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March 15, 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 in Response to the Florida Public Service Commission's Third Set of Interrogatories of Documents to Tampa Electric Company (Nos. 43-52).

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

03481 MAR 15 3

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: March 15, 2004
_____)

**TAMPA ELECTRIC COMPANY'S OBJECTIONS IN RESPONSE
TO THE FLORIDA PUBLIC SERVICE COMMISSION'S THIRD SET
OF INTERROGATORIES TO TAMPA ELECTRIC COMPANY (NOS. 43-52)**

Pursuant to Rule 1.340, Florida Rules of Civil Procedure and Rule 28-106.206, Florida Administrative Code, Tampa Electric Company ("Tampa Electric" or "the company"), by and through its undersigned counsel, hereby files its objections to the Third Set of Interrogatories (Nos. 43-52) served by the Florida Public Service Commission ("FPSC") on Tampa Electric, and says:

General Objections

1. Tampa Electric objects to each and every discovery request to the extent that it asks Tampa Electric to provide information that is not in the possession, custody or control of Tampa Electric.

2. Tampa Electric objects to each and every discovery request to the extent that such request calls for information that is exempt from discovery by virtue of the attorney/client privilege, work product privilege, or other applicable privilege or protection provided by law, whether such privilege or protection appears at the time response is first made to these discovery requests or is later determined to be applicable based on the discovery of documents, investigation, or analysis.

3. Tampa Electric objects to each and every discovery request insofar as the request is vague, ambiguous, overly broad, and imprecise or uses terms that are subject to multiple interpretations but are not properly defined or explained.

4. Tampa Electric objects to each and every discovery request to the extent that the information sought is already in the public record before this Commission or elsewhere, and is available to CSXT through normal procedures.

5. Absent an acceptable non-disclosure agreement or other acceptable means of protection against public disclosure, Tampa Electric objects to each and every discovery request that calls for confidential proprietary business information and/or the compilation of information that is considered confidential proprietary business information, including “trade secrets” which are privileged pursuant to Section 90.506, Florida Statutes.

6. Tampa Electric objects to each and every discovery request that calls for the creation of information as opposed to the reporting of presently existing information or that purport to expand Tampa Electric’s obligations under the Florida Rules of Civil Procedure or Florida Law.

Motion for Protective Order

7. Tampa Electric's objections to the FPSC’s discovery requests are submitted pursuant to the authority contained in Slatnick v. Leadership Housing Systems of Florida, Inc., 368 So.2d 79 (Fla. 3rd DCA 1979). To the extent that a Motion for Protective Order is required, Tampa Electric's objections are to be construed as a request for a Protective Order.

Specific Objections

8. Tampa Electric objects to FPSC’s Interrogatory No. 46, which reads as follows:

46. Please identify and quantify all costs, if any, that Brent Dibner did NOT include in his model to determine the

market price of inland river barge transportation. For each cost, please explain why this cost was not included in the inland river barge model.

Tampa Electric objects to Interrogatory No. 46 in that it is vague, overly broad and unduly burdensome. Asking what costs were not included in a project specific calculation demands that the respondent consider and address an infinite universe of costs wholly unrelated to the project specific calculation or the project to which it relates. In considering the costs attributable to a haircut one does not consider the costs relating to an oil change or a shoe shine or dinner for two at Fisherman's Wharf. Regardless of its relevance, Tampa Electric cannot reasonably identify and quantify all costs that its witness did not include in his model and explain why. The witness included all costs he believed were appropriate. If Staff were to ask questions about specific costs in which it has an interest, then Tampa Electric would attempt to answer.

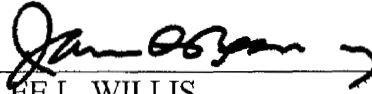
Tampa Electric objects to FPSC's Interrogatory No. 46, which reads as follows:

46. Please identify and quantify all costs, if any, that Mr. Dibner did NOT include in his model to determine the market price for ocean barge transportation. For each cost, please explain why this cost was not included in the ocean barge model.

Tampa Electric objects to Interrogatory No. 47 in that it is vague, overly broad and unduly burdensome. Asking what costs were not included in a project specific calculation demands that the respondent consider and address an infinite universe of costs wholly unrelated to the project specific calculation or the project to which it relates. In considering the costs attributable to a haircut one does not consider the costs relating to an oil change or a shoe shine or dinner for two at Fisherman's Wharf. Regardless of its relevance, Tampa Electric cannot reasonably identify and quantify all costs that its witness did not include in his model and explain why. The witness included all costs he believed were appropriate. If Staff were to ask questions about specific costs in which it has an interest, then Tampa Electric would attempt to answer.

DATED this 15th day of March 2004.

Respectfully submitted,



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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 Objections in Response to Staff's Third Set of Interrogatories (Nos. 43-52), filed on behalf of Tampa Electric Company, has been furnished by U. S. Mail or hand delivery (*) on this 15th day of March 2004 to the following:

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Senior Attorney
Division of Legal Services
Florida Public Service Commission
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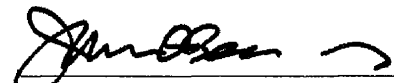
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