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

September 26, 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 is the original and one copy of Tampa Electric Company's Answer to Third Request for Production of Documents (No. 3) of the Office of Public Counsel, propounded and served by U. S. Mail on August 29, 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.)

09134 SEP 26 8

FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Fuel and Purchased Power Cost Recovery Clause with Generating Performance Incentive Factor.

DOCKET NO. 050001-EI FILED: September 26, 2005

TAMPA ELECTRIC COMPANY'S ANSWER TO OFFICE OF PUBLIC COUNSEL'S THIRD REQUEST FOR PRODUCTION OF DOCUMENTS (NO. 3)

Pursuant to Rule 28-106.206, Florida Administrative Code, and Rule 1.350, Florida Rules of Civil Procedure, Tampa Electric Company ("Tampa Electric" or "the company") answers the Office of Public Counsel's Third Request for Production of Documents (No. 3) saying that it has produced the requested documents this date by hand delivery to Patricia A. Christensen, Associate Public Counsel, Office of Public Counsel, c/o The Florida Legislature, 111 West Madison Street, Room 812, Tallahassee, FL 32399-1400.

WHEREFORE, Tampa Electric submits the foregoing as its answer to Office of Public Counsel's Third Request for Production of Documents to Tampa Electric Company (No. 3), propounded and served by U. S. Mail on August 29, 2005.

DATED this <u>26</u> day of September 2005.

Respectfully submitted,

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 Answer, filed on behalf of Tampa Electric Company has been furnished by U. S. Mail or hand delivery (*) on this 26^{-6} day of September 2005 to the following:

Ms. Adrienne E. Vining* Senior Attorney Office of General Counsel Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0863

Mr. James A. McGee Associate General Counsel Progress Energy Florida, Inc. Post Office Box 14042 St. Petersburg, FL 33733

Mr. Gary V. Perko Hopping Green & Sams P.A. P.O. Box 6526 Tallahassee, FL 32314

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

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

Ms. Patricia A. Christensen* Associate Public Counsel Office of Public Counsel c/o The Florida Legislature 111 West Madison Street – Room 812 Tallahassee, FL 32399-1400 Mr. Norman Horton Messer Caparello & Self Post Office Box 1876 Tallahassee, FL 32302

Ms. Cheryl Martin Florida Public Utilities Company P. O. Box 3395 West Palm Beach, FL 33402-3395

Mr. John T. Butler Steel Hector & Davis LLP 200 South Biscayne Boulevard Suite 4000 Miami, FL 33131-2398

Mr. William Walker Florida Power & Light Company 215 South Monroe Street, Suite 810 Tallahassee, FL 32301-1859

Mr. R. Wade Litchfield Florida Power & Light Company 700 Universe Blvd. Juno Beach, FL 33408

Ms. Susan Ritenour Secretary and Treasurer Gulf Power Company One Energy Place Pensacola, FL 32520-0780

Mr. Jeffrey A. Stone Mr. Russell A. Badders Beggs & Lane Post Office Box 12950 Pensacola, FL 32591-2950 Mr. Jon C. Moyle, Jr. Moyle, Flanigan, Katz, Raymond & Sheehan, P.A. 118 N. Gadsden Street Tallahassee, FL 32301

Mr. Robert Scheffel Wright Mr. John T. LaVia, III Landers & Parsons, P.A. 310 West College Avenue Tallahassee, FL 32301 Mr. Mark Hoffman Legal Department CSX Transportation 500 Water Street, 14th Floor Jacksonville, FL 32202

RNEY