

ORIGINAL

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May 3, 2004

HAND DELIVERED

RECEIVED-FPSC
01 MAY -3 PM 4:33
COMMISSION
CLERK

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

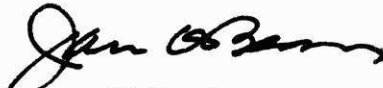
Dear Ms. Bayo:

Enclosed for filing in the above docket are the original and fifteen (15) copies of Tampa
Electric Company's Notice of Intent to Seek Confidential Classification and Motion for Temporary
Protective Order of portions of Prepared Rebuttal Testimonies and Exhibits of Joann T. Wehle,
Brent Dibner, Paula Guletsky and Frederick J. Murrell.

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

- CMP _____
- COM _____
- CTR _____
- ECR JDB/pp
Enclosure
- GCL _____
- OPC _____
- MMS _____
- RCA _____
- SCR _____
- SEC
- OTH *cent records*

cc: All Parties of Record (w/enc.)

RECEIVED & FILED


FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE
05110 MAY-3 04
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: May 3, 2004
_____)

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

Pursuant to Section 366.093, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, Tampa Electric Company hereby serves Notice of its Intent to Seek Confidential Classification of portions of Prepared Rebuttal Testimonies and Exhibits of Joann T. Wehle, Brent Dibner, Paula Guletsky and Frederick J. Murrell, and as grounds therefor, states:

1. Tampa Electric this date is filing under a separate cover letter a single confidential version of each of the Prepared Rebuttal Testimonies and Exhibits of Tampa Electric witnesses Joann T. Wehle, Brent Dibner, Paula Guletsky and Frederick J. Murrell, portions of which contain highly proprietary confidential business information entitled to protection under the above-referenced statute and rule. The single unredacted version of these Prepared Rebuttal Testimonies and Exhibits contain confidential information highlighted in yellow or printed on yellow paper stock and stamped "CONFIDENTIAL".

2. Tampa Electric is also serving a single copy of the unredacted prepared rebuttal testimonies and exhibits to OPC pursuant to a Motion for Temporary Protective Order as contemplated in Rule 25-22.006(6)(c) with the confidential information highlighted in yellow and stamped "CONFIDENTIAL" or printed on yellow paper stock.

3. Tampa Electric is also serving FIPUG, Michael B. Twomey, and CSXT's counsel a single unredacted version of its prepared rebuttal testimonies and exhibits pursuant to Non-Disclosure Agreements the parties have entered into for purposes of this docket.

4. Public disclosure of any of the confidential information contained in Tampa Electric's witnesses' Prepared Rebuttal Testimonies and Exhibits would be very detrimental to the competitive and economic interests of Tampa Electric, its transportation affiliate and others with whom Tampa Electric transacts business. Tampa Electric is entitled to confidential protection of the information in question pursuant to Section 366.093, Florida Statutes, and Rule 25-22.006, Florida Administrative Code.

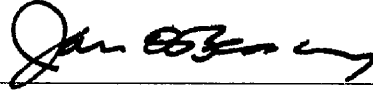
5. Pursuant to the protections afforded in the Commission's Rule 25-22.006, Florida Administrative Code, and the Non-Disclosure Agreements in the case of FIPUG, Michael B. Twomey and CSXT, all parties shall treat the confidential information as confidential and not disclose any of this information to any person beyond the scope of the rule.

6. Tampa Electric will submit a request for confidential classification together with a detailed justification therefor within 21 days of the date of this filing.

WHEREFORE, Tampa Electric serves this its Notice of Intent to Seek Confidential Classification and its Motion for a Temporary Protective Order as set forth above.

DATED this 3rd day of May 2004.

Respectfully submitted,



LEE L. WILLIS
JAMES D. BEASLEY
Ausley & McMullen
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Tallahassee, Florida 32302
(850) 224-9115

ATTORNEYS FOR TAMPA ELECTRIC COMPANY

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Notice of Intent and Motion for Temporary Protective Order has been furnished by U. S. Mail, hand delivery (*) on this 3rd day of May 2004 to the following:

Mr. Wm. Cochran Keating, IV*
Senior Attorney
Division of Legal Services
Florida Public Service Commission
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ATTORNEY

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