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October 3, 2000

HAND DELIVERED

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

ORIGINAL RECORDS AND REPORTING  
OCT 03 PM 3:11  
RECEIVED-FPSC

Re: Complaint of Allied Universal Corporation and Chemical Formulators, Inc.  
against Tampa Electric Company: FPSC Docket No. 000061-EI

Dear Ms. Bayo:

Enclosed for filing in the above docket are the original and fifteen (15) copies of Tampa Electric Company's Motion for Leave to File Supplemental Testimony and the Prepared Supplemental Direct Testimony of William Ashburn, David Sweat, and Victoria Westra and Request for Confidential Classification.

Tampa Electric is requesting confidential classification of the highlighted portions of the supplemental testimony and exhibits of Messrs. Ashburn and Sweat for the reasons set forth in the enclosed formal request. Therefore, Tampa Electric is filing redacted versions of the Ashburn and Sweat testimony and exhibits as well as a single copy of their unredacted testimony and exhibits. The unredacted testimony and exhibits are enclosed in the attached sealed envelope, with the confidential portions of that material highlighted.

An unredacted copy of the above-mentioned testimony and exhibits has been served on the parties of record who have executed the non-disclosure agreement approved by the Commission for use in this proceeding. Redacted copies of this material have been served on all parties of record.

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

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FPSC-BUREAU OF RECORDS

JDB/pp  
Enclosures

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

DOCUMENT NUMBER-DATE  
12551 OCT-38  
FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Complaint of Allied Universal Corporation )  
Chemical Formulators, Inc. against Tampa Electric )  
Company. )  
\_\_\_\_\_ )

DOCKET NO. 000061-EI  
FILED: October 3, 2000

ORIGINAL

**TAMPA ELECTRIC COMPANY'S  
MOTION FOR LEAVE TO FILE SUPPLEMENTAL TESTIMONY**

Pursuant to Rule 25-106.204, Florida Administrative Code, Tampa Electric Company ("Tampa Electric" or "the Company") respectfully requests authorization to file the attached Supplemental Testimony in the above-mentioned proceeding and says:

1. In the course of reviewing discovery materials being provided in this proceeding, Tampa Electric has discovered an error in its Prepared Direct Testimony that is both material and significant. In addition, the Company has obtained additional information that will permit it to update one of the inputs to its analysis.

2. While, as a general matter, Tampa Electric continues to take the position that Allied Universal Corporation / Chemical Formulators, Inc. ("Allied/CFI") has no legitimate cause of action in this proceeding since Allied/CFI and Odyssey Manufacturing Company ("Odyssey") are not similarly situated, correction of the above-mentioned error provides evidence which conclusively establishes the lack of merit in Allied/CFI's assertion of economic harm and disadvantage.

3. The attached Supplemental Direct Testimony that Tampa Electric proposes to file in this proceeding would correct the above-mentioned error and

DOCUMENT NUMBER-DATE

12551 OCT-38

FPSC-RECORDS/REPORTING

update another item contained in the Company's analysis. In so doing, the attached Supplemental Testimony would provide new information that is essential to the creation of a full and complete record and would, therefore, assist the Commission in its deliberations on the matters at issue in this proceeding.

4. Tampa Electric has conferred with Counsel for Odyssey and Allied/CFI. Odyssey has no objection to this Motion. Allied/CFI has stated its position in a letter to Tampa Electric as follows:

*"Based on your representation that the purpose of the supplemental testimony is to correct errors in the Testimony filed by TECO on June 28<sup>th</sup>, 2000, Allied does not oppose the motion provided that Allied is given a reasonable opportunity to conduct discovery and to file rebuttal testimony concerning the subjects of TECO's proposed supplemental direct testimony. Allied opposes TECO's motion to the extent that the proposed supplemental direct testimony is submitted for any purpose other than to the correction of errors in the testimony filed on June 28<sup>th</sup>, 2000."*

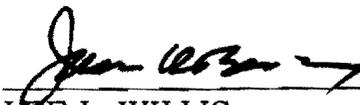
WHEREFORE, Tampa Electric respectfully requests that the Commission grant the Company leave to file the attached Supplemental Direct Testimony of William Ashburn, Victoria Westra and David Sweat in this proceeding.

DATED this 3<sup>rd</sup> day of October 2000.

Respectfully Submitted

HARRY W. LONG, JR.  
Assistant General Counsel  
Tampa Electric Company  
Post Office Box 111  
Tampa, Florida 33601  
(813) 228-1702

and



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ATTORNEYS FOR TAMPA ELECTRIC COMPANY

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing Motion for Leave to File Supplemental Testimony, filed on behalf of Tampa Electric Company, has been furnished by hand delivery (\*) or U. S. Mail this 3<sup>rd</sup> day of October, 2000 to the following:

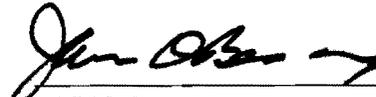
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\_\_\_\_\_  
ATTORNEY