

# AUSLEY & MCMULLEN

ATTORNEYS AND COUNSELORS AT LAW

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P.O. BOX 391 (ZIP 32302)  
TALLAHASSEE, FLORIDA 32301  
(850) 224-9115 FAX (850) 222-7560

October 24, 2008

HAND DELIVERED

RECEIVED-FPSC  
08 OCT 24 PM 4:13  
COMMISSION  
CLERK

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

Re: Fuel and Purchased Power Cost Recovery Clause with Generating Performance Incentive Factor; FPSC Docket No. 080001-EI

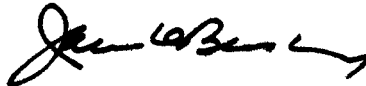
Dear Ms. Cole:

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 confidential proprietary confidential business information relating to negotiated contracts.

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.)

COM	_____
ECR	_____
GCL	2 _____
OPC	_____
RCP	_____
SSC	_____
SGA	_____
ADM	_____
CLK	1 _____

This docketed notice of intent was filed with Confidential Document No. 10112-08. The document has been placed in confidential storage pending timely receipt of a request for confidentiality.

DOCUMENT NUMBER-DATE

10111 OCT 24 8

FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Fuel and Purchased )  
Power Cost Recovery Factor )  
and Generating Performance )  
Incentive Factor. )  
\_\_\_\_\_ )

DOCKET NO. 080001-EI  
FILED: October 24, 2008

**TAMPA ELECTRIC COMPANY'S  
NOTICE OF INTENT TO SEEK CONFIDENTIAL CLASSIFICATION**

Tampa Electric Company ("Tampa Electric" or "the company") files this Notice of Intent to Seek Confidential Classification and, in support thereof, says:

1. Staff has requested an opportunity to review certain documents that constitute proprietary confidential business information relating to negotiated contracts.

2. In order to accommodate Staff's request Tampa Electric is submitting under separate cover a confidential version of each of the following materials, all of which are printed on yellow paper stock and stamped "CONFIDENTIAL":

- Solid Fuel Transportation Contract Between Tampa Electric Company and CSX Transportation, Inc. (Oct. 1, 2008)
- AEP MEMCO LLC Contract (Draft)
- CSX Transportation Contract (Draft)
- Coal Purchase Agreement Contract No. Warrior-06LT1-09
- Tampa Electric Company Solid Fuel Transportation RFP – October 1, 2007
- Tampa Electric Company Transportation Bid Evaluation Memo
- Tampa Electric Company Solid Fuel Transportation RFP – Timeline
- MT 4.0 Solid Fuel Transportation RFP – 2009, TBS North America Liner (Ocean Services)
- MT 4.0 Solid Fuel Transportation RFP – 2009, CSX Transportation (Railroads)

DOCUMENT NUMBER-DATE

10111 OCT 24 8

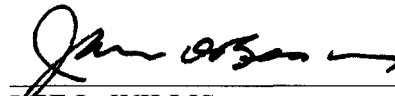
- MT 4.0 Solid Fuel Transportation RFP – 2009, American Commercial Lines (ACL) (River Barge)
- Coal Purchase Agreement Contract No. Knight Hawk – 2009 LT2-09
- Coal Purchase Agreement Contract No. Knight Hawk – 2009 LT1-09
- MT 4.0 Solid Fuel Transportation RFP – 2009, Moran Towing (Ocean Services)
- MT 4.0 Solid Fuel Transportation RFP – 2009, Express Marine (Ocean Services)
- MT 4.0 Solid Fuel Transportation RFP – 2009, Kinder Morgan Bulk Terminal (Terminals/Midstreaming)
- MT 4.0 Solid Fuel Transportation RFP – 2009, St. James Stevedoring Company LLC (Terminals/Midstreaming)
- MT 4.0 Solid Fuel Transportation RFP – 2009, BNSF Railway (Railroads)
- MT 4.0 Solid Fuel Transportation RFP – 2009, AEP Memco (River Barge)
- MT 4.0 Solid Fuel Transportation RFP – 2009, United Maritime (Integrated)
- MT 4.0 Solid Fuel Transportation RFP – 2009, Ingram Barge (River Barge)
- United Matime Group Contract
- MT 4.0 Solid Fuel Transportation RFP – 2009, Enterprise Ship Co. (Ocean Services)

2. The above items are entitled to confidential protection pursuant to Section 366.093,

Florida Statutes, and Rule 25-22.006(3)(a)1., Florida Administrative Code.

