

# AUSLEY & McMULLEN

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ORIGINAL

November 12, 2002

HAND DELIVERED

RECEIVED-FPSC  
02 NOV 12 AM 11:41  
COMMISSION  
CLERK

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

Re: Fuel and Purchased Power Cost Recovery Clause with Generating Performance  
Incentive Factor; FPSC Docket No. 020001-EI

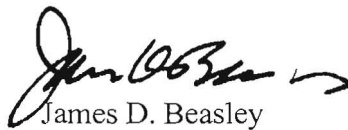
Dear Ms. Bayo:

Enclosed for filing in the above docket are the original and ten (10) copies of Tampa  
Electric Company's Notice of Intent to Seek Confidential Classification of its answer to Staff's  
Third Request for Production of Documents (Document No. 5).

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 assistance in connection with this matter.

Sincerely,

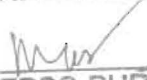
  
James D. Beasley

AUS \_\_\_\_\_  
CAF \_\_\_\_\_  
CMP \_\_\_\_\_  
COM \_\_\_\_\_ JDB/pp  
CTR \_\_\_\_\_ Enclosure  
ECR \_\_\_\_\_  
GCL \_\_\_\_\_  
OPC \_\_\_\_\_  
MMS \_\_\_\_\_ cc: All Parties of Record (w/enc.)  
SEC \_\_\_\_\_ Todd Borhmann (w/enc.)  
OTH Marguerite

**This docketed notice of intent was filed with  
Confidential Document No. 12343-02. The  
document has been placed in confidential storage  
pending timely receipt of a request for  
confidentiality.**

*Confidential*  
DOCUMENT NUMBER-DATE  
12343 NOV 12 02

RECEIVED & FILED

  
FPSC-BUREAU OF RECORDS

*NO 1*  
DOCUMENT NUMBER-DATE  
12342 NOV 12 02

FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Fuel and Purchased Power Cost Recovery )  
Clause with Generating Performance Incentive ) DOCKET NO. 020001-EI  
Factor. ) FILED: November 12, 2002  
\_\_\_\_\_ )

**TAMPA ELECTRIC COMPANY'S  
NOTICE OF INTENT TO SEEK CONFIDENTIAL CLASSIFICATION**

Tampa Electric Company ("Tampa Electric" or "company") hereby serves notice of its intent to seek confidential classification of the company's response to Staff's Third Request for Production of Documents (Document Request No. 5). In support thereof, the company says:

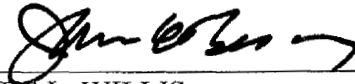
1. Tampa Electric is simultaneously filing under a separate cover letter a confidential version of the response to the company's answer to Staff's Third Request for Production of Documents (Document Request No. 5) ("the Confidential Information").

2. The Confidential Information consists of confidential proprietary business information the disclosure of which would be harmful to Tampa Electric and its customers. Tampa Electric will follow up this Notice with a justification for confidential treatment of the Confidential Information.

3. Pursuant to Section 366.093, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, Tampa Electric requests that the Confidential Information be treated as confidential and exempt from the public records law and that the Confidential Information be returned to Tampa Electric before expiration of the 21 day period for submitting written justification for confidential treatment.

DATED this 12<sup>th</sup> day of November 2002.

Respectfully submitted,



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LEE L. WILLIS  
JAMES D. BEASLEY  
Ausley & McMullen  
Post Office Box 391  
Tallahassee, Florida 32302  
(850) 224-9115

ATTORNEYS FOR TAMPA ELECTRIC COMPANY

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing Notice of Intent, filed on behalf of Tampa Electric Company, has been furnished by U. S. Mail or hand delivery (\*) on this 12<sup>th</sup> day of November 2002 to the following:

Mr. Wm. Cochran Keating, IV\*  
Staff Counsel  
Division of Legal Services  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0863

Mr. James A. McGee  
Associate General Counsel  
Florida Power Corporation  
Post Office Box 14042  
St. Petersburg, FL 33733

Mr. Joseph A. McGlothlin  
Ms. Vicki Gordon Kaufman  
Mr. Timothy J. Perry  
McWhirter, Reeves, McGlothlin, Davidson,  
Decker, Kaufman & Arnold, P.A.  
117 S. Gadsden Street  
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Mr. Robert Vandiver  
Associate Public Counsel  
Office of Public Counsel  
111 West Madison Street – Suite 812  
Tallahassee, FL 32399-1400

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Messer Caparello & Self  
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Tallahassee, FL 32302

Mr. John T. Butler  
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Mr. William Walker  
Florida Power & Light Company  
215 South Monroe Street, Suite 810  
Tallahassee, FL 32301-1859

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Florida Power & Light Company  
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Juno Beach, FL 33408

Mr. John W. McWhirter, Jr.  
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Ms. Susan Ritenour  
Gulf Power Company  
One Energy Place  
Pensacola, FL 32520

Mr. Jeffrey A. Stone  
Mr. Russell A. Badders  
Beggs & Lane  
Post Office Box 12950  
Pensacola, FL 32591-2950

  
\_\_\_\_\_  
ATTORNEY