

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for approval of
Commercial/Industrial Service
Rider tariff by Tampa Electric
Company.

DOCKET NO. 980706-EI
ORDER NO. PSC-01-1936-CFO-EI
ISSUED: September 26, 2001

ORDER GRANTING CONFIDENTIAL CLASSIFICATION TO
TAMPA ELECTRIC COMPANY'S COMMERCIAL/INDUSTRIAL
SERVICE RIDER REPORT FOR QUARTER ENDING JUNE 30, 2001
(DOCUMENT NO. 08346-01)

Pursuant to Section 366.093, Florida Statutes, and Rule 25-22.006; Florida Administrative Code, Tampa Electric Company (TECO or Company) has requested specified confidential treatment for certain information contained in TECO's Commercial/Industrial Service Rider (CISR) Report for the quarter ending June 30, 2001. The confidential information is located in Document No. 08346-01.

TECO contends that release of the information contained in the CISR Report could cause harm to both TECO and any entity that has entered into the Contract Service Agreement (CSA). TECO maintains that the information for which confidential classification is sought, is intended to be, and is treated by TECO as private, and has not been publicly disclosed. Accordingly, the Company requests that the information be granted confidential classification pursuant to Section 366.093(3)(e), Florida Statutes.

INFORMATION FOR WHICH CONFIDENTIAL CLASSIFICATION IS SOUGHT

TECO specifically requested confidential classification for the negotiated rate for a CISR customer, cumulative total revenues associated with all Contract Service Agreements (CSA) executed, and the escalation rate of the negotiated CISR rate. TECO asserts that the release of the information contained in the report could cause harm to both TECO and the customers that have entered into the CSA. Public disclosure of the information would impair TECO's ability to negotiate terms and conditions in future CSAs that are favorable to TECO and its customers. As such, TECO maintains that this information is entitled to confidential protection under Section 366.093, Florida Statutes.

DOCUMENT NUMBER-DATE

12116 SEP 26 01

PSC-COMMISSION CLERK

ORDER NO. PSC-01-1936-CFO-EI
DOCKET NO. 980706-EI
PAGE 2

CONCLUSION

Upon review, the information described above appears to be proprietary, confidential business information within the meaning of Section 366.093(3), Florida Statutes. Therefore, TECO's request for confidential classification of information contained in its Commercial/Industrial Service Rider Report for the quarter ending June 30, 2001, is granted.

Section 366.093(4), Florida Statutes, provides that "any finding by the Commission that records contain proprietary confidential business information is effective for a period not to exceed 18 months, unless good cause is shown for a specified longer period." TECO did not specify a time period in its request. Therefore, this information shall be granted confidential classification for a period of 18 months from the date of issuance of this Order.

Based on the foregoing, it is

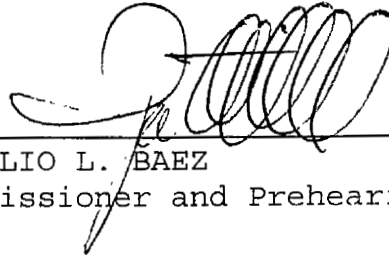
ORDERED by Commissioner Braulio L. Baez, as Prehearing Officer, that the request by Tampa Electric Company that the information contained in its Commercial/Industrial Service Rider Report for the quarter ending June 30, 2001, be granted confidential classification, is approved. It is further

ORDERED that the information described within the body of this Order and contained in Document No. 08346-01 shall be granted confidential classification for a period of 18 months from the date of the issuance of this Order. It is further

ORDERED that this Order shall be the only notification by the Commission to the parties of the date of declassification of the materials discussed herein.

ORDER NO. PSC-01-1936-CFO-EI
DOCKET NO. 980706-EI
PAGE 3

By ORDER of Commissioner Braulio L. Baez, as Prehearing Officer, this 26th day of September, 2001.



BRAULIO L. BAEZ
Commissioner and Prehearing Officer

(S E A L)

RVE

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

Any party adversely affected by this order, which is preliminary, procedural or intermediate in nature, may request: (1) reconsideration within 10 days pursuant to Rule 25-22.0376, Florida Administrative Code, if issued by a Prehearing Officer; (2) reconsideration within 15 days pursuant to Rule 25-22.060, Florida Administrative Code, if issued by the Commission; or (3) judicial review by the Florida Supreme Court, in the case of an electric, gas or telephone utility, or the First District Court of Appeal, in the case of a water or wastewater utility. A motion for

ORDER NO. PSC-01-1936-CFO-EI

DOCKET NO. 980706-EI

PAGE 4

reconsideration shall be filed with the Director, Division of the Commission Clerk and Administrative Services, in the form prescribed by Rule 25-22.060, Florida Administrative Code. Judicial review of a preliminary, procedural or intermediate ruling or order is available if review of the final action will not provide an adequate remedy. Such review may be requested from the appropriate court, as described above, pursuant to Rule 9.100, Florida Rules of Appellate Procedure.