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RECEIVED-FPSC

11 AUG -2 PM 1:53

COMMISSION
CLERK

August 2, 2011

HAND DELIVERED

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

claim of confidentiality
 notice of intent
 request for confidentiality
 filed by OPC

For DN 05447-11, which
is in locked storage. You must be
authorized to view this DN.-CLK

Re: Tampa Electric Company's Petition for Approval of its 2011 Depreciation Study
and Annual Dismantlement Accrual Amounts; FPSC Docket No. 110131-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 three excerpted pages of a report
of *American Metal Market* (pages 15, 17 and 19).

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

COM _____
APA _____
ECR 13
GCL I
RAD _____
SSC _____
ADM _____
OPC _____
CLK I

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

DOCUMENT NUMBER-DATE

05446 AUG-2 =

FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Tampa Electric Company's)
Petition for Approval of its 2011)
Depreciation Study and Annual)
Dismantlement Accrual Amounts.)
_____)

DOCKET NO. 110131-EI

FILED: August 2, 2011

**TAMPA ELECTRIC COMPANY'S
REQUEST FOR CONFIDENTIAL CLASSIFICATION
AND MOTION FOR TEMPORARY 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 request confidential classification of the yellow highlighted information contained in the following described document(s) ("the Document(s)") stamped "CONFIDENTIAL" and all information that is or may be printed on yellow paper stock stamped "CONFIDENTIAL" within the Document(s), all of said confidential information being hereinafter referred to as "Confidential Information."

Description of the Document(s)

Three excerpted pages of a report of *American Metal Market* (pages 15, 17 and 19). In support of this request, the company states:

1. Subsection 366.093(1), Florida Statutes, provides that any records "found by the Commission to be propriety confidential business information shall be kept confidential and shall be exempt from s. 119.07(1), Florida Statutes [requiring disclosure under the Public Records Act]." Proprietary confidential business information includes, but is not limited to "[i]nformation concerning . . . 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."

DOCUMENT NUMBER-DATE

05446 AUG-2 =

FPSC-COMMISSION CLERK

Subsection 366.093(3)(d), Florida Statutes. Proprietary confidential business information also includes “[i]nformation 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. The Confidential Information that is the subject of this request and motion falls within the statutory categories and, thus, constitutes propriety confidential business information entitled to protection under Section 366.093, Florida Statutes, and Rule 25-22.006, Florida Administrative Code.

2. Attached hereto as Exhibit "A" is a justification for confidential treatment of the Confidential Information contained in the Document(s).

3. Attached hereto as Exhibit "B" are two public versions of the Document(s) with the Confidential Information redacted, unless previously filed as indicated.

4. The Confidential Information contained in the Document(s) is intended to be and is treated by Tampa Electric as private and has not been publicly disclosed.

5. For the same reasons set forth herein in support of its request for confidential classification, Tampa Electric also moves the Commission for entry of a temporary protective order pursuant to Rule 25-22.006(6)(c), Florida Administrative Code, protecting the Confidential Information from public disclosure.

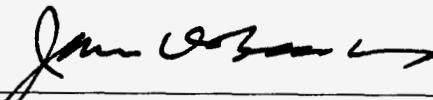
Requested Duration of Confidential Classification

6. Tampa Electric requests that the Confidential Information be treated by the Commission as confidential proprietary business information for the duration of Staff's review of such information and that the Confidential Information be returned to Tampa Electric upon completion of Staff's review.

WHEREFORE, Tampa Electric Company respectfully requests that the Confidential Information that is the subject of this request and motion be accorded confidential classification for the reasons set forth herein while such information is in the custody of the Commission and that the Confidential Information be returned to Tampa Electric upon the completion of Staff's review. The company further moves for the entry of a temporary protective order pursuant to Rule 25-22.006(6)(c), Florida Administrative Code, protecting the Confidential Information from public disclosure.

DATED this 2nd day of August, 2011.

Respectfully submitted,



JAMES D. BEASLEY
J. JEFFRY WAHLEN
Ausley & McMullen
Post Office Box 391
Tallahassee, Florida 32302
(850) 224-9115

ATTORNEYS FOR TAMPA ELECTRIC COMPANY

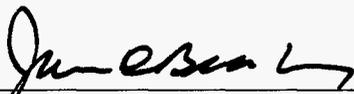
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Request for Confidential Classification and Motion for Temporary Protective Order, filed on behalf of Tampa Electric Company, has been served by hand delivery (*) or U. S. Mail on this 2nd day of August, 2011 to the following:

Ms. Caroline Klancke*
Office of General Counsel
Florida Public Service Commission
Room 370K – Gerald L. Gunter Building
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Mr. David Dowds*
Division of Economic Regulation
Florida Public Service Commission
Room 105D – Gerald L. Gunter Bldg.
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

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



ATTORNEY

**JUSTIFICATION FOR CONFIDENTIAL TREATMENT OF HIGHLIGHTED
PORTIONS OF THREE EXCERPTED PAGES OF A REPORT
OF AMERICAN METAL MARKET**

<u>Page Nos.</u>	<u>Line Nos.</u>	<u>Detailed Description</u>	<u>Rationale</u>
15, 17, 19		All highlighted information	(1)

- (1) The information reflected on this page is copyrighted information the publisher of which has authorized Tampa Electric to share on a confidential basis for internal review by the Commission in this docket. The publisher of the information is in the business of accumulating metal pricing information and providing that information to subscribers who pay for this service. Publicly disclosing this information would be detrimental to the business interests of the publisher of the information in that the information would be made available to persons who might otherwise subscribe to purchase the information from the publisher. It follows that the information in question constitutes trade secrets and information relating to competitive interests, the disclosure of which would impair the competitive business of the provider of the information. These categories of information are entitled to confidential protection pursuant to Section 366.093(3)(a) and (e), Florida Statutes.

PUBLIC VERSION(S) OF THE DOCUMENT(S)

Attached hereto (unless previously filed as may be noted below) are two public versions of the Document(s) with the Confidential Information redacted.

Public Version(s) of the Document(s) attached X

Public Version(s) of the Document(s) previously filed on _____

REDACTED

TAMPA ELECTRIC COMPANY
DOCKET NO. 110131-EI
STAFF'S FIRST DATA REQUEST
SUPPLEMENT TO REQUEST NO. 109
FILED: AUGUST 2, 2011

REDACTED

REDACTED

**TAMPA ELECTRIC COMPANY
DOCKET NO. 110131-EI
STAFF'S FIRST DATA REQUEST
SUPPLEMENT TO REQUEST NO. 109
FILED: AUGUST 2, 2011**

REDACTED

**TAMPA ELECTRIC COMPANY
DOCKET NO. 110131-EI
STAFF'S FIRST DATA REQUEST
SUPPLEMENT TO REQUEST NO. 109
FILED: AUGUST 2, 2011**