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ORIGINAL

October 31, 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

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

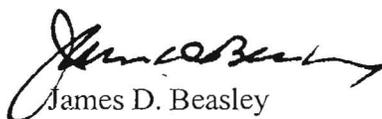
Dear Ms. Bayo:

Enclosed for filing in the above docket are the original and fifteen (15) copies of Tampa Electric Company's Answer in Opposition to Allied/CFI's Motion for Reconsideration.

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.)

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DOCUMENT NUMBER-DATE

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FPSC-RECORDS/REPORTING

ORIGINAL

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Complaint of Allied Universal Corporation and Chemical Formulators, Inc. against Tampa Electric Company for violation of Sections 366.03, 366.06(2) and 366.07, Florida Statutes, with respect to rates offered under Commercial/Industrial Service Rider tariff; Petition to examine and inspect confidential Information; and request for expedited relief.

DOCKET NO. 000061-EI

FILED: October 31, 2000

**TAMPA ELECTRIC COMPANY’S ANSWER IN OPPOSITION TO ALLIED/CFI’S MOTION FOR RECONSIDERATION**

Pursuant to Rule 25-22.0376, Florida Administrative Code, Tampa Electric Company (“Tampa Electric” or “Company”), hereby responds to the motion of Allied Universal Corporation and Chemical Formulators, Inc. (“Allied/CFI”) for reconsideration of Order No. PSC-00-1886-CFO-EI, issued on October 16, 2000 (the “October 16<sup>th</sup> Order”), and says:

1. Rather than expending its energies on the task of proceeding with the discovery process in an effort to find some intelligible basis for its allegations in this proceeding, Allied/CFI has chosen, instead, to waste this Commission’s valuable time on a motion that is logically flawed and procedurally pointless.

2. In its motion, Allied/CFI challenges the confidential treatment afforded certain enumerated documents provided by Sentry Industries, Inc. to Tampa Electric in the course of negotiations that culminated in the execution of a Contract Service Agreement (“CSA”) under Tampa Electric’s Commercial Industrial Service Rider (“CISR”) tariff with Sentry’s successor, Odyssey Manufacturing Inc. (“Odyssey”).

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Specifically, Allied/CFI invites the Commission to reconsider the October 16<sup>th</sup> Order, “to the extent that the facts concerning the effective date of TECO’s CISR tariff and the subjects of the above-listed correspondence may have been overlooked or not considered in the [October 16<sup>th</sup>] order.”

3. Allied/CFI’s rather cryptic assertions are based on the absurd proposition that the documents in question are not entitled to confidential treatment because they were provided to Tampa Electric prior to the effective date of the Company’s CISR tariff and related only to the provision of interruptible electric service. The fact is that all of the documents in question were provided to Tampa Electric as part of a negotiation for the provision of electric service to a new bleach facility that Sentry might locate in Tampa. These negotiations commenced before the effective date of Tampa Electric’s CISR tariff and continued after that effective date. The information provided in the documents in question formed the basis for the CSA that was ultimately executed between Tampa Electric and Odyssey, Sentry’s successor. The information was provided pursuant to a non-disclosure agreement executed by Sentry and Tampa Electric precisely because the information was highly sensitive and proprietary in nature. The bleach plant covered by the CSA was the same bleach plant that formed the subject matter of the documents in question. In every meaningful sense, the documents in question are CISR-related documents and are entitled to the protection that the Commission has afforded them.

4. Allied/CFI’s motion is particularly pointless since Allied/CFI already has access to the documents in question under the non-disclosure agreement approved by the Commission for use in this proceeding. Allied/CFI has been in a position to depose Tampa Electric’s witnesses in this proceeding for over two months. Instead of taking

advantage of that opportunity to move this case forward, they have chosen to dwell on pointless polemics. Assuming that Allied/CFI's interest in the documents in question is to gather information that might support its assertions in this proceeding, its motion arguing over the confidentiality of these documents serves no useful purpose and merely serves to further burden the Commission and Staff.

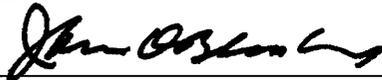
WHEREFORE, Tampa Electric respectfully requests that Allied/CFI's motion for rehearing of the October 16<sup>th</sup> Order be denied.

DATED this 31<sup>st</sup> day of October 2000.

Respectfully Submitted

HARRY W. LONG, JR.  
Assistant General Counsel  
Tampa Electric Company  
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and



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ATTORNEYS FOR Tampa Electric Company

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing Answer in Opposition to Allied/CFI's Motion for Reconsideration, filed on behalf of Tampa Electric Company, has been furnished by hand delivery (\*) or U. S. Mail this 31<sup>st</sup> day of October, 2000 to the following:

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

Ms. Marlene K. Stern\*  
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ATTORNEY