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October 11, 2012

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 06903-12, which
is in locked storage. You must be
authorized to view this DN.-CLK

RECEIVED-FPSC
12 OCT 11 AM 11:25
COMMISSION
CLERK

Re: Fuel and Purchased Power Cost Recovery Clause with Generating
Performance Incentive Factor; FPSC Docket No. 120001-EI

Dear Ms. Cole:

Enclosed for filing in the above docket are the original and seven (7) copies of Tampa Electric Company's Request for Confidential Classification and Motion for Temporary Protective Order regarding portions of its answers to the Florida Public Service Commission Staff's Sixth Set of Interrogatories No. 40(a) and 40(b).

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
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APA
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cc: All parties of record (w/enc.)

DOCUMENT NUMBER-DATE
06902 OCT 11 12
FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Fuel and Purchased)
Power Cost Recovery Clause)
and Generating Performance)
Incentive Factor.)
_____)

DOCKET NO. 120001-EI

FILED: October 11, 2012

**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 requests 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)

Tampa Electric's answers to the Florida Public Service Commission Staff's Sixth Set of Interrogatories (No. 40(a) and (b)), a single copy of which is being simultaneously filed with the Commission on a confidential basis under a separate transmittal letter. Bates Stamp pages 2-7 contain certain information ("Confidential Information") highlighted in yellow. 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

DOCUMENT NUMBER-DATE

06902 OCT 11 2012

FPSC-COMMISSION CLERK

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.” 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 at least the 18 month period

prescribed in Rule 25-22.006(9)(a), Florida Administrative Code. If, and to the extent that the company is in need of confidential classification of the Confidential Information beyond the 18 month period set forth in the Commission rule, the justification and grounds for such extended confidential treatment are set forth in Exhibit "C" to this request and motion.

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 and for a minimum period of 18 months, subject to any request for a longer period of confidential classification as may be set forth in Exhibit "C" to this request and motion. 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 11th day of October 2012.

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 13 day of October, 2012 to the following:

Ms. Martha F. Barrera*
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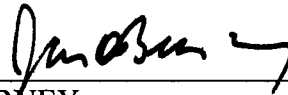
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Washington, D.C. 20007-5201



ATTORNEY

**JUSTIFICATION FOR CONFIDENTIAL TREATMENT OF
HIGHLIGHTED PORTIONS OF TAMPA ELECTRIC'S RESPONSES TO
STAFF'S SIXTH SET OF INTERROGATORIES (FILED OCTOBER 11, 2012)**

<u>Interrogatory No.</u>	<u>Bates Page Nos.</u>	<u>Detailed Description</u>	<u>Rationale</u>
40(a)	2-6	The Highlighted Information	(1)
40(b)	7	The Highlighted Information	(1)

- (1) The information contained on the listed pages contain hedged fuel prices mark-to-market savings or losses, hedged volume of natural gas, fixed prices of hedging transaction and hedging percentages, all of which types of information have been recognized by the Commission on numerous occasions to constitute proprietary confidential business information, the disclosure of which would be harmful to Tampa Electric's ability to contract for goods and services on favorable terms and, likewise, the disclosure of which would be harmful to the competitive interests of Tampa Electric. See, for example, Order Nos. PSC-07-0859-CFO-EI and PSC-07-9860-CFO-EI. This specific type of information described in Section 366.093(3)(d) and (e) as being entitled to confidential protection and exemption from the Public Records Law.

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

Exhibit "B"

DOCUMENT NUMBER-DATE

06902 OCT 11 20

FPSC-COMMISSION CLERK

REDACTED

TAMPA ELECTRIC COMPANY
DOCKET NO. 120001-EI
STAFF'S SIXTH SET OF
INTERROGATORIES
INTERROGATORY NO. 40
PAGE 2 OF 7
FILED: OCTOBER 11, 2012

REDACTED

Transaction Date	Fixed Price	Month of Swap	NYMEX Forward Price
4/8/2011	08/2011		\$4.24
3/11/2011	08/2011		\$4.13
12/17/2010	08/2011	\$4.34	\$4.27
11/12/2010	08/2011	\$4.28	\$4.18
11/3/2010	08/2011	\$4.24	\$4.26
10/1/2010	08/2011	\$4.39	\$4.44
8/25/2010	08/2011	\$4.62	\$4.62
8/16/2010	08/2011	\$4.85	\$4.84
8/10/2010	08/2011	\$4.90	\$4.90
8/10/2010	08/2011	\$4.90	\$4.90
7/8/2010	08/2011	\$5.18	\$5.22
2/26/2010	08/2011	\$5.72	\$5.72
8/31/2009	08/2011	\$6.47	\$6.44
4/12/2011	08/2011		\$4.33
4/8/2011	08/2011		\$4.26
4/8/2011	08/2011		\$4.26
3/11/2011	08/2011		\$4.15
4/8/2011	09/2011		\$4.24
2/10/2011	09/2011		\$4.27
2/17/2011	09/2011		\$4.13
2/17/2011	09/2011		\$4.13
2/7/2011	09/2011		\$4.36
12/17/2010	09/2011	\$4.33	\$4.29
11/12/2010	09/2011	\$4.26	\$4.19
11/12/2010	09/2011	\$4.27	\$4.19
10/1/2010	09/2011	\$4.39	\$4.46
9/27/2010	09/2011	\$4.44	\$4.43
9/24/2010	09/2011	\$4.54	\$4.52
8/10/2010	09/2011	\$4.93	\$4.92
7/8/2010	09/2011	\$5.21	\$5.25
3/15/2010	09/2011	\$5.51	\$5.51
3/15/2010	09/2011	\$5.51	\$5.51
3/11/2010	09/2011	\$5.50	\$5.49
9/28/2009	09/2011	\$6.72	\$6.70
4/12/2011	09/2011		\$4.38
4/8/2011	09/2011		\$4.31
4/8/2011	10/2011		\$4.24

