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January 17, 2006

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. 060001-EI


Dear Ms. Bayo:

Enclosed for filing in the above docket are the original and fifteen (15) copies of Tampa Electric Company's Request for Confidential Classification and Motion for a Protective Order of portions of its answers to Staff's Ninth Set of Interrogatories (Nos. 111-120).

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

00419 JAN 17 06

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. 060001-EI
FILED: January 17, 2006

REQUEST FOR CONFIDENTIAL CLASSIFICATION
AND MOTION FOR A PROTECTIVE ORDER

Tampa Electric Company (“Tampa Electric” or “the company”), pursuant to Section 366.093, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, hereby requests confidential classification of certain highlighted information contained in portions of its answers to the Florida Public Service Commission Staff’s Ninth Set of Interrogatories (Nos. 111-120) and moves the Commission for a protective order relative to such information. The confidential information in question appears on page 1 of 2 and page 2 of 2 of the company’s answer to Interrogatory No. 112; page 1 of 1 of Interrogatory No. 113; page 1 of 1 of Interrogatory No. 114; pages 1-3 of 3 of Interrogatory No. 115; and page 1 of 1 of Interrogatory No. 117 (referred to as the “Confidential Information”). A single yellow highlighted copy of the Confidential Information contained in Interrogatory Nos. 112, 113, 114, 115 and 117 are being separately filed with the Commission this date. This request is also intended to serve as a request for a protective order, within the contemplation of Rule 25-22.006(6)(b), Florida Administrative Code, such that it will protect the Confidential Information from public disclosure while in the possession of the Office of Public Counsel. Attached hereto as Exhibit “A” is a justification for designating the Confidential Information proprietary confidential business information under the above-referenced statute and rule.

1. Subsection 366.093(1), Florida Statutes, provides that any records “found by the Commission to be proprietary confidential business information shall be kept confidential and shall be exempt from s.119.07(1) [requiring disclosure under the Public Records Act].” The proprietary confidential business information includes, but is not limited to:

(d) Information concerning bids or other contractual data, the disclosure of which would impair the efforts of the public utility or its affiliates to contract for goods or services on favorable terms. (Section 366.093(3)(d), Florida Statutes)

2. Proprietary confidential business information also includes:

(e) Information relating to competitive interests, the disclosure of which would impair the competitive business of the provider of the information. (Section 366.093(3)(e), Florida Statutes)

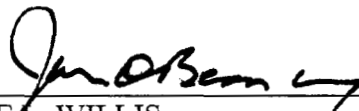
3. The Confidential Information falls within the above statutory categories and, thus, constitutes proprietary confidential business information entitled to protection under Section 366.093 and Rule 25-22.006.

4. The material for which confidential classification is sought is intended to be and is treated by Tampa Electric as private and has not been disclosed.

WHEREFORE, Tampa Electric respectfully requests that the highlighted Confidential Information set forth in its Answers to Staff’s Ninth Set of Interrogatories (Nos. 111-120) be accorded confidential classification and protection from public disclosure by a protective order for the reasons set forth above.

DATED this 17th day of January 2006.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Lee L. Willis", written over a horizontal line.

LEE L. WILLIS
JAMES D. BEASLEY
Ausley & McMullen
Post Office Box 391
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ATTORNEYS FOR TAMPA ELECTRIC COMPANY

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Request for Confidential Classification, filed on behalf of Tampa Electric Company, has been furnished by U. S. Mail or hand delivery (*) on this 17th day of January 2006 to the following:

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ATTORNEY

**JUSTIFICATION FOR CONFIDENTIAL TREATMENT OF HIGHLIGHTED
PORTIONS OF TAMPA ELECTRIC'S RESPONSES TO STAFF'S NINTH
SET OF INTERROGATORIES (NOS. 111-120) (FILED JANUARY 17, 2006)**

<u>Bates Stamp Page No.</u>	<u>Interrogatory No.</u>	<u>Detailed Description</u>	<u>Rationale</u>
2	112 (Page 1 of 2)	All Highlighted Information	(1)
4	113 (Page 1 of 1)	All Highlighted Information	(1)
5	114 (Page 1 of 1)	All Highlighted Information	(1)
6	115 (Page 1-3 of 3)	All Highlighted Information	(1)
10	117 (Page 1 of 1)	All Highlighted Amounts	(1)

(1) The information in question consists of privately negotiated, non-public fuel contract terms. All of the information in each of the highlighted columns is proprietary confidential business information as defined in Section 366.093(d), Florida Statutes, in that it is:

(d) Information concerning bids or other contractual data, the disclosure of which would impair the efforts of the public utility or its affiliates to contract for goods or services on favorable terms.

Public disclosure of this information would inform future fuel supply bidders as to the price or prices Tampa Electric has already agreed to pay for fuel, thereby enabling those bidders to bid a higher price to supply fuel to Tampa Electric than they might otherwise bid if they lacked this information. This would adversely affect Tampa Electric's ability to contract for goods and services on favorable terms. Disclosing private contract terms would adversely affect Tampa Electric's ability to secure the most favorable terms, including the lowest possible price, in future fuel procurement efforts.