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IN REPLY REFER TO

October 10, 2002

Ansley Watson, Jr.
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VIA FEDERAL EXPRESS

Blanca S. Bayo, Director
Division of Commission Clerk & Administrative Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

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Re: Docket No. 020384-GU -- Application for a rate increase by Tampa Electric Company d/b/a PEOPLES GAS SYSTEM

Dear Ms. Bayo:

Enclosed for filing in the above docket on behalf of Peoples Gas System, please find the original and 20 copies of Peoples' Second Motion for Temporary Protective Order relating to documents produced pursuant to Category 15 of the Citizens' First Set of Requests for Production of Documents.

Please acknowledge your receipt and the date of filing of the enclosures on the duplicate copy of this letter, and return the same to me in the enclosed preaddressed envelope.

Thank you for your assistance.

Sincerely,


ANSLEY WATSON, JR.

AUS _____
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OTH _____ Enclosures

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Blanca S. Bayo, Director
October 10, 2002
Page 2

cc: Parties of Record
Ms. Angela Llewellyn
Matthew R. Costa, Esquire

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Application for a rate increase by :
Tampa Electric Company d/b/a Peoples :
Gas System :

Docket No. 020384-GU

Submitted for Filing:
10-11-02

PEOPLES' SECOND MOTION FOR TEMPORARY PROTECTIVE ORDER

Peoples Gas System ("Peoples" or the "Company"), by its undersigned attorneys, hereby moves pursuant to Section 366.093, *Florida Statutes*, and Rule 25-22.006(6), *Florida Administrative Code*, for entry of a temporary protective order covering certain documents sought in discovery by the Office of Public Counsel on behalf of the Florida Citizens, and as grounds therefor states as follows:

1. On or about September 20, 2002, Peoples responded to the Florida Citizens' First Set of Requests for Production of Documents (the "Citizens' Request") by providing certain documents responsive to the Request for inspection. Copies of certain responsive documents containing sensitive, confidential proprietary business information that has been treated as such by Peoples, its parent company and affiliates, and is information that Peoples has agreed to keep confidential, have been delivered to counsel for the Florida Citizens.

2. As pertinent to this motion, the documents provided to counsel for the Florida Citizens consists of two reports of internal audits entitled "TECO Energy, Inc. - Restricted Stock Plan Agreed-Upon Procedures," and "TECO Energy, Inc. - Treasury Department - Total Debt-to-Capitalization Ratio Audit," respectively, which were covered by Category 15 of the Citizens' Request. These internal audit reports are treated by TECO Energy,

DOCUMENT NUMBER 020384-GU

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FPSC-COMMISSION CLERK

Inc., and by Peoples, as confidential, and are entitled to be treated as confidential proprietary business information (See: §366.093(3)(b), *Florida Statutes*).

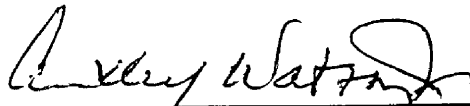
3. Section 366.093(2), *Florida Statutes*, and Rule 25-22.006(6), *Florida Administrative Code*, direct that all records produced pursuant to a discovery request for which proprietary confidential status is requested shall be treated by the Commission and the Office of Public Counsel as confidential and shall be exempt from the public records law, Section 119.07(1), *Florida Statutes*. Peoples by this motion seeks protection of the above described documents, but will provide copies of the documents responsive to these requests marked as confidential subject to this request and the above laws. By following this procedure and producing these documents, Peoples does not waive its right to seek further relief as necessary to make certain that its confidential proprietary business information is not publicly disclosed.

4. Peoples further requests that in connection with the entry of a temporary protective order the Commission also require the Office of Public Counsel, upon determining that it intends to use any of such confidential documents in connection with the hearing, provide Peoples with notice of such intent.

WHEREFORE, Peoples requests that the Commission enter an Order granting this motion relating to certain documents identified as confidential produced in response to Category 15 of the Citizens' First Set of Requests for Production of Documents and provided to the Office of Public Counsel, instructing Public Counsel to continue to treat them as confidential, and requiring Public Counsel to provide Peoples with notice of its

intent to use any of such confidential documents in connection with the hearing in accordance with the Order Establishing Procedure issued in this docket.

Respectfully submitted,



ANSLEY WATSON, JR.
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and

MATTHEW R. COSTA
Legal Department
TECO Energy, Inc.
P. O. Box 111
Tampa, Florida 33601-1531
(813) 228-4938

Attorneys for Peoples Gas System

CERTIFICATE OF SERVICE

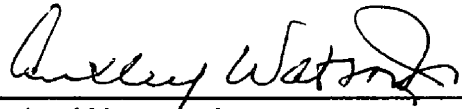
I HEREBY CERTIFY that a true copy of the foregoing Second Motion for Temporary Protective Order has been furnished via Federal Express to H. F. Rick Mann, Esquire, Office of Public Counsel, c/o The Florida Legislature, 111 W. Madison Street, Room 812, Tallahassee, Florida 32399-1400, and that a copy of said Motion has been furnished by hand delivery* or Federal Express** to the following, this 10th day of October, 2002:

John W. McWhirter, Jr., Esquire*
McWhirter, Reeves, McGlothlin *et al.*
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Ansley Watson, Jr.