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November 6, 2000

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

Re: Docket No. 001287-EI; Petition of Tampa Electric Company for Approval of a Special Contract with IMC Phosphates Company for the Provision of Interruptible Electric Service

Dear Ms. Bayo:

Please find enclosed an original and fifteen (15) copies of Tampa Electric Company's Request for Confidential Classification and Protective Order in the above-mentioned proceeding.

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 time and attention in this matter.

Sincerely,

James D. Beasley
James D. Beasley

JDB/pp
Enclosures

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14314 NOV-68

FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition of Tampa Electric Company)
For Approval of a Special Contract With)
IMC Phosphates Company For The Provision)
of Interruptible Electric Service.)
_____)

DOCKET NO. 001287-EI

FILED: November 6, 2000

**TAMPA ELECTRIC COMPANY'S
REQUEST FOR CONFIDENTIAL CLASSIFICATION AND PROTECTIVE ORDER**

Pursuant to Section 366.093, Florida Statutes and Rule 25-22.006, Florida Administrative Code, Tampa Electric Company ("Tampa Electric" or "the Company") respectfully requests that the Commission treat as confidential information and exempt from public disclosure certain confidential proprietary business information contained in the Company's responses to Staff's First Set of Interrogatories (Nos. 1-23) in this docket and that the Commission issue an order protecting such information. In support thereof, the Company says:

1. Section 366.093, Florida Statutes, at subsection (3)(e), specifically states that proprietary, confidential business information includes:

"(e) Information relating to competitive interests, the disclosure of which would impair the competitive business of the provider of the information."

2. Tampa Electric is this date filing, under separate cover, its responses to Staff's First Set of Interrogatories in this proceeding. A number of these responses contain information that is commercially sensitive and proprietary to IMC Phosphates Company ("IMC") and/or Tampa Electric. A detailed justification for the requested confidential treatment of the information in question is set forth below.

3. The highlighted portions of the response to Interrogatory No. 1 disclose details regarding certain electric supply alternatives explored by IMC that are not a matter of public record.

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The customer regards this information as being proprietary information that its competitors could use to its disadvantage. As such, this information is the kind of sensitive, proprietary business information that should be protected under Section 366.093, Florida Statutes and the Commission's implementing rule.

4. The highlighted portions of the response to Interrogatory No. 2, including the highlighted portions of the associated table, contain information on the Customer's electric service billing and usage. Information on the Customer's load and electric expense can be used to extrapolate other proprietary information concerning the Customer's business operations, all of which could be used by the Customer's competitors to the Customer's disadvantage.

5. The highlighted portion of the response to Interrogatory No. 4 that reveals the load associated with the one Contract Service Agreement under Tampa Electric's Commercial Industrial Service Rider ("CISR") tariff is propriety business information that could be used to the competitive disadvantage of the customer in question. The Company's CISR tariff explicitly provides that such information shall be treated as confidential information and shall only be provided to the Commission and its Staff.

6. The highlighted portions of the response to Interrogatory Nos. 6(a) and (b) detailing the amount of buy-through energy purchased and the \$/MWH charged to IMC for that energy provides information with regard to IMC's cost and production that its competitors would make use of to IMC's disadvantage. As such, this information is the kind of sensitive, proprietary business information that should be protected under Section 366.093, Florida Statutes and the Commission's implementing rule.

7. The highlighted portions of the response to Interrogatory No. 7 provide the combined annual electric consumption for four customers in the same SIC code as IMC. Even though these customers are not named in the response, the group is sufficiently small so that the identities, relative

costs and production levels of these customers could be deduced if their combined consumption is made public, potentially resulting in competitive harm to these customers.

8. The highlighted portions of the response to Interrogatory No. 8 disclose the total combined energy of all interruptible customers except IMC. Since the total energy for all interruptible customers has been publicly disclosed elsewhere, public disclosure of the total interruptible energy, excluding IMC, would have the effect of disclosing IMC's load. IMC's energy consumption information is commercially sensitive proprietary information that could be used to IMC's disadvantage by its competitors.

9. The highlighted portions of the response to Interrogatory No. 18 disclose negotiated rates and billing determinants and projected fuel costs that are proprietary in nature. The negotiated rate and billing determinant information could be used to IMC's disadvantage by its competitors. Public disclosure of the Tampa Electric fuel cost projections would seriously undermine the Company's ability to acquire wholesale power supplies at reasonable prices.

10. The highlighted portions of the response to Interrogatory No. 19 disclose IMC's monthly energy consumption. This information is proprietary and could be used by IMC's competitors to its disadvantage.

11. The highlighted portions of the response to Interrogatory No. 20 contain information on the Customer's electric service billing and usage. Information on the Customer's load and electric expense can be used to extrapolate other proprietary information concerning the Customer's business operations, all of which could be used by the Customer's competitors to the Customer's disadvantage.

12. The highlighted portions of the response to Interrogatory No. 21 contain information on the Customer's electric service usage. Information on the Customer's load can be used to extrapolate other proprietary information concerning the Customer's business operations, all of which could be used by the Customer's competitors to the Customer's disadvantage.

13. The material for which confidential classification is sought is intended to be and is treated by Tampa Electric and IMC as private and has not been disclosed.

WHEREFORE, Tampa Electric respectfully requests that the Commission grant the Company's request for confidential classification of the highlighted portions of the above-mentioned interrogatory responses and that the Commission issue an order protecting such information from discovery.

DATED this 6th day of November 2000.

Respectfully Submitted

HARRY W. LONG, JR.
Assistant General Counsel
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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 Request for Confidential Classification and Protective Order, filed on behalf of Tampa Electric Company, has been served by hand delivery (*) on this 6th day of November 2000 to the following:

Ms. Deborah D. Hart*
Staff Counsel
Division of Legal Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850



ATTORNEY