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April 7, 2000

Bob Elias, Esq.
Div. of Legal Services
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

Re: Docket No. 000061-EI Allied/CFI v. Tampa Electric

Dear Bob:

Thank you for your efforts to encourage dialogue among the parties at the lengthy mediation held on April 5.

This will also respond to your invitation to submit suggestions on procedure for this proceeding.

Odyssey's paramount concern remains the preservation of the confidentiality of its trade secrets and other proprietary business information submitted in good faith pursuant to Tampa Electric's Commission-approved CISR tariff. We believe that a decision on Allied/CFI's demand for discovery of such materials is simply not ripe at this time. Instead, we suggest that Staff complete its review of Tampa Electric's March 10, 2000 analysis (Documents 03139-00 through 03143-00) and formulate a recommendation for Commission action on the merits thereon in a manner that preserves the confidentiality. The Commission's decision should be issued as proposed agency action.

AFA _____
APP _____
CAF _____
CMU _____
CTR _____
EAG _____
LEG _____
MAS _____
OPC _____
RRR _____
SEC _____
WAW _____
OTH _____

If there is a valid protest to the PAA, we suggest that in camera discovery proceedings be conducted to enable a careful and appropriate balancing of Odyssey's trade secret privilege and Allied/CFI's due process rights. We believe that counsel for all parties should be given an opportunity to participate at such in camera proceedings, subject to limitations and procedures to ensure that disclosure of privileged matters would be strictly prohibited. We believe it would be appropriate to convene such in camera

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proceedings before an Administrative Law Judge from the Division of
Administrative Hearings.

We would be glad to discuss further the above ideas and look forward to the
discussion at the April 18 agenda conference.

Sincerely,

A handwritten signature in black ink, appearing to read "Wayne L. Schiefelbein, for". The signature is written in a cursive style.

Patrick K. Wiggins

c: John Ellis, Esq.
Jim Beasley, Esq.
Harry Long, Esq.
Div. Records & Reporting