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September 4, 2007

HAND DELIVERED

Ms. Ann Cole, Director
Office of Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

RECEIVED-FPSC
07 SEP -4 PM 2:59
COMMISSION
CLERK

Re: Fuel and Purchased Power Cost Recovery Clause with Generating
Performance Incentive Factor; FPSC Docket No. 070001-EI

Dear Ms. Cole:

Enclosed for filing in the above docket are the original and fifteen (15) copies of Tampa Electric Company's Request for Confidential Classification of portions of pages 7 and 15 of the prepared direct projection testimony and portions of Document No. 1, Page 1 of 1 (Bates stamp page 18) of the Exhibit (JTW-2) of Tampa Electric's witness Ms. Joann T. Wehle.

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 _____

GCL _____

OPC _____

RCA _____

SCR _____

SGA _____

SEC _____

OTH _____

JDB/pp
Enclosure

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

DOCUMENT NUMBER-DATE

07992 SEP-4 5

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. 070001-EI
FILED: September 4, 2007

**TAMPA ELECTRIC COMPANY'S
REQUEST FOR CONFIDENTIAL CLASSIFICATION**

Tampa Electric Company ("Tampa Electric" or "the company") hereby requests confidential treatment of portions of pages 7 and 15 of the prepared direct projection testimony of Ms. Joann T. Wehle, and portions of Document No. 1, Page 1 of 1, of the Exhibit (JTW-2) (Bates stamp page 18), which testimony and exhibit are being simultaneously filed herewith in the above docket. In support thereof, the company says:

1. Tampa Electric is simultaneously filing under separate cover letter highlighted versions of the above-referenced pages of Ms. Wehle's testimony and Exhibit. Tampa Electric is also filing 15 copies of Ms. Wehle's Exhibit and testimony with the confidential information redacted.
2. The highlighted portions of the above-referenced testimony and exhibit are entitled to confidential classification and protection from public disclosure in that they constitute proprietary confidential business information under Section 366.093, Florida Statutes. Attached hereto as Exhibit "A" is a detailed justification for the confidential classification requested herein.
3. Tampa Electric requests that the highlighted information in Ms. Wehle's testimony and Exhibit be protected from public disclosure through September 4, 2009. Public disclosure of

the information prior to that date could adversely affect the competitive interests of Tampa Electric's affiliates and Tampa Electric itself and thereby adversely affect Tampa Electric customers.

4. The information sought herein to be treated as confidential has been recognized by the Commission to constitute proprietary confidential business information which is entitled to protection against public disclosure under Section 366.093, Florida Statutes.


5. Tampa Electric requests that the information for which Tampa Electric seeks confidential classification not be declassified until the date specified in Exhibit "B" to this request. The time periods requested are necessary to allow Tampa Electric's affiliated transportation companies to negotiate future contracts without their competitors (and other customers) having access to information which would adversely affect the ability of these affiliates to negotiate future contracts. In addition, the duration of confidential treatment requested with respect to matters relating to Tampa Electric's purchased power strategy will avoid compromising Tampa Electric's ability to contract for goods and services on favorable terms. The period of time requested will ultimately protect Tampa Electric and its customers.

6. The material for which classification is sought is intended to be and is treated by Tampa Electric and its affiliates as confidential private information and has not been disclosed publicly.

WHEREFORE, Tampa Electric submits the foregoing in support of its request for confidential classification of the highlighted information contained in the Prepared Direct Testimony and Exhibit of Ms. Wehle.

DATED this 4th day of September 2007.

Respectfully submitted,



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JAMES D. BEASLEY
Ausley & McMullen
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Tallahassee, FL 32302
(850) 224-9115

ATTORNEYS FOR TAMPA ELECTRIC COMPANY

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true 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 4th day of September 2007 to the following:

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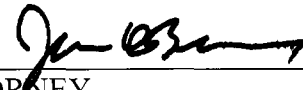
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Washington, D.C. 20007-5201



ATTORNEY

September 4, 2007

DETAILED JUSTIFICATION FOR CONFIDENTIAL CLASSIFICATION

Prepared Direct Projection Testimony of Ms. Joann Wehle, at pages 7 and 15

The yellow highlighted amounts shown on line 21 of page 7 and lines 21 and 22 of page 15 of Ms. Wehle's testimony, when used in conjunction with other publicly available information, will enable one to derive or "back into" the negotiated contract rate per ton for ocean transportation provided by Tampa Electric's waterborne transportation affiliate. This is highly proprietary confidential information which the Commission has recognized is entitled to confidential protection under Section 366.093, Florida Statutes, for the same reasons discussed below regarding the confidential information contained in Ms. Wehle's Exhibit JTW-2, which reasons are incorporate herein by reference.

