	7,8,10	g,h,i,j,m	(1)
Page 45-2/1, 2 of 6	12,13,15	a,b,c,d,e,f,g,h,i,j,k,l,m	(1)
Page 45-2/1, 2 of 6	17,18,20	a,b,m	(1)
Page 45-2/1, 2 of 6	22,23,25	h,m	(1)
Page 45-2/1, 3 of 6	3,5	e,m	(1)
Page 45-2/1, 3 of 6	7,8,9,10	c,m	(1)
Page 45-2/1, 3 of 6	13,15	j,m	(1)
Page 45-2/1, 3 of 6	17,18,20	b,c,d,e,f,g,h,i,j,k,l,m	(1)
Page 45-2/1, 3 of 6	22,23,25	a,b,c,d,m	(1)
Page 45-2/1, 4 of 6	3,4,5	a,b,c,d,e,f,m	(1)
Page 45-2/1, 4 of 6	7,8,9,10	c,d,e,f,g,h,i,j,k,l,m	(1)
Page 45-2/1, 4 of 6	13,15	c,d,e,f,m	(1)
Page 45-2/1, 4 of 6	18,20	k,m	(1)
Page 45-2/1, 4 of 6	22,23,25	a,m	(1)
Page 45-2/1, 5 of 6	2,3,5	a,b,d,e,f,g,h,i,j,k,l,m	(1)
Page 45-2/1, 5 of 6	7,8,10	a,b,c,d,e,f,g,h,i,j,k,l,m	(1)
Page 45-2/1, 5 of 6	12,13,15	a,b,c,d,e,f,g,h,i,j,k,m	(1)
Page 45-2/1, 5 of 6	17,18,20	c,m	(1)
Page 45-2/1, 5 of 6	22,23,25	a,b,c,d,e,f,g,h,i,j,k,l,m	(1)
Page 45-2/1, 5 of 6	28,30	c,m	(1)



Page 45-2/1, 6 of 6	2,3,5	f,k,m	(1)
Page 45-2/1, 6 of 6	7,8,10	c,m	(1)
Page 45-2/1, 6 of 6	12,13,15	g,h,i,j,k,l,m	(1)
Page 45-2/1, 6 of 6	18,20	a,f,m	(1)
Page 45-2/1, 6 of 6	22,23,25	d,m	(1)
Page 45-2/1, 6 of 6	27,28,30	g,i,j,k,l,m	(1)

**Rationale for Confidentiality:**

- (1) This is a duplicate of workpaper 10-13/1-1, pages 1-6, the Tampa Electric 1997 transportation market price application detail support, and is confidential for the same reasons

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<u>Workpaper No.</u>	<u>Lines</u>	<u>Columns</u>	<u>Rationale</u>
Page 45-2/2	1-22	(d)	(1)
Page 45-2/2	3-5,7,9,10,12,15,19,20	(i)(j)(k)	(1)
Page 45-2/2	24	(i)(j)(k)	(1)
Page 45-2/2	28-33,35	(l)	(1)
Page 45-2/2	39	(i)	(1)
Page 45-2/2	44	(d)	(1)
Page 45-2/2	43-44	(i)	(1)
Page 45-2/2	48	(d)(h)	(1)
Page 45-2/2	47-52	(i)	(1)

**Rationale for Confidentiality:**

- (1) This workpaper provides the detail for one month's segmented transportation prices for river barge transportation services and gulf barge transportation services shown on workpapers 45-2/1, 1 through 6. This data is entitled to confidential classification under Section 366.093 (3) (d) and (e), Fla. Stat. Disclosure of this information would impair the efforts of Tampa Electric to contract for goods and services on favorable terms. In addition, it would harm the competitive interests of Tampa Electric's transportation affiliates and thereby ultimately harm Tampa Electric and its customers. There exists vigorous competition among suppliers of these transportation services and any public disclosure of prices charged by Tampa Electric's affiliates would eliminate any negotiating leverage which the affiliates have in marketing their services to others. The transportation rates in lines 1-22, column (d), are the actual segmented river transportation rates paid to the transportation affiliate, Midsouth Towing. The total dollars in column (i) can be used with the tons in column (h) to back into the rate per ton in column (d). Likewise, the transportation dollars in column (i) can be used in conjunction with the river capacity charges in column (j) to compute total river transportation charge in column (k). The amounts in lines 28-33, column (l), represent the total segmented river transportation costs. The amounts on line 35, column (l) and line 39,

