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January 20, 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

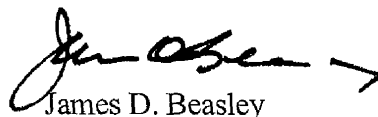
Dear Ms. Bayo:

Enclosed for filing in the above docket are the original and fifteen (15) copies of Tampa
Electric Company's Objections to Citizens' Third Request for Production of Documents.

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

00806 JAN 20 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 20, 2004
_____)

**TAMPA ELECTRIC COMPANY'S OBJECTIONS
TO CITIZENS' THIRD REQUEST FOR PRODUCTION OF DOCUMENTS**

Tampa Electric Company ("Tampa Electric" or "the company"), pursuant to Rule 28-106.206, Florida Administrative Code, Rule 1.280 and 1.350, Florida Rules of Civil Procedure, and Order No. PSC-03-1398-PCO-EI issued in this proceeding on December 11, 2003, files this its objections to Citizens' Third Request for Production of Documents (Nos. 12-29), filed in this proceeding and served on Tampa Electric by Office of Public Counsel ("OPC") on January 9, 2004, and says:

1. Each of OPC's document requests contained in its Third Request for Production of Documents asks Tampa Electric to produce various documents in the possession of TECO Transport. The documents in question are not Tampa Electric documents and, if they exist, they are documents of a company that is not a party to this proceeding. Tampa Electric does not know what documents TECO Transport possesses. Each of the document requests seeks information over which Tampa Electric does not have possession, custody or control.

2. The TECO Transport documents sought by OPC belong to TECO Transport which is not a party to this proceeding. Rule 1.350, Florida Rules of Civil Procedure, does not require a party to respond to discovery requests that are not within its possession, custody or control.

3. Tampa Electric and TECO Transport have separate officers and employees and operate different systems in different geographic areas and maintain completely separate books and records. Tampa Electric and TECO Transport operate as completely separate entities, one providing electric service and the other transportation services. Tampa Electric is a party to this proceeding and TECO Transport is not.

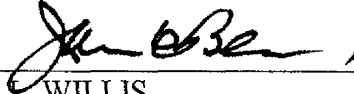
4. OPC is not adversely affected in the preparation of its testimony, or in this case generally, by not having access to the documents requested which are the documents of a company not a party to this proceeding. The books and records of TECO Transport are kept entirely separate from the books and records of Tampa Electric. Financial and budgetary information relating to the TECO Transport operations are not relevant to the determination of the reasonableness of Tampa Electric's cost of providing service.

5. Tampa Electric has provided OPC access to all information relating to the amounts paid or to be paid by Tampa Electric to TECO Transport for transportation services it provides to Tampa Electric.

6. WHEREFORE, Tampa Electric Company objects to Citizens' Third Request for Production of Documents (Nos. 12-29), each of which request the production of documents not in the possession, custody or control of Tampa Electric.

DATED this 20th day of January 2004.

Respectfully submitted,



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(850) 224-9115

ATTORNEYS FOR TAMPA ELECTRIC COMPANY

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing Objections to Citizens' Third Request for Production of Documents, filed on behalf of Tampa Electric Company, has been furnished by U. S. Mail or hand delivery (*) on this 20th 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

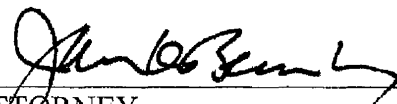
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