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July 13, 2001

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COMMISSION  
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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: Fuel and Purchased Power Cost Recovery Clause with Generating  
Performance Incentive Factor; FPSC Docket No. 010001-EI

Dear Ms. Bayo:

In Order No. PSC-01-1444-PCO-EI Tampa Electric was ordered to answer the Florida Industrial Power User Group's ("FIPUG") Interrogatory No. 1, including information regarding any wholesale power purchases made by Tampa Electric's non-regulated affiliates from entities unrelated to Tampa Electric. The Order also called for Tampa Electric and FIPUG to negotiate a non-disclosure agreement protecting the information in question from public disclosure.

Tampa Electric disagrees with Order No. 01-1444 to the extent that it would require Tampa Electric to attempt to produce information relating to wholesale power purchases by any Tampa Electric affiliate from any entity not affiliated with Tampa Electric. Tampa Electric believes that such information is beyond the scope of the access contemplated in Section 366.093(1), Florida Statutes. In addition, Tampa Electric is precluded by a code of conduct required by the Federal Energy Regulatory Commission from having access to information concerning wholesale power purchases by its unregulated affiliates. The company would move for reconsideration of this aspect of Order No. 01-1444 but for the fact that the company has determined that no TECO affiliate purchases any electric power at wholesale. TECO Power Services owns a minority interest in an electric distribution system in the country of Guatemala, but that system is operated by a Spanish utility that purchases electric power for resale to the customers of the Guatemalan distribution system. Tampa Electric can only conclude that power purchases made by a Spanish utility operating an electric distribution system in Guatemala is beyond the scope of FIPUG's Interrogatory No. 1.

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Tampa Electric has advised FIPUG of the foregoing. In light of the absence of any wholesale power purchases by Tampa Electric affiliates from non-Tampa Electric related third parties, there is no need for a non-disclosure agreement.

Sincerely,



James D. Beasley

JDB/pp

cc: All Parties of Record  
Commissioner Lila A. Jaber, Prehearing Officer