Exhibit to the Testimony of Joann T. Wehle (JTW-2), Document No. 1, Page 1 of 1

All yellow highlighted information shown on page 1 of 1 of Document No. 1 (Bates stamp page 18) of the Exhibit to the prepared direct testimony of Witness Joann T. Wehle is entitled to confidential classification under Section 366.093(3)(d) and (e), Fla. Stat. Disclosure of the highlighted information would impair the efforts of Tampa Electric to contract for goods and services on favorable terms. In addition, it would harm the competitive interests of Tampa Electric's transportation affiliates and thereby ultimately harm Tampa Electric and its customers. There exists vigorous competition among suppliers of these waterborne transportation services; and therefore, any public disclosure of prices charged by Tampa Electric's affiliates would eliminate any negotiating leverage which the affiliates have in marketing their services to others.

Exhibit "A"

Aside from the coal transportation services performed for Tampa Electric, the TECO Transport affiliates currently transport coal and other bulk commodities for other customers as well. These markets are very competitive. As commercial enterprises, the affiliates face significant competition for each of the other transportation, transfer and storage services that they perform. Only a small percentage of waterway traffic is subject to regulation, and exempt carriers are not required to publish revenues, operating data rates or financial information. Disclosing the amounts charged by these affiliates to Tampa Electric would permit the affiliates' other customers, who may be paying higher prices for similar services, to bargain for more favorable terms from the affiliates.

The weighted average per ton price for waterborne transportation from all Tampa Electric coal sources is entitled to confidential protection for the reasons given above. The total transportation cost, the per-ton (over/under) benchmark amount, and the total cost over/under benchmark each require confidential protection because they are arithmetic functions of the weighted average per-ton price and publicly available information. Disclosing these amounts, in conjunction with the public information on tons transported or the transportation benchmark, would enable competitors to determine the weighted average price for waterborne transportation charged by Tampa Electric's transportation affiliates. Therefore, these amounts are also entitled to confidential protection for the same reasons cited with respect to the weighted average per ton price for waterborne transportation.

The prior years' cumulative benefit and the net benefit for 1988-2003 are, likewise, entitled to confidential protection. The former number is an arithmetic function of the prior years' weighted average price for transportation services, and its disclosure would enable a competitor to determine that weighted average price from the total tons transported. The latter amount is an arithmetic function of the confidential total cost over/(under) benchmark and the prior years' cumulative

benefit, the disclosure of which would allow a competitor to calculate those amounts. Therefore, both benefit amounts are entitled to confidential protection for the same reasons cited above.

Date of Declassification:

<u>DOCUMENT</u>	<u>PAGE NO.</u>	<u>LINE NO.</u>	<u>DATE</u>
Prepared Direct Testimony of Joann T. Wehle, dated 9/4/07	7	21 (highlighted numbers)	September 4, 2009
	15	21 and 22 (highlighted numbers)	
Exhibit (JTW-2) (Document No. 1, Page 1 of 1)	18	All Yellow Highlighted Information	September 4, 2009

Rationale:

Coal Transportation Data

1. Tampa Electric seeks protection of the coal transportation contract information specified as confidential for a minimum period of two years.
2. The need for two or more years of confidentiality is vital not only to Tampa Electric and its ratepayers, but to the vendors of coal transportation services as well.
3. TECO Transport & Trade markets bulk commodity transportation services in the open non-regulated marketplace. The prices at which its services are sold are not publicly disclosed anywhere by publication or voluntary dissemination because it would materially lessen their competitive posture with customers other than Tampa Electric. Outside customers who negotiate for coal transportation services are placed at a competitive advantage for these goods or services if they know the cost of the services.
4. An analyst for an outside customer of TECO Transport who reads the written transcripts of public fuel hearings or reads the written orders of the FPSC can easily discover that until November 1, 1988, Tampa Electric paid cost for coal transportation from TECO Transport. Further, the publication of the stipulation agreement between the parties in 1988 indicated that the initial benchmark price was close to cost and subsequent testimony indicates the revised contract escalates from cost.
5. As long as an outside customer does not know how such an escalation clause changes price, the cost cannot be calculated. However, publicizing the price of coal transportation services will tell an outside customer how much the escalation has been and make it easy for him to

calculate cost. Because of seasonality of costs in this business, a full year's cost data is necessary for an accurate cost measurement.