DATED this 24<sup>th</sup> day of October, 2008.

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 to Seek Confidential Classification, filed on behalf of Tampa Electric Company, has been served by hand delivery (\*) or U. S. Mail on this 24<sup>th</sup> day of October, 2008 to the following:

Ms. Lisa C. Bennett\*  
Staff Attorney  
Office of the General Counsel  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

Mr. John T. Burnett  
Associate General Counsel  
Progress Energy Service Co., LLC  
Post Office Box 14042  
St. Petersburg, FL 33733-4042

Mr. Paul Lewis, Jr.  
Progress Energy Service Co., LLC  
106 East College Avenue  
Suite 800  
Tallahassee, FL 32301-7740

Mr. John W. McWhirter, Jr.  
McWhirter Reeves & Davidson, P.A.  
Post Office Box 3350  
Tampa, FL 33601-3350

Ms. Patricia A. Christensen  
Associate Public Counsel  
Office of Public Counsel  
111 West Madison Street – Room 812  
Tallahassee, FL 32399-1400

Mr. Norman Horton  
Messer Caparello & Self  
Post Office Box 15579  
Tallahassee, FL 32317

Mr. Mehrdad Khojasteh  
Florida Public Utilities Company  
P. O. Box 3395  
West Palm Beach, FL 33402-3395

Mr. John T. Butler  
Senior Attorney  
Florida Power & Light Company  
700 Universe Boulevard  
Juno Beach, FL 33408-0420

Mr. R. Wade Litchfield  
Florida Power & Light Company  
215 South Monroe Street, Suite 810  
Tallahassee, FL 32301-1859

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

Mr. Jeffrey A. Stone  
Mr. Russell A. Badders  
Mr. Steven R. Griffin  
Beggs & Lane  
Post Office Box 12950  
Pensacola, FL 32591-2950

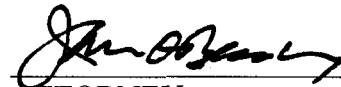
Mr. Robert Scheffel Wright  
Mr. John T. LaVia, III  
Young van Assenderp, P.A.  
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Tallahassee, FL 32301

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

Karen S. White, Lt Col, USAF  
Shayla L. McNeill, Capt, USAF  
AFCESA/ULT  
139 Barnes Drive, Suite 1  
Tyndall Air Force Base, FL 32403-5319

Ms. Cecilia Bradley  
Senior Assistant Attorney General  
Office of the Attorney General  
The Capitol – PL01  
Tallahassee, FL 32399-1050

Mr. James W. Brew  
Brickfield, Burchette, Ritts & Stone, P.C.  
1025 Thomas Jefferson Street, NW  
Eighth Floor, West Tower  
Washington, D.C. 20007-5201



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ATTORNEY

COMMISSIONERS:  
MATTHEW M. CARTER II, CHAIRMAN  
LISA POLAK EDGAR  
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: October 24, 2008

TO: James Beasley, Ausley Law Firm

FROM: Ruth Nettles, Office of Commission Clerk

RE: Acknowledgement of Receipt of Confidential Filing

This will acknowledge receipt of a **CONFIDENTIAL DOCUMENT** filed in Docket Number 080001 or, if filed in an undocketed matter, concerning certain documents relating to negotiated contracts, and filed on behalf of Tampa Electric. 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  
10112 OCT 24 08  
FPSC-COMMISSION CLERK

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD • TALLAHASSEE, FL 32399-0850  
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PSC Website: <http://www.floridapsc.com>

Internet E-mail: [contact@psc.state.fl.us](mailto:contact@psc.state.fl.us)