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October 29, 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

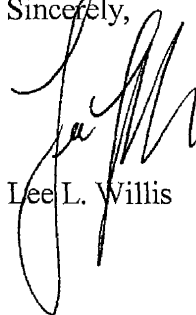
Dear Ms. Bayo:

Enclosed for filing in the above docket are the original and ten (10) copies of Tampa Electric Company's Request for Confidential Classification of certain highlighted information contained in the Late-Filed Deposition Exhibit (No. 1) of Joann T. Wehle.

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,



Lee L. Willis

LLW/pp  
Enclosure

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

DOCUMENT NUMBER-DATE  
10717 OCT 29 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 29, 2003  
\_\_\_\_\_ )

**TAMPA ELECTRIC COMPANY'S  
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 the Late-Filed Deposition Exhibit (No. 1) of Tampa Electric's witness Joann T. Wehle (the "Confidential Information"). 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.

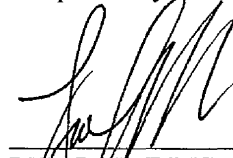
4. The material for which confidential classification is sought is intended to be and is treated by Tampa Electric as private and has not been disclosed.

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.

WHEREFORE, Tampa Electric respectfully requests that certain of the highlighted information contained in the Late-Filed Deposition Exhibit (No. 1) of Tampa Electric's witness Joann T. Wehle be accorded confidential classification for the reasons set forth above and in Exhibit "A" to this request.

DATED this 29<sup>th</sup> day of October 2003.

Respectfully submitted,



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Ausley & McMullen  
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(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 29<sup>th</sup> day of October 2003 to the following:

Mr. Wm. Cochran Keating, IV\*  
Senior Attorney  
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Mr. Robert Scheffel Wright  
Mr. John T. LaVia, III  
Landers & Parsons, P.A.  
Post Office Box 271  
Tallahassee, FL 32302



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ATTORNEY

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**JUSTIFICATION FOR CONFIDENTIAL TREATMENT  
OF CERTAIN INFORMATION CONTAINED IN THE  
LATE-FILED DEPOSITION EXHIBIT OF JOANN T. WEHLE**

**Late-Filed Deposition Exhibit of Witness Joann T. Wehle**

<b><u>Exhibit Page No.</u></b>	<b><u>Description</u></b>	<b><u>Rationale</u></b>
Page 1 of 1	The Highlighted Information	(1)

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- (1) Disclosure of this information would publish Tampa Electric's planned shipments of coal by shipment location for 2004. Public disclosure of this information would likely have severe repercussions on Tampa Electric in its efforts to procure coal inasmuch as potential suppliers could adjust their prices based on Tampa Electric's needs at particular dock locations. It could also adversely affect TECO Transport Corporation by disclosing to other potential shippers the extent to which TECO Transport's waterborne transportation capacity maybe available by dock location. As such, the information has a potential harmful effect to the competitive interests of Tampa Electric and TECO Transport as well as their ability to contract for goods and services on favorable terms.