

# AUSLEY & MCMULLEN

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September 2, 2005

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. 050001-EI

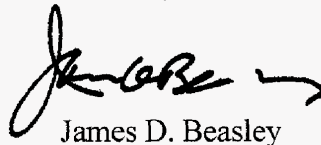
Dear Ms. Bayo:

Enclosed for filing in the above docket are the original and ten (10) copies of Tampa Electric Company's Notice of Intent to Seek Confidential Classification and Motion for Temporary Protective Order regarding portions of its answers to Staff's Second Set of Interrogatories (Nos. 2-13) and First Production of Documents (Nos. 1-2), propounded and served by U. S. Mail on August 2, 2005.

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

JDB/pp  
Enclosure

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

DOCUMENT NUMBER-DATE

08410 SEP-2 05

FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Fuel and Purchased Power Cost Recovery )  
Clause with Generating Performance Incentive ) DOCKET NO. 050001-EI  
Factor. ) FILED: September 2, 2005  
\_\_\_\_\_ )

**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 its answers to the Second Set of Interrogatories (Nos. 2-13), and First Production of Documents (Nos. 1-2) propounded by the Staff of the Florida Public Service Commission ("FPSC") and, as grounds therefor, states:

1. Tampa Electric this date is filing and serving its answers to Staff's Second Set of Interrogatories (Nos. 2-13) and First Production of Documents (Nos. 1-2), portions of which contain highly proprietary confidential business information entitled to protection under the above-referenced statute and rule.

2. Tampa Electric is serving on the Commission's Staff through the Office of the Commission Clerk, a single unredacted version of its answers containing the confidential information highlighted in yellow and stamped "CONFIDENTIAL" pursuant to a Notice of Intent to Seek Confidential Classification.

3. Tampa Electric is also serving a single copy of the unredacted answers to OPC pursuant to a Motion for Temporary Protective Order as contemplated in Rule 25-22.006(6)(c),


Florida Administrative Code, with the confidential information highlighted in yellow and stamped "CONFIDENTIAL."

4. Public disclosure of any of the confidential information contained in Tampa Electric's answers would be very detrimental to the competitive and economic interests of the provider of the information. 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.

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

DATED this 2<sup>nd</sup> day of September 2005.

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 and correct copy of the foregoing Notice of Intent and Motion for Temporary Protective Order, filed of behalf of Tampa Electric Company has been furnished by U. S. Mail or hand delivery (\*) on this 27<sup>th</sup> day of September 2005 to the following:

Ms. Adrienne E. Vining\*  
Senior Attorney  
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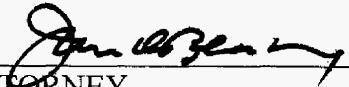
Ms. Susan Ritenour  
Secretary and Treasurer  
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Jacksonville, FL 32202

  
\_\_\_\_\_  
ATTORNEY