



# Public Service Commission

## -M-E-M-O-R-A-N-D-U-M-

**DATE:** August 20, 2001  
**TO:** Marlene Stern, Division of Legal Services  
**FROM:** Elisabeth Draper, Division of Economic Regulation *EJD*  
**RE:** Docket No. 000061-EI - Complaint by Allied Universal Corporation and Chemical Formulators, Inc. against Tampa Electric Company for Violations of Sections 366.03, 366.06(2) and 366.07, F.S.

*DW*  
*ca*

**Recommendation concerning Tampa Electric Company's (TECO) Request for confidential classification of Document Nos. 05470-01, 05471-01, 05472-01, 05473-01.**

The above-referenced documents are deposition transcripts of TECO witnesses Ashburn, Rodriguez, Sweat, and Westra. On May 1, 2001, TECO requested confidential classification pursuant to Rule 25-22.006, Florida Administrative Code, and Section 366.093, Florida Statutes of the information contained in the documents.

Exhibit A of TECO's confidentiality request lists the pages and lines for which TECO seeks confidential classification. In addition, TECO provides in Exhibit A the rationale for its confidentiality request for each page and line.

**Document No. 05470-01, Deposition Transcript (Volumes 1, 2, and 3) of William Ashburn, and late-filed deposition exhibit 7 and 8.**

Staff recommends that TECO's confidentiality request for Document No. 05470-01 be granted, except for the pages and lines listed in the table below.

Page	Lines	Justification
11	1-10 12-25	Information does not disclose negotiated terms of Allied's CSA or inputs into the RIM analysis
12	1-11	Grant confidentiality only for numerical value on line 7. Rest of the information does not disclose negotiated terms of Allied's CSA or inputs into the RIM analysis

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DOCUMENT NUMBER-DATE

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81	11-14, 16-19	Information does not disclose negotiated terms of Odyssey's CSA, inputs into the RIM analysis, or operational characteristics of Odyssey
84	14-18	Information does not disclose negotiated terms of Odyssey's CSA; information refers to TECO's interruptible customers
89	25	Information refers to a public document
101	7,8,9	Numerical value can be found in TECO's quarterly CISR report. TECO did not request confidential classification of the value.
125	17-24	General description of the RIM model that does not disclose customer-specific inputs or results
126	4-14, 18-19	Rest of the information is a general description of the RIM model that does not disclose customer-specific inputs or results
131	18-22	General description of the RIM model that does not disclose customer-specific inputs or results
132	2-25	Grant confidentiality only for first word in lines 7 and 16 and numerical RIM values in lines 6, 11, and 15. Rest of the information is a general description of the RIM model that does not disclose customer-specific inputs or results
133	1-20	Grant confidentiality only for numerical values in lines 18 and 19. Rest of the information is a general description of the RIM model that does not disclose customer-specific inputs or results
139	19-25	General description of the RIM model that does not disclose customer-specific inputs or results
140	1-12	General description of the RIM model that does not disclose customer-specific inputs or results
145	16-18	Question with respect to the RIM model that does not disclose specific RIM information
146	5	Question with respect to the RIM model that does not disclose specific RIM information
146	11-19	General description of the RIM model that does not disclose customer-specific inputs or results
147	6-9	General description of the RIM model that does not disclose customer-specific inputs or results

158	22-25	General description of the RIM model that does not disclose customer-specific inputs or results
177	11-12	Information does not reveal operational characteristics or electrical usage of Odyssey or Allied
180	1	Information does not reveal operational characteristics or electrical usage of Odyssey or Allied
179	7-18, 23	Grant confidentiality only for first 3 words in line 10; rest of the information does not reveal operational characteristics or electrical usage of Odyssey or Allied
183	19-24	General description of the RIM model that does not disclose customer-specific inputs or results
200	20	Numerical value can be found in TECO's quarterly CISR report. TECO did not request confidential classification of the value
201	2	Numerical value can be found in TECO's quarterly CISR report. TECO did not request confidential classification of the value
212	4-6	General description of the RIM model that does not disclose customer-specific inputs or results
222	7-13	Grant confidentiality for line 11 only, rest of the information does not qualify as proprietary business information
223	7-8, 13-15	Information does not qualify as proprietary business information
224	15,18	Information does not qualify as proprietary business information. Information merely references a docket
225	15	Information does not qualify as proprietary business information
226	24	Information does not qualify as proprietary business information. Petition referenced is a public document
252	13-17	Information does not disclose results from the RIM analysis or operational characteristics, and does not qualify as proprietary business information

