

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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

DOCKET NO. 000001-EI
FILED: June 19, 2000

**TAMPA ELECTRIC COMPANY'S
MOTION FOR PROTECTIVE ORDER**

Tampa Electric Company ("Tampa Electric" or "the company"), pursuant to Rule 25-22.006(6), moves the Commission for the entry of a protective order to ensure the continued confidentiality of information contained in documents which the Florida Industrial Power Users Group ("FIPUG") has requested Tampa Electric to produce in this proceeding and, as grounds therefor, says:

1. On May 30, 2000 Tampa Electric filed its Objections, Motion for Protective Order and Written Response to FIPUG's First Set of Requests for Production of Documents (Nos. 1-2) preliminarily asking the Commission for a protective order pending the company's review of the documents described in FIPUG's request. Tampa Electric has completed that review and submit this Motion for Protective Order to specifically identify the documents which need to be protected on a confidential basis.

2. FIPUG's Requests for Production of Documents (Nos. 1-2), propounded and served by hand delivery on May 19, 2000 request a significant amount of information from Tampa Electric which is proprietary confidential business information the public disclosure of which would be harmful to Tampa Electric and its general body of ratepayers. Much of the information consists of sensitive market based pricing data and would supply a wealth of

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knowledge with regard to Tampa Electric's sources of negotiated power purchases and the prices paid for such purchases. The documents in question also disclose negotiated rates for power sold to Tampa Electric's wholesale customers. Public disclosure of this information would be harmful to Tampa Electric's competitive interests and that harm would be carried through to the direct detriment of Tampa Electric's general body of ratepayers.

3. The confidential information discloses on an hour-by-hour basis Tampa Electric's cost of generation as well as the cost of generation of other suppliers who sell power to Tampa Electric. Public disclosure of this type of information would adversely affect Tampa Electric's ability to compete in the wholesale market because its competitors could use this information to model Tampa Electric's system operations as well as the system operations of suppliers who sell power to Tampa Electric.

4. Attached hereto is a table of the information accumulated by Tampa Electric in response to FIPUG's requests Nos. 1 and 2. The document pages total 3,844 with a significant portion of the pages containing confidential information. Documents for which a claim of confidentiality is made are so designated on the attached table.

5. Tampa Electric has prepared and furnished FIPUG with a draft Non-Disclosure Agreement patterned after the one which FIPUG executed in the reserve margin docket in order to have access to similar information in that proceeding. FIPUG should be required to sign the Non-Disclosure Agreement in advance of having access to any of the documents designated confidential in the enclosed table. All of the documents are in Tallahassee and are available for FIPUG to review upon its execution of the Non-Disclosure Agreement.

WHEREFORE, Tampa Electric Company moves the Commission for entry of an order conditioning FIPUG's access to the documents designated as confidential in the attached table

upon FIPUG's prior execution of the Non-Disclosure Agreement provided by counsel for Tampa Electric.

DATED this 19th day of June 2000.

Respectfully submitted,



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ATTORNEYS FOR TAMPA ELECTRIC COMPANY

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing Motion for Protective Order has been furnished by U. S. Mail or hand delivery (*) on this 19th day of June, 2000 to the following:

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DOCUMENT NO. 1
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1. Produce all document, memoranda, analyses consulted or relied upon in responding to FIPUG's 1st Set of Interrogatories, Nos., 1-11.

A. Below is a matrix cross-referencing documents provided in interrogatories.

Document No.	Interrogatory No.	Description of Documents
1. Bates Stamped Pages 1-318	1.	Interruptible purchase worksheets for January 1998 - April 2000. This provides daily hour-by hour purchases for interruptible customers and can be utilized to obtain the hours and days in which optional provision was purchased for all interruptible customers. Using this data and comparing to the remaining data provided will allow FIPUG to determine when contemporaneous sales and purchases were made.
2 Confidential Bates Stamped Pages 319-374	1a, 1b	Summary billing sheets for January 1998 - April 2000 show for each interruptible customer the amount of optional provision purchased and the average monthly price.
3 Confidential Bates Stamped Pages 375-693	1c, 1d, 1e, 1f	For January 1998 - April 2000 short term sales summary showing date, hour, quantity, price, purchaser and schedule for sales made from Tampa Electric's system.
4 Confidential Bates Stamped Pages 694-720	1c, 1d, 1e, 1f	For January 1998 - April 2000 short term sales summary showing date, hour, quantity, price, purchaser and schedule for sales made from the Hardee Power Partners purchased power agreement on behalf of Tampa Electric.
5 Confidential Bates Stamped Pages 721-809	1g, 1h, 1i, 1j	For 1998 short term purchases summary showing date, hour, quantity, price, seller and schedule.

