

ORIGINAL

AUSLEY & McMULLEN

ATTORNEYS AND COUNSELORS AT LAW

227 SOUTH CALHOUN STREET
P.O. BOX 391 (ZIP 32302)
TALLAHASSEE, FLORIDA 32301
(850) 224-9115 FAX (850) 222-7560

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COMMISSION
CLERK

April 21, 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: Fuel and Purchased Power Cost Recovery Clause with Generating
Performance Incentive Factor; FPSC Docket No. 040001-EI

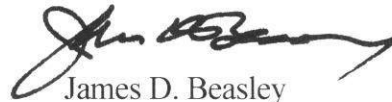
Dear Ms. Bayo:

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 Prepared Direct Testimony 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,



James D. Beasley

AUS _____ JDB/pp
CAF _____
CMP _____ Enclosure
COM _____
CTR _____ cc: All Parties of Record (w/enc.)
ECR I
GCL I
OPC _____
MMS _____
SEC I
OTH I

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FPSC-BUREAU OF RECORDS

(ROR 04202-04)

DOCUMENT NUMBER-DATE

04760 APR 21 04

FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Fuel and Purchased Power Cost Recovery)
Clause with Generating Performance Incentive)
Factor.)
_____)

DOCKET NO. 040001-EI
FILED: April 21, 2004

**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 Prepared Direct Testimony of Joann T. Wehle filed in this proceeding on April 1, 2004 (the "Confidential Information"). A single copy of the above testimony with the confidential information highlighted in yellow was filed and accompanied by a Notice of Intent to Seek Confidential Classification on April 1, 2004. 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:

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

(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 the highlighted portions of the Confidential Information contained in the Prepared Direct Testimony of Joann T. Wehle be accorded confidential classification for the reasons set forth above.

DATED this 21st day of April 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 copy of the foregoing Request for Confidential Classification, filed on behalf of Tampa Electric Company, has been furnished by U. S. Mail or hand delivery (*) on this 21st day of April 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

Mr. James A. McGee
Associate General Counsel
Progress Energy Florida, Inc.
Post Office Box 14042
St. Petersburg, FL 33733

Mr. Joseph A. McGlothlin
Ms. Vicki Gordon Kaufman
McWhirter, Reeves, McGlothlin,
Davidson, Kaufman & Arnold, P.A.
117 S. Gadsden Street
Tallahassee, FL 32301

Mr. Robert Vandiver
Associate Public Counsel
Office of Public Counsel
111 West Madison Street – Suite 812
Tallahassee, FL 32399-1400

Mr. Norman Horton
Messer Caparello & Self
Post Office Box 1876
Tallahassee, FL 32302

Mr. John T. Butler
Steel Hector & Davis LLP
200 South Biscayne Boulevard
Suite 4000
Miami, FL 33131-2398

Mr. William Walker
Florida Power & Light Company
215 South Monroe Street, Suite 810
Tallahassee, FL 32301-1859

Mr. R. Wade Litchfield
Florida Power & Light Company
700 Universe Blvd.
Juno Beach, FL 33408

Mr. John W. McWhirter, Jr.
McWhirter, Reeves, McGlothlin,
Davidson, Kaufman & Arnold, P.A.
400 North Tampa Street, Suite 2450
Tampa, FL 33601-5126

Ms. Susan Ritenour
Gulf Power Company
One Energy Place
Pensacola, FL 32520

Mr. Jeffrey A. Stone
Mr. Russell A. Badders
Beggs & Lane
Post Office Box 12950
Pensacola, FL 32591-2950


ATTORNEY

**JUSTIFICATION FOR CONFIDENTIAL TREATMENT
OF CONFIDENTIAL INFORMATION CONTAINED IN THE
PREPARED DIRECT TESTIMONY OF JOANN T. WEHLE
(FILED APRIL 1, 2004)**

<u>Testimony Page No.</u>	<u>Description</u>	<u>Rationale</u>
Page 6, line 15	The Highlighted Number	(1)
Page 6, line 21	The Highlighted Information	(2)
Page 8, line 1	The Highlighted Information	(2)

- (1) This number shows the percentage of Tampa Electric's natural gas usage that was protected from price volatility as a result of the natural gas hedging activities the company engaged in. Disclosure of this information would afford natural gas suppliers, brokers and hedging counterparties with inside information on Tampa Electric's hedging strategies and prioritizations. This could adversely impact Tampa Electric and its hedging activities and negotiations relating thereto. Consequently, this competitively sensitive information is confidential proprietary business information protected under Section 366.093, Florida Statutes and Rule 25-22.006, Florida Administrative Code.
- (2) The information in question shows the result of Tampa Electric's hedging strategies in 2003. Public disclosure of this information would adversely impact Tampa Electric's ability to negotiate hedging strategies on a going-forward basis, would provide hedging counterparties with information useful in ascertaining Tampa Electric's hedging strategies and would disadvantage Tampa Electric in future hedging negotiations. Consequently, this information is entitled to protection pursuant to Section 366.093, Florida Statutes and rule 25-22.006, Florida Administrative Code.

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