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October 23, 2003

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. 030001-EI

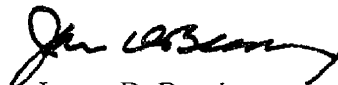
Dear Ms. Bayo:

Enclosed for filing in the above docket are the original and ten (10) copies of Tampa Electric Company's Request for Confidential Classification of portions of its Responses to Fourth Request for Production of Documents (Nos. 15-17) of the Florida Public Service Commission Staff.

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

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

DOCUMENT NUMBER-DATE

10479 OCT 23 8

FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Fuel and Purchased Power Cost Recovery)
Clause with Generating Performance Incentive) DOCKET NO. 030001-EI
Factor.) FILED: October 23, 2003
_____)

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 certain highlighted information contained in portions of its Responses to Fourth Request for Production of Documents (Nos.15-17) of the Florida Public Service Commission Staff (the “Confidential Information”). A single copy of the above production answers was filed with a Notice of Intent to Seek Confidential Classification of Information on October 2, 2003. The Confidential Information is contained in Tampa Electric’s responses to Production of Documents Nos. 16 and 17. Attached hereto as Exhibit “A” is a justification for designating the Confidential Information proprietary confidential business information under the above-referenced statute and rule.

1. Subsection 366.093(1), Florida Statutes, 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].” The proprietary confidential business information includes, but is not limited to:

(d) Information concerning bids or other 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. (Section 366.093(3)(d), Florida Statutes)

2. Proprietary confidential business information also includes:

(e) Information relating to competitive interests, the disclosure of which would impair the competitive business of the provider of the information. (Section 366.093(3)(e), Florida Statutes)

3. The Confidential Information falls within the above statutory categories and, thus, constitutes proprietary confidential business information entitled to protection under Section 366.093 and Rule 25-22.006.

4. 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.

5. The request for confidential classification is intended to serve as Tampa Electric's motion for a protective order pursuant to Rule 25-22.006(6), Florida Administrative Code.

6. Please note that Tampa Electric had originally designated Bates stamp pages 3 through 11 of its response to Staff's Fourth Request for Production of Documents (Nos. 15-17) as needing confidential treatment. Those pages were draft correspondence and a notification letter to TECO Transport that revealed the identity of the party with which Tampa Electric was negotiating its waterborne coal transportation services contract and that discussed the "right of first refusal" clause in the contract with TECO Transport that is currently in effect. Now that the 2004-2008 contract has been executed, these documents are no longer in need of confidential treatment. Copies without confidential highlighting will be provided for filing along with this request. The original confidential highlighted pages should be returned to the undersigned.

WHEREFORE, Tampa Electric respectfully requests that the highlighted Confidential Information set forth in its Responses to Fourth Request for Production of Documents (Nos. 15-17) of the Florida Public Service Commission Staff be accorded confidential classification for the reasons set forth above.

DATED this 23rd day of October 2003.

Respectfully submitted,



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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 23rd day of October 2003 to the following:

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