Staff recommends denial of TECO's request for confidentiality for the pages and lines listed in the table above. These pages contain information that does not meet the requirements of Section 366.093, Florida Statutes.

**Document No. 05471-01, Deposition Transcript (Volumes 1 and 2) of Lawrence Rodriguez.**

Staff recommends that Document No. 05471-01 be granted confidential classification, except for the pages and lines listed in the table below:

Page	Lines	Justification
94	13-15	Grant confidentiality only for numerical value on line 15. Remaining information is a general description of TECO's objective; similar information can be found at Page 111, lines 4-5 or TECO's Prehearing Statement as filed January 19, 2001
95	24-25	General description of TECO's objective; similar information can be found at Page 111, lines 4-5 or TECO's Prehearing Statement as filed January 19, 2001
97	24-25	General description of TECO's objective; similar information can be found at Page 111, lines 4-5 or TECO's Prehearing Statement as filed January 19, 2001
98	3	Numerical value can be found in TECO's quarterly CISR report. TECO did not request confidential classification of the value
99	6,7-9	General description of TECO's objective; similar information can be found at Page 111, lines 4-5 or TECO's Prehearing Statement as filed January 19, 2001.
100	14, 16	General description of TECO's objective; similar information can be found at Page 111, lines 4-5 or TECO's Prehearing Statement as filed January 19, 2001
106	7-25	General information about TECO's interruptible customers that does not disclose negotiated terms of either Allied's or Odyssey's CSA

107	1,3-9, 12-16, 22	General information about TECO's interruptible customers that does not disclose negotiated terms of either Allied's or Odyssey's CSA
108	9-11, 13-14, 16, 21	General information about TECO's interruptible customers that does not disclose negotiated terms of either Allied's or Odyssey's CSA
109	8-9, 13-15, 17, 23-25	General information about TECO's interruptible customers that does not disclose negotiated terms of either Allied's or Odyssey's CSA
110	1-2	General information about TECO's interruptible customers that does not disclose negotiated terms of either Allied's or Odyssey's CSA
114	12	General statement that does not disclose a specific action taken between TECO and either Allied or Odyssey
115	8-9	Question that does not disclose a specific action taken between TECO and either Allied or Odyssey
127	21,24	Information does not disclose operational characteristics of Odyssey or Allied
128	3-6, 8,9	Information does not disclose operational characteristics of Odyssey or Allied
210	8	General information about the RIM analysis

Staff recommends denial of TECO's request for confidentiality for the pages and lines listed in the table above. These pages contain information that does not meet the requirements of Section 366.093, Florida Statutes.

**Document No. 05472-01, Deposition Transcript of David Sweat (Volume 1).**

Staff recommends that TECO's confidentiality request for Document No. 05472-01 be granted.

**Document No. 05473-01, Deposition Transcript of Victoria Westra (Volumes 1 and 2).**

Staff recommends that TECO's confidentiality request for Document No. 05473-01 be granted.

STATE OF FLORIDA

Commissioners:  
E. LEON JACOBS, JR., CHAIRMAN  
J. TERRY DEASON  
LILA A. JABER  
BRAULIO L. BAEZ  
MICHAEL A. PALECKI



DIVISION OF RECORDS & REPORTING  
BLANCA S. BAYÓ  
DIRECTOR  
(850) 413-6770

Public Service Commission

M-E-M-O-R-A-N-D-U-M

DATE: May 2, 2001

TO:          DIVISION OF APPEALS  
         DIVISION OF COMPETITIVE SERVICES  
XX          DIVISION OF ECONOMIC REGULATION  
         DIVISION OF LEGAL SERVICES  
         DIVISION OF POLICY ANALYSIS & INTERAGENCY LIAISON  
         DIVISION OF REGULATORY OVERSIGHT  
         DIVISION OF SAFETY & ELECTRIC RELIABILITY

