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March 24, 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

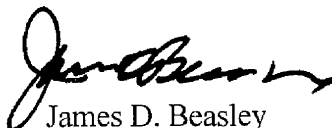
Dear Ms. Bayo:

Enclosed for filing in the above docket are the original and fifteen (15) copies of Tampa Electric Company's Request for Specified Confidential Treatment regarding certain highlighted information contained in portions of its answers to Staff's Second Set of Interrogatories (Nos. 8-42).

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: Wm. Cochran Keating IV (w/enc.)
All Parties of Record (w/enc.)

DOCUMENT NUMBER DATE

03893 MAR 24 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 24, 2004
_____)

**TAMPA ELECTRIC COMPANY'S
REQUEST FOR SPECIFIED CONFIDENTIAL TREATMENT**

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 answers to the Florida Public Service Commission Staff's Second Set of Interrogatories (Nos. 8-42). The confidential information in question appears on Bates stamp page number 18 of the company's answer to Interrogatory No. 25; Bates stamp page 21 of the company's answers to Interrogatory No. 28, Bates stamp page number 23 of the company's answer to Interrogatory No. 30; Bates stamp page 28 of the company's answer to Interrogatory No. 35; Bates stamp page 29 of the company's answer to Interrogatory No. 36; Bates stamp page 30 of the company's answer to Interrogatory No. 37; and Bates stamp page number 31 of the company's answer to Interrogatory No. 38 (collectively referred to as the "Confidential Information"). A single copy of the Confidential Information was filed with a Notice of Intent to Seek Confidential Classification of Information on March 4, 2004 in the above proceeding. 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.

WHEREFORE, Tampa Electric respectfully requests that the highlighted Confidential Information set forth in its Answers to Staff’s Second Set of Interrogatories (Nos. 25, 28, 30, 35, 36, 37 and 38) be accorded confidential classification for the reasons set forth above.

DATED this 24th 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 copy of the foregoing Request for Specified Confidential Treatment, filed on behalf of Tampa Electric Company, has been furnished by U. S. Mail or hand delivery (*) on this 24th day of March 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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Tallahassee, FL 32302



ATTORNEY

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**JUSTIFICATION FOR CONFIDENTIAL TREATMENT OF
PORTIONS OF TAMPA ELECTRIC'S RESPONSES TO
STAFF'S SECOND SET OF INTERROGATORIES (FILED MARCH 3, 2004)**

<u>Bates Stamp Page No.</u>	<u>Interrogatory No.</u>	<u>Detailed Description</u>	<u>Rationale</u>
18	25	All Yellow Highlighted Information	(1)
21	28	All Yellow Highlighted Information	(2)
23	30	All Yellow Highlighted Information	(3)
28	35	All Yellow Highlighted Information	(4)
29	36	All Yellow Highlighted Information	(4)
30	37	All Yellow Highlighted Information	(4)
31	38	All Yellow Highlighted Information	(4)

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- (1) The information contained on the listed pages reveals results of Tampa Electric's evaluation of bid information provided in response to Tampa Electric's currently active solicitation to purchase coal. The coal purchases that result from this solicitation must still be negotiated. Therefore, disclosing the information before the solicitation has closed would be harmful to Tampa Electric's ability to contract for goods and services on favorable terms. The disclosure of this information would therefore be harmful to competitive interests, and as such, the information is entitled to confidential treatment pursuant to Section 366.093(d) and (e), Florida Statutes.
 - (2) The information contained on the listed pages reveals Tampa Electric's strategic planning for fuel supply maintenance and detailed information about the company's inventory and in transit levels. Knowledge of these details would allow suppliers and potential suppliers a negotiation advantage in the event that the company needed to purchase coal during a fuel supply emergency, miner's strike or elevated terror alert level. The disclosure of this information would therefore be harmful to competitive interests, and as such, the information is entitled to confidential treatment pursuant to Section 366.093(d) and (e), Florida Statutes.
 - (3) The information contained on the listed pages contains discloses a detailed description of Tampa Electric's coal needs and suppliers by contract and from different areas on the waterborne supply course. Public disclosure of this information would harm the company's negotiating position in its attempts to purchase coal at the most economic rate.

The disclosure of this information would therefore be harmful to competitive interests, and as such, the information is entitled to confidential treatment pursuant to Section 366.093(d) and (e), Florida Statutes.

- (4) The information contained on the listed pages contains the proprietary work product of Tampa Electric's consultant, Dibner Maritime Associates LLC or "DMA". The disclosure of this information could allow duplication of the consultant's work without compensation for the consultant's efforts to gather and update the information and develop methods of analysis. This information is in the nature of a trade secret owned by DMA. It is also in the nature of information relating to competitive interests, the disclosure of which would impair DMA's competitive business interests by diminishing the demand for DMA's proprietary work product. As such, the information in question is entitled to confidential treatment pursuant to Section 366.093 (3)(a) and (e), Florida Statutes.