column (i), are the same as on line 24, column (k) and should be granted confidential treatment for the same reasons. The capacity charge on line 43, column (i), and the supplemental gulf transportation rate in line 44, column (d), are the components of the total contractual segmented ocean barging rate. The amount on line 44, column (i), can be used with the tons in column (e), line 44, to back into the rate per ton in column (d). The amount on line 53, column (i), is a hand written FPSC field auditor note of the same amount on line 44, column (i), and should be confidential for the same reason. The amount in column (d) and (h), line 48, is the segmented total ocean barging rate per ton. The amount on line 49, column (i), is the segmented ocean barging transportation for monthly delivery of iron ore.

<u>Workpaper No.</u>	<u>Lines</u>	<u>Columns</u>	<u>Rationale</u>
Page 45-2/2-1	1	(c)	(1)
Page 45-2/2-1	2-22	(b)	(1)
Page 45-2/2-1	5,7,8,10,11,16,17,20	(c)	(1)
Page 45-2/2-1	23	(c)	(1)
Page 45-2/2-1	24	(c)	(1)
Page 45-2/2-1	25	(c)	(1)
Page 45-2/2-1	26	(b)	(1)
Page 45-2/2-1	26	(c)	(1)
Page 45-2/2-1	27	(b)	(1)
Page 45-2/2-1	27	(c)	(1)
Page 45-2/2-1	28	(c)	(1)
Page 45-2/2-1	29	(c)	(1)
Page 45-2/2-1	30	(c)	(1)

**Rationale for Confidentiality:**

- (1) This workpaper provides the detail for one month's segmented transportation prices for river barge transportation services and gulf barge transportation services shown on workpapers 45-2/1, 1 through 6. This data is entitled to confidential classification under Section 366.093 (3) (d) and (e), Fla. Stat. Disclosure of this information would impair the efforts of Tampa Electric to contract for goods and services on favorable terms. In addition, it would harm the competitive interests of Tampa Electric's transportation affiliates and thereby ultimately harm Tampa Electric and its customers. There exists vigorous competition among suppliers of these transportation services and any public disclosure of prices charged by Tampa Electric's affiliates would eliminate any negotiating leverage which the affiliates have in marketing their services to others. The rates in lines 2-22, column (b), is the actual segmented river transportation rate per ton. The transportation dollars in column (c) can be used in conjunction with the tons in column (a) to back into the rate per ton in column (b). The amount on line 23 is the total incremental segmented river transportation charge. The amounts on line 25-27 column (c) are the segmented ocean barging transportation charges. The rate on lines 26 and 27, column (b), can be used with

the tons on lines 26 and 27, column (a), to compute gulf transportation service charges. Line 29, column (c), is the dollars for a surfactant material delivered by Gulf Coast Services, disclosure of which would adversely impact Tampa Electric's customers.

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<u>Workpaper No.</u>	<u>Lines</u>	<u>Rationale</u>
Page 45-3	1,3,5,7	(1)

**Rationale for Confidentiality:**

- (1) This schedule is a duplicate of workpaper 10-4/2 and is confidential for the same reasons.

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<u>Workpaper No.</u>	<u>Lines</u>	<u>Rationale</u>
Page 45-3/2	1,3,5,7	(1)

**Rationale for Confidentiality:**

- (1) This schedule is a duplicate of workpaper 10-13/1-2 and is confidential for the same reasons.

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<u>Workpaper No.</u>	<u>Lines</u>	<u>Rationale</u>
Page 45-4	1	(1)
Page 45-4	3	(1)
Page 45-4	5	(1)

**Rationale for Confidentiality:**

- (1) This schedule contains the information on workpaper 45-3 line 5, and is confidential for the same reasons. This is contractual data the disclosure of which would adversely affect the ability of Tampa Electric and Gatliff to contract for the purchase and sale, respectively, of goods (coal) on favorable terms. As such, this information is protected under Section 366.093 (3) (d) and (e), Fla. Stat. Lines 3 and 5 can be used to back into the amount on line 1 and should be confidential for that reason.

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The following workpapers can be declassified as confidential:

Workpaper No.

