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January 5, 2004

HAND DELIVERED

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

Re: Review of Tampa Electric Company's waterborne transportation contract with
TECO Transport and associated benchmark; FPSC Docket No. 031033-EI

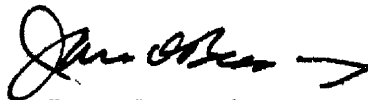
Dear Ms. Bayo:

Enclosed for filing in the above docket are the original and fifteen (15) copies of Tampa Electric Company's Notice of Intent to Seek Confidential Classification and Motion for Temporary Protective Order of portions of its answers to the First Set of Interrogatories (Nos. 4-5) of the Office of Public Counsel.

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
Enclosures

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

DOCUMENT NUMBER-DATE

00093 JAN-5 04

FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Review of Tampa Electric Company's)
Waterborne transportation contract with) DOCKET NO. 031033-EI
TECO Transport and associated benchmark.) FILED: January 5, 2004
_____)

**TAMPA ELECTRIC COMPANY'S NOTICE OF INTENT
TO SEEK CONFIDENTIAL CLASSIFICATION AND
MOTION FOR TEMPORARY PROTECTIVE ORDER**

Pursuant to Section 366.093, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, Tampa Electric Company hereby serves Notice of its Intent to Seek Confidential Classification of portions of its answers to the First Set of Interrogatories (Nos. 4-5), propounded by the Office of Public Counsel ("OPC") and as grounds therefor, states:

1. Tampa Electric this date is filing and serving its answers to OPC's First Set of Interrogatories (Nos. 4-5), portions of which contain highly proprietary confidential business information entitled to protection under the above-referenced statute and rule.

2. Tampa Electric is serving a single copy of the unredacted answers to OPC pursuant to a Request for Temporary Protective Order as contemplated in Rule 25-22.006(6)(c) with the confidential information set forth on yellow paper stock or highlighted in yellow and stamped "CONFIDENTIAL."

3. Tampa Electric is also serving on the Commission's Staff through the Office of the Commission Clerk, a single unredacted version of its answers contained the confidential information on yellow paper stock stamped "CONFIDENTIAL" pursuant to a Notice of Intent to Seek Confidential Classification.

4. Tampa Electric is serving FIPUG a single unredacted version of its answers to OPC's Interrogatories pursuant to a Non-Disclosure Agreement executed this date by and between FIPUG and Tampa Electric.

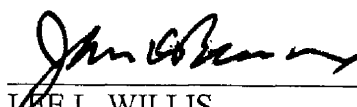
5. Public disclosure of any of the confidential information contained in Tampa Electric's answers would be very detrimental to the competitive and economic interests of Tampa Electric, its transportation affiliate and others with whom Tampa Electric transacts business. Tampa Electric is entitled to confidential protection of the information in question pursuant to Section 366.093, Florida Statutes, and Rule 25-22.006, Florida Administrative Code.

6. Pursuant to the protections afforded in the Commission's Rule 25-22.006, Florida Administrative Code, all parties shall treat the confidential information as confidential and not disclose any of this information to any person beyond the scope of the rule and the Non-Disclosure Agreement in the case of FIPUG.

WHEREFORE, Tampa Electric serves this its Notice of Intent to Seek Confidential Classification and its Motion for a Temporary Protective Order as set forth above.

DATED this 5th day of January 2004.

Respectfully submitted,



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 and correct copy of the foregoing Notice of Intent has been furnished by U. S. Mail or hand delivery (*) on this 5th day of January 2004 to the following:

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

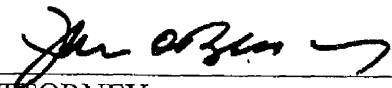
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ATTORNEY

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