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November 12, 2002

HAND DELIVERED

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 Request for Confidential Classification of its answer to Interrogatory No. 84  
of Staff's Fourth Set of Interrogatories (Nos. 83-96).

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

JDB/pp  
Enclosure

- AUS \_\_\_\_\_
- CAF \_\_\_\_\_
- CMP \_\_\_\_\_
- COM \_\_\_\_\_
- CTR \_\_\_\_\_
- ECR \_\_\_\_\_
- GCL \_\_\_\_\_
- OPC \_\_\_\_\_
- MMS \_\_\_\_\_
- SEC \_\_\_\_\_
- OTH \_\_\_\_\_

cc: All Parties of Record (w/enc.)

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FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE

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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  
\_\_\_\_\_ )

**REQUEST FOR CONFIDENTIAL CLASSIFICATION**

Tampa Electric Company (“Tampa Electric” or “the company”), pursuant to Section 366.093, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, hereby requests confidential classification of the highlighted information contained in Tampa Electric Company’s answer to Staff’s Fourth Set of Interrogatories No. 84, page 1 of 1 (the “Confidential Information”), which were filed on a confidential basis in the above docket on November 4, 2002, pursuant to a Notice of Intent to Seek Confidential Classification. Two public copies of the company’s answer to Interrogatory No. 84 with the Confidential Information redacted are also enclosed with this request. In support of its request, Tampa Electric states as follows:

1. Subsection 366.093(1) provides that any records “found by the Commission to be proprietary confidential business information shall be kept confidential and shall be exempt from s. 119.07(1) [requiring disclosure under the Public Records Act].” Proprietary confidential business information includes, but is not limited to “[i]nformation concerning . . . contractual data, the disclosure of which would impair the efforts of the public utility or its affiliates to contract for goods or services on favorable terms.” Subsection 366.093(3)(d). Proprietary confidential business information also includes “[i]nformation relating to competitive interests, the disclosure of which would impair the competitive business of the provider of the information.” Section 366.093(3)(e). The Confidential Information falls within these statutory

categories and, thus, constitutes propriety confidential business information entitled to protection under Section 366.093 and Rule 25-22.006.

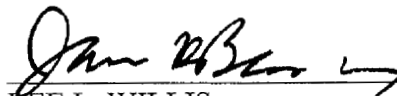
2. Attached hereto as Exhibit "A" is a detailed justification for designating the Confidential Information proprietary confidential business information under the above-referenced statute and rule.

3. The material for which confidential classification is sought is intended to be and is treated by Tampa Electric as private and has not been disclosed.

WHEREFORE, Tampa Electric Company respectfully requests that the highlighted Confidential Information set forth in the company's answer to Interrogatory No. 84, page 1 of 1, be accorded confidential classifications for the reasons set forth above.

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

Respectfully submitted,



LEE L. WILLIS  
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Ausley & McMullen  
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Tallahassee, Florida 32302  
(850) 224-9115

ATTORNEYS FOR TAMPA ELECTRIC COMPANY

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Request for Confidential Classification 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\*  
Senior Attorney  
Division of Legal Services  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
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Ms. Vicki Gordon Kaufman  
Mr. Timothy J. Perry  
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\_\_\_\_\_  
ATTORNEY

**JUSTIFICATION FOR CONFIDENTIAL TREATMENT  
OF HIGHLIGHTED PORTIONS OF TAMPA ELECTRIC COMPANY'S  
ANSWERS TO STAFF'S INTERROGATORY NO. 84**

**Interrogatory No. 84**

The highlighted amounts disclose the rental rate and operation and maintenance charge Tampa Electric negotiated with respect to its lease of 30 portable generators. Public disclosure of these privately negotiated contractual terms would adversely affect Tampa Electric in any future negotiations with its current lessor of the portable generators or other potential lessors of generating equipment. As such, these rates and charges constitute proprietary confidential business information that is protected from public disclosure pursuant to Section 366.093(3)(c) and (d), Florida Statutes. Public disclosure of this information could adversely affect not only Tampa Electric's ability to contract for goods and services on favorable terms in the future, but would also disclose competitive information pertaining to a highly confidential negotiated lease agreement.

TAMPA ELECTRIC COMPANY  
DOCKET NO. 020001-EI  
STAFF'S 4<sup>TH</sup> SET OF  
INTERROGATORIES  
INTERROGATORY NO. 84  
PAGE 1 OF 1  
FILED: NOVEMBER 4, 2002

84. If the response to the previous interrogatory is affirmative, please describe the material terms of each purchased power agreement, such as the energy and capacity pricing terms, the contract duration, and whether the contract is firm or non-firm.

A. Tampa Electric's lease of 30 portable generators was extended and amended, effective September 30, 2002, to include the period of October 1, 2002 through March 31, 2003. The contract provides for the number of generators necessary to generate 50 MW of power to be furnished, installed and maintained.

Tampa Electric is responsible for fuel cost, fuel transportation cost and other costs associated with the procurement of fuel for the portable units. The energy and capacity prices are shown in the lease-extension agreement. They include a rental rate of [REDACTED] and an O&M charge of [REDACTED] for a typical 4-hour run. For additional detail, see the response to No. 10 in Staff's Third Request for Production of Documents, in which the agreement is provided.