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November 21, 2008

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

Re: Petition for Rate Increase by Tampa Electric Company
FPSC Docket No. 080317-EI

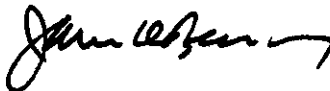
Dear Ms. Cole:

Enclosed for filing in the above docket are the original and fifteen (15) copies of Tampa Electric Company's Objection to the Florida Industrial Power Users Group's Request for Confidential Treatment and Response to Motion for Temporary Protective Order.

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.)

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FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for Rate Increase)
by Tampa Electric Company.)
_____)

DOCKET NO. 080317-EI

FILED: November 21, 2008

**TAMPA ELECTRIC COMPANY'S OBJECTION TO THE
FLORIDA INDUSTRIAL POWER USERS GROUP'S REQUEST
FOR CONFIDENTIAL TREATMENT AND RESPONSE
TO MOTION FOR TEMPORARY PROTECTIVE ORDER**

Tampa Electric Company ("Tampa Electric" or the "company") files this its objection to the Florida Industrial Power Users Group's ("FIPUG") request for confidential classification and response to motion for temporary protective order relative to FIPUG's response to Tampa Electric's First Set of Interrogatories (Nos. 1-7). Such request and motion should be denied and FIPUG should be directed to immediately provide a non-redacted copy of the information FIPUG seeks to maintain in secrecy. As grounds therefor, Tampa Electric states:

1. The interrogatory in question (Interrogatory No. 1) asked FIPUG to identify each current member of FIPUG including the name of the member, its business address, FIPUG's principal contact with the member, the nature of the member's business activities and the location of the member's business facilities. On November 3, 2008 FIPUG filed its objections and responses to Tampa Electric's First Set of Interrogatories (Nos. 1-7) along with a request for confidential classification and motion for temporary protective order seeking to keep secret and confidential the names, addresses and business activities of certain entities FIPUG claimed were "FIPUG companies normally participating in matters affecting the TECO service area. . . ."

2. In its request of confidential and motion for temporary protective order classification FIPUG stated that the above-referenced information FIPUG seeks to have

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designated as confidential is intended to be and is treated as private. This is erroneous, as FIPUG has disclosed the names of FIPUG entities in both Tampa Electric Company's most recent full revenue requirements case as well as in Docket No. 031033-EI, In re: Review of Tampa Electric Company's 2004-2008 Waterborne Transportation Contract with TECO Transport and Associated Benchmark. In the latter proceeding, in its responses to Tampa Electric's first set of interrogatories and first request for production of documents, FIPUG on January 26, 2004 openly disclosed the identities, addresses and individual contacts for the same entities FIPUG now seeks to keep secret.

3. Under Rule 25-22.006(4)(d), Florida Administrative Code, a request for confidential classification must include an affirmative statement that the material for which confidential classification is sought, is intended to be treated by the utility or other person as private and has not been disclosed. The information FIPUG now seeks to keep secret has been disclosed openly and publicly by FIPUG in response to previous discovery. As a consequence, it is not entitled to confidential treatment under Rule 25-22.006, Florida Administrative Code.

4. The information FIPUG seeks to keep secret is relevant information in this proceeding as explained in Tampa Electric's Motion for Summary Final Order on FIPUG's Lack of Standing filed in this docket on November 14, 2008.

5. In a Non-Disclosure Agreement entered into by and between Tampa Electric and FIPUG in this proceeding on October 7, 2008, paragraph 3 thereof states in part:

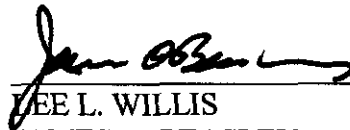
Nothing in this agreement is intended to preclude the Receiving Party from challenging the merits of whether Confidential Information designated as such by the Producing Party is proprietary confidential business information within the meaning of Section 366.093, Florida Statutes.

This objection and response is intended to serve as Tampa Electric's challenge to FIPUG's confidential designation of the above-referenced information pursuant to paragraph 3 of such Non-Disclosure Agreement.

WHEREFORE, Tampa Electric Company requests that FIPUG's request for confidential classification and motion for temporary protective order concerning portions of its response to Tampa Electric's First Set of Interrogatories (Nos. 1-7), specifically, FIPUG's answer to Interrogatory No. 1 at Bates stamp page 1, be denied.

DATED this 21st day of November, 2008.

Respectfully submitted,



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J. JEFFRY WAHLEN
Ausley & McMullen
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ATTORNEYS FOR TAMPA ELECTRIC COMPANY

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Objection to the Florida Industrial Power Users Group's Request for Confidential Treatment and Response to Motion for Temporary Protective Order, filed on behalf of Tampa Electric Company, has been furnished by U.S. Mail or hand delivery (*) on this 21st day of November, 2008 to the following:

Keino Young/Martha Brown*
Jennifer Brubaker/Jean Hartman
Office of General Counsel
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

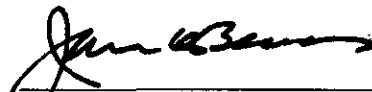
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