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

DATE: March 4, 2009

TO: Office of Commission Clerk (Cole, McLean)
Office of General Counsel (Bennett) *F*

FROM: Division of Regulatory Compliance (Freeman, Vandiver) *W*

RE: Docket 090001-EI, Recommendation to declassify Documents Numbered 03879-06, 04367-06, 04368-06, and 01375-07, pertaining to "Tampa Electric Company Fuel Adjustment Clause Audit for the Historical Year Ended December 31, 2005", Audit Control No. 06-046-2-1

On April 27, 2006, when copies of certain portions of staff's working papers obtained or prepared during the "Tampa Electric Company Fuel Adjustment Clause Audit for the Historical Year Ended December 31, 2005", were delivered to TECO at the audit exit conference, the utility requested that these materials be temporarily exempted from public access in accordance with provisions of Rule 25-22.006(3)(a)2., Florida Administrative Code (FAC).

On May 2, 2006, staff filed document numbered 03879-06 consisting of those specified portions of the staff's working papers.

On May 18, 2006, TECO filed a request that selected portions of the working papers prepared by the staff during the audit receive confidential classification. The utility's request included redacted copies for public inspection (Document No. 04368-06) and copies with the sensitive material highlighted (Document No. 04367-06).

On February 9, 2007, after discussions with the staff, TECO filed an amended request concerning this material and requested that portions of the previously-filed, publicly-available document (Document No. 04368-06) be granted a confidential classification. The filing included additional redacted copies for public inspection (Document No. 01376-07) and copies with the sensitive material highlighted (Document No. 01375-07).

COM As a result of these TECO filings, documents numbered 03879-06, 04367-06, 04368-06 and
ECR 01375-07 are held as confidential pending resolution of the utility's requests.

GCL ~~On February 6, 2009, TECO withdrew its requests that material from staff Audit No. 06-046-2-1~~
OPC ~~be classified as confidential (See document No. 00951-09). Therefore, we recommend that the~~
RCP ~~affected documents should be declassified; and Document No. 03879-06 should be returned to~~
SSC ~~the Bureau of Audit; Document No. 04368-06 should be returned to the Clerk's public files; and~~
SGA ~~Documents Nos. 04367-06 and 01375-07 should be returned to the utility as they are sensitive~~
ADM ~~utility documents not needed to support any pending requests.~~

CLK *McLean*

DOCUMENT NUMBER - DATE

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