Page 1 (1 of 3)  
Page 7-3 (1 of 2)  
Page 7-3 (2 of 2)  
Page 10-6a/1-1 (1 of 7)  
Page 10-6a/1-1 (2 of 7)  
Page 10-6a/1-1 (3 of 7)  
Page 10-6a/1-1 (4 of 7)  
Page 10-6a/1-1 (5 of 7)  
Page 10-6a/1-1 (6 of 7)  
Page 10-6a/1-1 (7 of 7)  
Page 10-8/1-1  
Page 10-8/1-2 (1 of 4)  
Page 10-8/1-2 (2 of 4)  
Page 10-8/1-2 (3 of 4)  
Page 10-8/1-2 (4 of 4)  
Page 10-8/5 (7 of 10)  
Page 10-8/5 (8 of 10)  
Page 10-8/5 (9 of 10)  
Page 10-8/5 (10 of 10)  
Page 10-12/1 1 of 3  
Page 10-12/1 2 of 3  
Page 10-12/1 3 of 3  
Page 10-18/1  
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Page 10-20/2  
Page 10-20/3  
Page 10-20/3-1 (1 of 11)  
Page 10-20/3-1 (2 of 11)  
Page 10-20/3-1 (3 of 11)  
Page 10-20/3-1 (4 of 11)  
Page 10-20/3-1 (5 of 11)  
Page 10-20/3-1 (6 of 11)  
Page 10-20/3-1 (7 of 11)  
Page 10-20/3-1 (8 of 11)  
Page 10-20/3-1 (9 of 11)  
Page 10-20/3-1 (10 of 11)  
Page 10-20/3-1 (11 of 11)  
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Page 45-4/1 (2 of 4)  
Page 45-4/1 (3 of 4)  
Page 45-4/1 (4 of 4)  
Page 48  
Page 48-1

RECEIVED

JUN 29 1995

Regulatory Coordination

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Fuel Purchased Power ) DOCKET NO. 950001-EI  
 Cost Recovery Clause and ) ORDER NO. PSC-95-0773-CFO-EI  
 Generating Performance Incentive ) ISSUED: June 27, 1995  
 Factor. )

ORDER NO. PSC-95-0773-CFO-EI  
 DOCKET NO. 950001-EI  
 PAGE 2

JSC

ORDER REGARDING FPL'S REQUEST FOR  
 CONFIDENTIAL TREATMENT OF APRIL, 1995 FORMS 423

Florida Power & Light Company (FPL), pursuant to Section 166.093, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, has requested specified confidential treatment of various columns of the following FPSC Form 423-1(a):

MONTH/YEAR	FORM	DOCUMENT NO.
April, 1995	423-1(a)	05510-95

FPL has requested specified confidential classification of lines 1-2 of columns H, Invoice Price; I, Invoice Amount; J, Discount; K, Net Amount; L, Net Price; M, Quality Adjustment; N, Effective Purchase Price; P, Additional Transportation Charges, and Q, Other Charges, on Form 423-1(a). FPL argues that column H, Invoice Price, contains contractual information which, if made public, would impair its efforts to contract for goods or services on favorable terms pursuant to Section 166.093(3)(d), Florida Statutes. The information, FPL maintains, delineates the price that FPL has paid for No. 6 fuel oil per barrel for specific shipments from specific suppliers. This information would, therefore, allow suppliers to compare a supplier's price with the market quote in order to determine the contract pricing formula between FPL and that supplier. Such formulas are made up of a markup in the quoted market price and a transportation charge for delivery to FPL's chosen port. Disclosure of the invoice price would allow competitors to derive this formula. Competitor's with this knowledge would likely converge on a target price, thereby reducing the likelihood that FPL would be able to obtain a price concession. The result would be higher fuel prices which would be passed on to FPL's ratepayers as higher rates. FPL asserts that the material identified as confidential information is intended to be and is treated by FPL as private and has not been otherwise publicly disclosed to the best of FPL's knowledge and belief.

FPL argues that lines 1-2 of columns I, Invoice Amount; J, Discount; K, Net Amount; L, Net Price; M, Quality Adjustment; and N, Effective Purchase Price, should be classified confidential because of the contract data found therein are an algebraic function of column H; the publication of these columns together, or independently, FPL argues, could allow suppliers to derive the invoice price of oil. In addition, the same lines in column J