RECEIVED  
1011 MAY -2 11 3:42  
PUBLIC SERVICE

FROM: DIVISION OF RECORDS AND REPORTING

RE: CONFIDENTIALITY OF CERTAIN INFORMATION

DOCUMENT NO: 05470-01

DESCRIPTION: Deposition Transcript, Volumes 1, 2, 3, and late-filed  
deposition exhibits 7 and 8 of William Ashburn

SOURCE: Tampa Electric Company

DOCKET NO: 000061-EI

The above material was received with a request for confidentiality. Please prepare a recommendation for the attorney assigned to the case by completing the section below and forwarding a copy of this memorandum, together with a brief memorandum supporting your recommendation, to the attorney. Copies of your recommendation should also be provided to the Division of Records and Reporting and to the Division of Appeals.

Please read each of the following and check if applicable.

The document(s) is (are), in fact, what the utility asserts it (them) to be.

The utility has provided enough details to perform a reasoned analysis of its request.

The material has been received incident to an inquiry.

The material is confidential business information because it includes:

- (a) Trade secrets;
- (b) Internal auditing controls and reports of internal auditors;
- (c) Security measures, systems, or procedures;
- (d) Information concerning bids or other contractual data, the disclosure of which would impair the efforts of the company to contract for services on favorable terms;
- (e) Employee personnel information unrelated to compensation, duties, qualifications, or responsibilities;
- (f) Tax returns or tax-related information;
- (g) Information relating to competitive interests, the disclosure of which would impair the competitive business of the provider of information.

The material appears to be confidential in nature and harm to the company or its ratepayers will result from public disclosure.

The material appears not to be confidential in nature.

The material is a periodic or recurring filing and each filing contains confidential information.

Response prepared by: Elisabeth Doye

Date: 3/27/01

- cc:     APP         PAI  
 CMP         RAR  
 ECR         RGO  
 LEG         SER

STATE OF FLORIDA

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FROM: **DIVISION OF RECORDS AND REPORTING**

RE: **CONFIDENTIALITY OF CERTAIN INFORMATION**

DOCUMENT NO: 05471-01

DESCRIPTION: Deposition Transcript, Volumes 1 and 2 of Lawrence Rodriguez

SOURCE: Tampa Electric Company

DOCKET NO: 000061-EI

ECONOMIC REGULATION  
1 MAY -2 PM 3:42  
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Response prepared by: Elisabeth Dyer

Date: 8/27/01

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 CMP       RAR  
 ECR       RGO  
 LEG       SER

STATE OF FLORIDA

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         DIVISION OF REGULATORY OVERSIGHT  
         DIVISION OF SAFETY & ELECTRIC RELIABILITY

FROM: DIVISION OF RECORDS AND REPORTING

RE: CONFIDENTIALITY OF CERTAIN INFORMATION

DOCUMENT NO: 05472-01

DESCRIPTION: Deposition Transcript, Volume 1 of C. David Sweat

SOURCE: Tampa Electric Company

DOCKET NO: 000061-EI

ECONOMIC REGULATION  
01 MAY -2 PM 3:4  
DIVISION OF RECORDS & REPORTING

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Response prepared by: Chisabeth Dage

Date: 8/27/01

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         DIVISION OF SAFETY & ELECTRIC RELIABILITY

FROM: DIVISION OF RECORDS AND REPORTING

RE: CONFIDENTIALITY OF CERTAIN INFORMATION

DOCUMENT NO: 05473-01

DESCRIPTION: Deposition Transcript, Volumes 1 and 2 of Victoria L. Westra

SOURCE: Tampa Electric Company

DOCKET NO: 000061-EI

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ECONOMIC REGULATION  
DIVISION OF RECORDS & REPORTING

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Response prepared by: Elisbeth Age

Date: 8/27/01

cc:  APP     PAI  
 CMP     RAR  
 ECR     RGO  
 LEG     SER