- COM _____
- AFD 1
- APA _____
- ECO _____
- ENG _____
- GCL _____
- IDM _____
- TEL _____
- CLK _____

REDACTED

TAMPA ELECTRIC COMPANY
DOCKET NO. 120001-EI
STAFF'S SIXTH SET OF
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INTERROGATORY NO. 40
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Transaction Date	Fixed Price	Month of Swap	NYMEX Forward Price
12/29/2010	10/2011	\$4.44	\$4.47
4/8/2011	10/2011		\$4.31
4/8/2011	10/2011		\$4.31
2/17/2011	10/2011		\$4.18
2/17/2011	10/2011		\$4.18
2/10/2011	10/2011		\$4.33
2/8/2011	10/2011		\$4.35
1/7/2011	10/2011		\$4.65
12/17/2010	10/2011	\$4.41	\$4.36
11/29/2010	10/2011	\$4.55	\$4.47
11/12/2010	10/2011	\$4.34	\$4.27
10/26/2010	10/2011	\$4.31	\$4.31
10/1/2010	10/2011	\$4.39	\$4.54
8/17/2010	10/2011	\$4.93	\$4.94
7/8/2010	10/2011	\$5.30	\$5.33
4/27/2010	10/2011	\$5.67	\$5.64
4/26/2010	10/2011	\$5.63	\$5.64
10/23/2009	10/2011	\$6.79	\$6.76
8/22/2011	11/2011		\$3.99
8/8/2011	11/2011		\$4.12
2/8/2011	11/2011		\$4.53
10/7/2010	11/2011	\$5.21	\$4.81
10/6/2010	11/2011	\$5.21	\$4.89
11/24/2009	11/2011	\$6.55	\$6.56
10/28/2011	11/2011		\$3.92
9/12/2011	11/2011		\$4.17
9/8/2011	11/2011		\$4.27
8/10/2011	11/2011		\$4.40
2/17/2011	11/2011		\$4.61
2/7/2011	11/2011		\$4.83
11/3/2010	11/2011	\$4.93	\$4.93
10/15/2010	11/2011	\$5.02	\$5.01
8/3/2011	12/2011		\$4.22
1/28/2011	12/2011		\$4.70
10/7/2010	12/2011	\$5.21	\$5.15
10/6/2010	12/2011	\$5.21	\$5.22
6/22/2010	12/2011	\$5.90	\$5.93

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TAMPA ELECTRIC COMPANY
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Transaction Date	Fixed Price	Month of Swap	NYMEX Forward Price
12/22/2009	12/2011	\$6.82	\$6.87
8/25/2011	12/2011		\$4.35
8/22/2011	12/2011		\$4.33
8/10/2011	12/2011		\$4.50
8/3/2011	12/2011		\$4.52
2/7/2011	12/2011		\$4.96
1/28/2011	12/2011		\$5.05
2/17/2011	01/2012		\$4.37
12/1/2010	01/2012	\$4.71	\$4.72
10/15/2010	01/2012	\$5.21	\$5.20
10/7/2010	01/2012	\$5.21	\$5.34
10/6/2010	01/2012	\$5.21	\$5.41
7/14/2010	01/2012	\$5.95	\$5.89
1/27/2010	01/2012	\$6.89	\$6.88
1/27/2010	01/2012	\$6.88	\$6.88
8/25/2011	01/2012		\$4.35
8/23/2011	01/2012		\$4.38
8/8/2011	01/2012		\$4.44
2/7/2011	01/2012		\$4.94
2/17/2011	02/2012		\$4.37
11/22/2010	02/2012	\$4.72	\$4.82
10/15/2010	02/2012	\$5.19	\$5.17
10/7/2010	02/2012	\$5.21	\$5.32
10/6/2010	02/2012	\$5.21	\$5.38
8/25/2010	02/2012	\$5.38	\$5.38
8/25/2010	02/2012	\$5.38	\$5.38
2/26/2010	02/2012	\$6.58	\$6.59
2/23/2010	02/2012	\$6.56	\$6.53
2/23/2010	02/2012	\$6.56	\$6.53
9/12/2011	02/2012		\$4.29
8/25/2011	02/2012		\$4.32
2/14/2011	03/2012		\$4.46
11/3/2010	03/2012	\$4.60	\$4.60
8/25/2011	03/2012		\$4.32
2/17/2011	03/2012		\$4.67
10/7/2010	03/2012	\$5.21	\$5.19
10/6/2010	03/2012	\$5.21	\$5.25

