

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Review of Tampa Electric Company's)
Waterborne transportation contract with)
TECO Transport and associated benchmark.)
_____)

DOCKET NO. 031033-EI
FILED: April 23, 2004

**TAMPA ELECTRIC COMPANY'S
NOTICE OF INTENT TO REQUEST CONFIDENTIAL CLASSIFICATION
AND MOTION FOR TEMPORARY PROTECTIVE ORDER**

Tampa Electric Company ("Tampa Electric" or "the company"), pursuant to Section 366.093, Fla. Stat. and Rule 25-22.006, Fla. Admin. Code files this its Notice of Intent to Request Confidential Classification of certain proprietary confidential business information set forth in the deposition transcript and exhibits of Florida Public Service Commission Staff member William B. McNulty. As grounds therefore the company says:

1. Under separate transmittal Tampa Electric is filing this date a single confidential version of Mr. McNulty's deposition and deposition exhibits with the proprietary confidential business information highlighted in yellow or printed on yellow paper stock and stamped "Confidential." The confidential information if made public would harm the competitive and financial interests of one or more of Tampa Electric, its waterborne coal transportation affiliate, other transportation providers or consultants retained by Tampa Electric.

2. Tampa Electric will follow this notice with a formal request for confidential classification within the twenty-one day period set forth in Rule 25-22.006, Fla. Admin. Code.

3. This Notice of Intent is also a Motion for Temporary Protective Order as contemplated in Rule 25-22.006 and is intended to protect the confidential proprietary business

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

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DOCUMENT NUMBER-DATE

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information contained in Mr. McNulty's deposition and deposition exhibits from public disclosure while in the hands of the Office of Public Counsel.

WHEREFORE Tampa Electric submits the foregoing Notice of Intent to Request Confidential Classification and Motion for Temporary Protective Order.

DATED this 23rd day of April 2004.

Respectfully submitted,



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Ausley & McMullen
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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 Tampa Electric Company's Notice of Intent to Request Confidential Classification and Motion for Temporary Protective Order, has been furnished by U. S. Mail or hand delivery (*) on this 23rd day of April 2004 to the following:

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Division of Legal Services
Florida Public Service Commission
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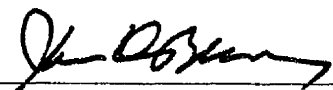
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