6. A second year must pass before one full year can be compared with a second year to measure the escalation accurately. So a perceptive vendor seeks two years of data to make his cost estimates. The competitive industries recognize that data beyond two years is not helpful to them, as enough factors may change in that time frame for costs to be much different from what was incurred. Any data less than two full years old is extremely valuable to outside customers in contracting for services with TECO Transport. The difference of small amounts per ton can mean a difference of millions of dollars in total.

7. A loss of outside business by TECO Transport will affect not only TECO Transport, but if large enough, it could affect the credibility of the company. The prices negotiated with Tampa Electric by this vendor took into consideration its costs and revenues at the time of negotiation, including the revenues from outside customers. A significant loss of outside business could cause TECO Transport to fail, since under market pricing regulation Tampa Electric will not make up the difference to it in cost. In turn, a failure of this vendor would leave Tampa Electric and its customers with only higher cost alternatives for coal transportation to Tampa, a higher cost that would be paid by Tampa Electric's ratepayers. So the continued credibility of TECO Transport is important to protect Tampa Electric's ratepayers from higher cost alternatives.

8. The above rationale for a two-year confidential protection of the information in question has been approved by the Commission in this docket. (See, e.g., Order No. PSC-06-0887-CFO-EI issued October 25, 2006)

COMMISSIONERS:
LISA POLAK EDGAR, CHAIRMAN
MATTHEW M. CARTER II
KATRINA J. MCMURRIAN
NANCY ARGENZIANO
NATHAN A. SKOP

STATE OF FLORIDA



OFFICE OF COMMISSION CLERK
ANN COLE
COMMISSION CLERK
(850) 413-6770

Public Service Commission

ACKNOWLEDGEMENT

DATE: 9/4/07

TO: J. Beasley/Ausley

FROM: R. Nettles, Office of Commission Clerk

RE: **Acknowledgement of Receipt of Confidential Filing**

This will acknowledge receipt of a **CONFIDENTIAL DOCUMENT** filed in Docket Number 070001-EI or, if filed in an undocketed matter, concerning Portions of pages 7 and 15 of Wehle's testimony, and portions of Document No. 1, Page 1 (Bates-stamp Page 18 of Exhibit JTW-2, and filed on behalf of TECO. The document will be maintained in locked storage.

If you have any questions regarding this document, please contact Marguerite Lockard, Deputy Clerk, at (850) 413-6770.

DOCUMENT NUMBER - DATE
07993 SEP -4 06
FPSC - COMMISSION CLERK

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STATE OF FLORIDA



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Public Service Commission

M-E-M-O-R-A-N-D-U-M

DATE: September 6, 2007

TO: _____ OFFICE OF THE GENERAL COUNSEL
_____ DIVISION OF COMPETITIVE MARKETS & ENFORCEMENT
XX DIVISION OF ECONOMIC REGULATION
_____ DIVISION OF REGULATORY COMPLIANCE AND
_____ CONSUMER ASSISTANCE

FROM: DIVISION OF THE COMMISSION CLERK AND ADMINISTRATIVE SERVICES

RE: CONFIDENTIALITY OF CERTAIN INFORMATION

DOCUMENT NO(s): 07993-07

DESCRIPTION: TECO (Beasley) - (CONFIDENTIAL) Portions of pgs 7 and 15 of prepared direct projection testimony of Joanne T. Wehle, and portions of No. 1, pg 1 of 1, of Exh JTW-2 (Bates stamp pg 18).

SOURCE: Tampa Electric Company

DOCKET NO(s): 070001-EI

The above material was received with a request for confidential classification. Please prepare a recommendation for the attorney assigned to the case by completing the section below and forwarding a copy of this memorandum, together with a brief memorandum supporting your recommendation, to the attorney. Copies of your recommendation should also be provided to the Division of the Commission Clerk and Administrative Services, Bureau of Records and Hearing Services, and to the Office of General Counsel.