

ORIGINAL

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President

JOHNNIE BYRD  
Speaker



STATE OF FLORIDA  
OFFICE OF PUBLIC COUNSEL



c/o THE FLORIDA LEGISLATURE  
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ROOM 812  
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Harold McLean  
Public Counsel

April 23, 2004

Ms. Blanca S. Bayó, Director  
Division of the Commission Clerk  
and Administrative Services  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0870

RECEIVED-FPSC  
04 APR 23 PM 3:51  
COMMISSION  
CLERK

RE: Docket No. 031033-EI

Dear Ms. Bayó:

Enclosed for filing in the above-referenced docket is the original and 1 copy of Office of Public Counsel's Eighth Request for Production of Documents (No. 80).

Please indicate the time and date of receipt on the enclosed duplicate of this letter and return it to our office

Sincerely,

Robert Vandiver  
Associate Public Counsel

RV/pwd  
Enclosures

- AUS \_\_\_\_\_
- CAF \_\_\_\_\_
- CMP \_\_\_\_\_
- COM \_\_\_\_\_
- CTR \_\_\_\_\_
- ECR \_\_\_\_\_
- GCL \_\_\_\_\_
- OPC \_\_\_\_\_
- MMS \_\_\_\_\_
- SEC \_\_\_\_\_
- OTH \_\_\_\_\_

RECEIVED & FILED  
  
FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE

04826 APR 23 03

FPSC-COMMISSION CLERK

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Review of Tampa Electric Company's  
2004-2008 waterborne transportation  
contract with TECO transport and trade

Docket No. 031033-EI

Filed: April 23, 2004

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**CITIZENS' EIGHTH REQUEST FOR PRODUCTION OF DOCUMENTS  
TO TAMPA ELECTRIC COMPANY (NO. 80)**

Pursuant to § 350.0611(1), Fla. Stat. (2002), Fla. Admin. Code R. 28-106.206, and Fla. R. Civ. P.1.350, Florida's Citizens ("Citizens"), by and through Harold McLean, Public Counsel, request Tampa Electric Company ("TECO") to produce the following documents for inspection and copying at the Office of Public Counsel, Claude Pepper Building, 111 West Madison Street, Room 812, Tallahassee, Florida 32399-1400, on or before Monday, May 24, 2004, or at such other time and place as may be mutually agreed upon by counsel.

**DEFINITIONS**

1. The terms "document" or "documents" are meant to have the broadest possible meaning under applicable law and includes, but is not necessarily limited to, any written, recorded, filmed or graphic matter, whether produced, reproduced, or on paper, e-mail, cards, tapes, film, electronic facsimile, computer storage device or any other media, including, but not limited to, memoranda, notes, minutes, records, photographs, correspondence, telegrams, diaries, bookkeeping entries, financial statements, tax returns, checks, check stubs, reports, studies, charts, graphs, statements, notebooks, handwritten notes, applications, agreements, books, pamphlets, periodicals,

appointment calendars, records and recordings of oral conversations, work papers, and notes, any of which are in your possession, custody, or control.

2. The term "referring or relating to" means any oral, graphic, demonstrative, telephonic, verbal, electronic (including e-mail), written or other conveyance of information, including but not limited to conversations, telecommunications, and documents.

3. As used herein the terms "you," "your," and "company" refer to Tampa Electric Company, together with the officers, employees, consultants, agents, representatives, and attorneys of Tampa Electric Company, as well as any other person or entity acting on behalf of Tampa Electric Company.

4. Words in the past tense include the present, and words in the present tense include the past. Use of the singular includes the plural, and use of the masculine includes the feminine where appropriate, and vice versa.

### **INSTRUCTIONS**

1. If any document is withheld under any claim of privilege, please furnish a list identifying each document for which privilege is claimed, together with the following information: date, sender, recipients, recipients of copies, subject matter of the document, and the basis upon which such privilege is claimed.

2. These discovery requests are to be answered with reference to all information in your possession, custody or control, or reasonably available to you.

3. If Tampa Electric Company has possession, custody, or control of the originals of the documents requested, please produce the originals or a complete copy of the originals and all copies which are different in any way from the original, whether by

interlineation, receipt stamp or notation. If Tampa Electric Company does not have possession, custody, or control of the originals of the documents requested, please produce any copies in the possession, custody, or control, however made, of Tampa Electric Company.

4. Please construe "and" as well as "or" either disjunctively or conjunctively as necessary to bring within the scope of this production of documents any document which might otherwise be construed to be outside the scope.

#### **DOCUMENTS REQUESTED**

80. Please provide the documents requested in Staff's Fifth Request for Production of Documents, Nos. 34-38, served April 20, 2004.

Respectful submitted,



Robert Vandiver  
Associate Public Counsel

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and exact copy of the above and foregoing has been furnished by U.S. Mail or \*hand-delivery this 23rd day of April, 2004:

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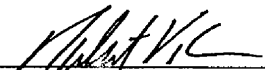
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