reveal the existence and amount of an early payment incentive in the form of a discount reduction in the invoice price, the disclosure of which would allow suppliers again to derive the invoice price of oil. Further, column M includes a pricing term, a quality adjustment applied when fuel does not meet contract requirements, which, if disclosed, would also allow a supplier to derive the invoice price. Column N reveals the existence of quality or discount adjustments and will typically, FPL contends, be identical to H. FPL further argues that lines 1-2 of columns P, Additional Charges, and Q, Other Charges, are algebraic variables of column R, Delivered Price; and would allow a supplier to calculate the Invoice or Effective Purchase Price of oil by subtracting the columnar variables in H and N from column R. They are, therefore, entitled to confidential classification. Both columns P and Q, FPL argues, are alternatively entitled to confidential classification in that they contain terminaling, transportation, and petroleum inspection service costs which, due to the small demand for them in Florida, have the same, if not more severe, oligopolistic attributes as have fuel oil suppliers. Accordingly, FPL contends, disclosure of this contract data would result in increased prices to FPL for terminaling, transportation, and petroleum inspection service costs.

FPL's request for confidentiality is found to be reasonable, therefore the lines listed above are entitled to confidential treatment.

DECLASSIFICATION

FPL further requests the following proposed declassification dates which have been determined by adding six months to the last day of the contract period under which the goods or services identified were purchased:

FORM	LINE(S)	COLUMN(S)	DATE
423-1(a)	1	H - N	05-31-96
423-1(a)	2	H - N	10-31-95
423-1(a)	1 - 2	P	05-31-97
423-1(a)	1 - 2	Q	06/30/96

FPL requests that the confidential information identified above not be disclosed until the identified date of declassification. Disclosure of pricing information, FPL argues, during the contract period or prior to the negotiation of a new contract is reasonably likely to impair FPL's ability to negotiate future contracts as described above.

DOCUMENT NUMBER-DATE

05983 JUN 27 95

FPSC-RECORDS/REPORTING

Exhibit A

FPL maintains that it typically renegotiates its No. 2 and No. 6 fuel oil contracts and fuel related services contracts prior to the end of such contracts. On occasion, however, some contracts are not renegotiated, until after the end of the current contract period. In those instances, the contracts are usually renegotiated within six months. Accordingly, FPL states, it is necessary to maintain the confidentiality of the information identified as confidential on FPL's Form 423-1(a) for an additional six months.

FPL has requested a longer time period for classification of confidential information in the instance listed below:

FORM	LINE(S)	COLUMN(S)	DATE REQUESTED	DATE GRANTED
423-1(a)	9 - 25	P	03-31-99	05-31-97

FPL asserts that this time period is necessary to ensure that FPL is able to bargain on competitive terms in future negotiations for contractual provisions which will ultimately protect FPL's ratepayers. For the information subject to confidential treatment discussed earlier, FPL requested confidential treatment for a period of time up to the contract term, which did not exceed 18 months, plus an additional 6 month period at the end of the contract period to permit time for renegotiation. Its request comported with Rule 25-22.006(8)(a), Florida Administrative Code, therefore that information is entitled to an extension of its declassification dates as cited above. However, FPL requests that the confidential information regarding the above item not be declassified for a period of four years. Section 366.093(4), Florida Statutes, states that "[a]ny finding by the commission that records contain proprietary confidential business information is effective for a period set by the commission not to exceed 18 months, unless the commission finds, for good cause shown, that the retention from disclosure shall be for a specified longer period." With regard to lines 1-2 of column P, good cause has not been shown to hold this contractual information confidential for such a lengthy period. Instead, this contractual data is entitled to confidential status for a period of 18 months from the month in which this Order is issued. Near the end of this time period, FPL may resubmit a petition to extend this period of confidentiality. Thus, if such a petition is filed by FPL before the period's expiration, the prehearing officer will consider extending the period of confidentiality.

In consideration of the foregoing, it is

ORDERED that Florida Power & Light Company's request for confidential classification of the above specified information in Form 423-1(a) for April, 1995, the document identified as DN 05510-95 is granted, as discussed within the body of this Order. It is further

ORDERED that the proprietary confidential business information shall remain confidential for the periods of time discussed within the body of this Order. 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.

By ORDER of Commissioner J. Terry Deason, as Prehearing Officer, this 27th day of June, 1995.

  
J. TERRY DEASON, Commissioner and  
Prehearing Officer

( S E A L )

LW

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.59(4), 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.

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 25-22.038(2), Florida Administrative Code, if issued by a Prehearing Officer; (2) reconsideration within 15 days pursuant to Rule 25-22.060, Florida

Exhibit A

ORDER NO. PSC-95-0773-CFO-EI  
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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 the case of a water or wastewater utility. A motion for reconsideration shall be filed with the Director, Division of Records and Reporting, 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.

Exhibit A