

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

May 20, 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

RECEIVED-FPSC
MAY 20 PM 3:54
COMMISSION
CLERK

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 of the deposition transcripts
and deposition exhibits of Dr. Robert L. Sansom, Dr. Anatoly Hochstein, Ms. Joann T. Wehle, Mr.
Brent Dibner, Mr. Frederick J. Murrell, Ms. Paula M. Guletsky and Mr. Martin Duff.

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,

[Handwritten signature of James D. Beasley]
James D. Beasley

- CMP
COM
CTR JDB/pp
ECR 1 Enclosure
GCL cc: All Parties of Record (w/enc.)
OPC
MMS
RCA
SCR
SEC 1
OTH 1 conf records

This docketed notice of intent was filed with Confidential
Document No. . The document has been placed
in confidential storage pending timely receipt of a request for
confidentiality.
(DNS 05817-04 - 05823-04)

RECEIVED & FILED

[Handwritten initials]

FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE

05816 MAY 20 04

FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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

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DOCKET NO. 031033-EI
FILED: May 20, 2004

**TAMPA ELECTRIC COMPANY'S NOTICE OF INTENT
TO SEEK 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 serves Notice of its Intent to Seek Confidential Classification of the deposition transcripts and deposition exhibits of Dr. Robert L. Sansom, Dr. Anatoly Hochstein, Ms. Joann T. Wehle, Mr. Brent Dibner, Mr. Frederick J. Murrell, Ms. Paula M. Guletsky and Mr. Martin Duff, and says:

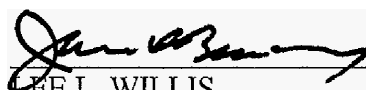
1. Depositions have been taken of each of the above-listed persons in this proceeding. In order to facilitate the Commission Staff's reliance on the deposition transcripts and exhibits of the above proponents, Tampa Electric this date is filing under a separate cover letter a single copy of the deponents' deposition transcripts and exhibits as a confidential document printed on yellow paper stock. These deposition transcripts and exhibits contain confidential proprietary business information the disclosure of which would be harmful to Tampa Electric, its affiliate transportation provider, other bidders, and ultimately Tampa Electric's customers.

2. Tampa Electric, in coordination with counsel for CSX Transportation, will review these deposition transcripts and exhibits and highlight in yellow only that information they consider to be confidential proprietary business information. Upon completion of that task, the highlighted versions of the transcripts and exhibits will be filed with the Office of the

Commission Clerk in exchange for the yellow paper stock deposition transcripts and exhibits we are filing today. Those highlighted versions of the deposition transcripts and exhibits will be followed by a formal request for confidential treatment and justification therefore within 21 days of today's date.

DATED this 20th day of May 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 Notice of Intent, filed on behalf of Tampa Electric Company, has been furnished by U. S. Mail or hand delivery (*) on this 20th day of May 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

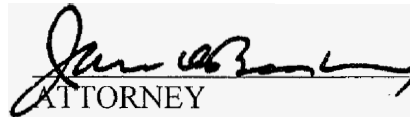
Ms. Vicki Gordon Kaufman
Mr. Timothy J. Perry
McWhirter, Reeves, McGlothlin,
Davidson, Kaufman & Arnold, P.A.
117 S. Gadsden Street
Tallahassee, FL 32301

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

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

Mr. Michael B. Twomey
Post Office Box 5256
Tallahassee, FL 32314-5256

Mr. Robert Scheffel Wright
Mr. John T. LaVia, III
Landers & Parsons, P.A.
Post Office Box 271
Tallahassee, FL 32302


ATTORNEY

AUSLEY & McMULLEN

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May 20, 2004

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MAY 20 PM 4:24
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

TRANSMITTAL OF CONFIDENTIAL INFORMATION

Dear Ms. Bayo:

Enclosed for filing on a confidential basis are the deposition transcripts and exhibits of the
following deponents in this proceeding:

- Dr. Robert L. Sansom (with exhibits) — 05817-04*
- Dr. Anatoly Hochstein (with exhibits) — 05818-04
- Ms. Joann T. Wehle (with exhibits) — 05819-04
- Mr. Brent Dibner (with exhibits) — 05820-04
- Mr. Frederick J. Murrell (with exhibits) — 05821-04
- Ms. Paula M. Guletsky — 05822-04
- Mr. Martin Duff (with exhibits) — 05823-04

Tampa Electric designates the enclosed deposition transcripts and exhibits as confidential
proprietary business information. The company is filing a separate Notice of Intent to Seek
Confidential Classification of certain information contained in these deposition transcripts and
exhibits. As explained in the Notice of Intent, Tampa Electric will substitute copies of the
deposition transcripts and exhibits with the confidential information highlighted in yellow in
exchange for these yellow paper stock versions. This procedure is being followed in order to
protect the confidential nature of the information contained in deposition transcripts and exhibits
and, at the same time, affording Staff access to them during the period of time required to review
and highlight copies of the deposition transcripts singling out only that information for which
Tampa Electric requires confidential treatment.

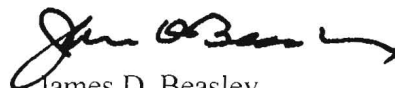
RECEIVED & FILED
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FPSC-BUREAU OF RECORDS

Ms. Blanca S. Bayo
May 20, 2004
Page Two

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Thank you for your assistance in connection with this matter.

Sincerely,


James D. Beasley

JDB/pp
Enclosures

cc: All Parties of Record (w/o encls.)