

AUSLEY & McMULLEN

ATTORNEYS AND COUNSELORS AT LAW

227 SOUTH CALHOUN STREET
P.O. BOX 391 (ZIP 32302)
TALLAHASSEE, FLORIDA 32301
1904/ 224-9115 FAX 1904/ 222-7560

May 23, 1996

HAND DELIVERY

Ms. Blanca S. Bayo, Director
Division of Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

ORIGINAL
FILE COPY

Re: **REQUEST FOR SPECIFIED CONFIDENTIAL TREATMENT
OF CERTAIN INFORMATION SUPPLIED IN RESPONSE TO
TO STAFF'S FIRST REQUEST FOR PRODUCTION OF
DOCUMENTS NOS. 1 THROUGH 9**

Prudency Review to Determine Regulatory
Treatment of Tampa Electric Company's
Polk Unit; FPSC Docket No. 960409-EI

Dear Ms. Bayo:

On May 2, 1996 Tampa Electric filed its Notice of Intent to Request Confidential Classification of certain materials in documents provided to Staff in response to Staff's First Request for Production of Documents Nos. 1 through 9. Included within the documents thus produced were the following:

1. A Cambridge Energy Research Associates, Inc. ("CERA") Report to TECO Energy, Inc. dated February 23, 1994 bearing Bate Stamp Page Nos. 144-195.
2. A CERA Report to TECO Energy, Inc. dated April 6, 1994 and bearing Bate Stamp Page Nos. 196-255.
3. A CERA Report entitled "Global Energy Watch" dated Autumn 1994 bearing Bate Stamp Page Nos. 264-295.
4. CERA Memorandum to CERA Clients dated June 4, 1993 bearing Bate Stamp Page Nos. 875-902.

ACK _____
ADA _____
APP _____
CAF _____
CMA _____
CT _____
EF _____
LEG _____
LF _____
OF _____
RE _____
SE _____

W. RECEIVED & FILED

OTH _____

FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER DATE

05739 MAY 23 1996

FPSC-RECORDS&REPORTING

Ms. Blanca S. Bayo
May 23, 1996
Page 2

5. A report prepared by Poten and Partners, Inc. dated July 1993 entitled "Fuel Oil in World Markets" bearing Bate Stamp Page Nos. 925-952.
6. October 20, 1993 CERA publication entitled "North American Natural Gas: Regulation, Reliability and the Customer of the Future bearing Bate Stamp Page Nos. 741-844.
7. CERA private report entitled "Bridging Markets: New Directions for Canadian Natural Gas" dated August 1993 and bearing Bate Stamp Page Nos. 845-868.

Each of the above documents states on its face that it is the copyrighted work product of the authors and may not be reproduced without the consent of the authors. Tampa Electric has secured the consent of the authors for purposes of complying with Staff's document request, conditioned on Tampa Electric filing a request that the Commission treat these reports as confidential proprietary business information exempt from the Public Records Law pursuant to Section 366.093, Florida Statutes.

The authors of the above documents have indicated that they receive considerable compensation for the information provided therein and the Commission's disclosure of such information could be harmful to the authors' economic interests.

To avoid this, we request that the above listed documents be designated confidential pursuant to Section 366.093, Florida Statutes.

Enclosed as Exhibit "A" is a confidential version of the above listed reports. Given the narrative nature of the reports and the textual presentation of the information which is confidential, it would not be reasonable to attempt to highlight in yellow the confidential information. The authors of these reports consider all of their professional advice to be confidential.

With respect to the period of time during which these documents should be confidential, Tampa Electric asks that they be treated as confidential through the finality of this proceeding and then returned to Tampa Electric so that their confidentiality can be permanently preserved consistent with the express desire of the authors.

Please acknowledge receipt and filing of the above by stamping the duplicate copy of this letter and returning same to this writer.

Ms. Blanca S. Bayo
May 23, 1996
Page 3

Thank you for your assistance in connection with this matter.

Sincerely,


James D. Beasley

JDB/pp
Enclosures

cc: All Parties of Record (w/o encls.)