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TAMPA ELECTRIC COMPANY
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Transaction Date	Fixed Price	Month of Swap	NYMEX Forward Price
9/24/2010	03/2012	\$5.14	\$5.12
9/24/2010	03/2012	\$5.14	\$5.12
3/30/2010	03/2012	\$5.85	\$5.89
3/17/2010	03/2012	\$6.09	\$6.09
3/15/2010	03/2012	\$6.15	\$6.15
1/25/2012	04/2012		\$2.88
12/28/2011	04/2012		\$3.21
12/28/2011	04/2012		\$3.21
12/14/2011	04/2012		\$3.28
10/6/2011	04/2012		\$4.07
8/25/2011	04/2012		\$4.28
8/25/2011	04/2012		\$4.28
8/23/2011	04/2012		\$4.31
2/17/2011	04/2012		\$4.53
2/17/2011	04/2012		\$4.53
1/28/2011	04/2012		\$4.76
10/13/2010	04/2012	\$4.92	\$4.93
4/27/2010	04/2012	\$5.69	\$5.67
4/26/2010	04/2012	\$5.67	\$5.68
2/7/2012	05/2012		\$2.74
12/28/2011	05/2012		\$3.26
12/28/2011	05/2012		\$3.26
12/14/2011	05/2012		\$3.33
8/25/2011	05/2012		\$4.31
8/25/2011	05/2012		\$4.31
10/14/2010	05/2012	\$4.97	\$4.88
10/14/2010	05/2012	\$4.98	\$4.88
5/26/2010	05/2012	\$5.48	\$5.45
5/26/2010	05/2012	\$5.49	\$5.45
3/25/2010	05/2012	\$5.44	\$5.42
3/23/2012	05/2012		\$2.48
3/21/2012	05/2012		\$2.55
3/21/2012	05/2012		\$2.55
3/20/2012	05/2012		\$2.54
8/26/2011	05/2012		\$4.38
8/26/2011	05/2012		\$4.38
8/3/2011	06/2012		\$4.47

TAMPA ELECTRIC COMPANY
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Transaction Date	Fixed Price	Month of Swap	NYMEX Forward Price
2/17/2011	06/2012		\$4.56
2/17/2011	06/2012		\$4.56
8/25/2011	06/2012		\$4.34
8/23/2011	06/2012		\$4.37
2/17/2011	06/2012		\$4.59
2/17/2011	06/2012		\$4.59
1/28/2011	06/2012		\$4.79
1/28/2011	06/2012		\$4.79
1/7/2011	06/2012		\$4.87
10/14/2010	06/2012	\$4.98	\$4.91
10/14/2010	06/2012	\$4.97	\$4.91
10/14/2010	06/2012	\$4.97	\$4.91
6/22/2010	06/2012	\$5.50	\$5.51
4/23/2012	06/2012		\$2.20
4/17/2012	06/2012		\$2.17
4/17/2012	06/2012		\$2.17
1/28/2011	07/2012		\$4.76
1/28/2011	07/2012		\$4.76
10/14/2010	07/2012	\$4.97	\$4.88
8/26/2011	07/2012		\$4.42
8/25/2011	07/2012		\$4.39
8/25/2011	07/2012		\$4.39
8/23/2011	07/2012		\$4.41
8/23/2011	07/2012		\$4.41
2/17/2011	07/2012		\$4.63
2/17/2011	07/2012		\$4.63
2/11/2011	07/2012		\$4.70
1/6/2011	07/2012		\$4.86
10/14/2010	07/2012	\$4.98	\$4.96
10/14/2010	07/2012	\$4.97	\$4.96
10/14/2010	07/2012	\$4.97	\$4.96
7/27/2010	07/2012	\$5.31	\$5.32
7/27/2010	07/2012	\$5.31	\$5.32
7/26/2010	07/2012	\$5.32	\$5.33

b. For the transactions listed above, Tampa Electric has two transactions out of approximately 200 that have fixed prices that exceed the corresponding

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**TAMPA ELECTRIC COMPANY
DOCKET NO. 120001-EI
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futures closing price by more than 5 percent. Both transactions are for November 2011 and are ■ percent and ■ percent, respectively, above the future closing price for the date of the transaction. However, both of these transactions were purchased as part of a strip (the average price across a block of months) and therefore the price for a single month will be different than the price of the strip.

- c. Tampa Electric did not enter into options associated with natural gas prices.
- d. See the company's response to subpart (c) above.

REQUESTED DURATION OF CONFIDENTIAL CLASSIFICATION

Tampa Electric requests that the Confidential Information that is the subject of this request be treated as proprietary confidential business information exempt from the Public Records Law for a minimum of 18 months from the date of the order granting such classification. To the extent the company needs confidential protection of the Confidential Information for a period longer than 18 months, the company's justification therefor is set forth below:

n/a