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6 Confidential Bates Stamped Pages 810-1036	1g, 1h, 1i, 1j	For 1999 short term purchases summary showing date, hour, quantity, price, seller and schedule.
7 Confidential Bates Stamped Page 1037	1h	For 1999 capacity charges associated with short term purchases
8 Confidential Bates Stamped Pages 1038-1093	1g, 1h, 1i, 1j	For January - April 2000 short term purchases summary showing date, hour, quantity, price, seller and schedule.
9 Confidential Bates Stamped Page 1094	1h	For January - April 2000 capacity charges associated with short term purchases
10 Confidential Bates Stamped Pages 1095-1723	1k, 1l, 1m, 1n	For 1998 long term sales summary showing date, hour, quantity, price, purchaser and schedule.
11 Bates Stamped Page 1724	1l	For 1998 capacity charges associated with long term sales.
12 Confidential Bates Stamped Pages 1725-2350	1k, 1l, 1m, 1n	For 1999 long term sales summary showing date, hour, quantity, price, purchaser and schedule.

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13 Bates Stamped Page 2351	1l	For 1999 capacity charges associated with long term sales
14 Confidential Bates Stamped Pages 2352 -2455	1k, 1l, 1m, 1n	For January - April 2000 long term sales summary showing date, hour, quantity, price, purchaser and schedule.
15 Bates Stamped Page 2456	1l	For January - April 2000 capacity charges associated with long term sales
16 Bates Stamped Pages 2457-2462	1k, 1m	Hourly quantity sold to Fort Meade
17 Bates Stamped Pages 2463-2473	1k, 1m	Hourly quantity sold to Wauchula
18 Confidential Bates Stamped Page 2474	1l, 1n	Price and schedule of long term sales to Fort Meade and Wauchula
19 Confidential Bates Stamped Pages 2475-2503	1k, 1l, 1m, 1n	Long term sales summary showing date, hour, quantity, price, purchaser and schedule to Hardee Power Partners.

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20 Confidential Bates Stamped Pages 2504-2532	1k, 1l, 1m, 1n	Long term sales summary showing date, hour, quantity, price, purchaser and schedule to PRECO.
21 Confidential Bates Stamped Pages 2533-2614	1o, 1p, 1q, 1r	For 1998 long term purchase summary showing date, hour, quantity, price, seller and schedule.
22 Confidential Bates Stamped Page 2615	1p	For 1998 capacity charges associated with long term purchases.
23 Confidential Bates Stamped Pages 2616-2774	1o, 1p, 1q, 1r	For 1999 long term purchase summary showing date, hour, quantity, price, seller and schedule.
24 Confidential Bates Stamped Page 2775	1p	For 1999 capacity charges associated with long term purchases.
25 Confidential Bates Stamped Pages 2776-2842	1o, 1p, 1q, 1r	For January - April 2000 long term purchase summary showing date, hour, quantity, price, seller and schedule.

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26 Confidential Bates Stamped Page 2843	1p	For January - April 2000 capacity charges associated with long term purchases.
27 Confidential Bates Stamped Pages 2844-2870	1o, 1p, 1q, 1r	For January - April 2000 long term purchase from Hardee Power Partners summary showing date, hour, quantity, price, seller and schedule.
28 Confidential Bates Stamped Pages 2871-3107	2	For January 1998 - April 2000 Generation Status Sheets
29 Confidential Bates Stamped Pages 3108-3211	5a, 5b	Contracts from energy purchased from FPC, PECO and FPL for FMPA.
30 Bates Stamped Pages 3212-3249	5c	Contract for long-term sale to FMPA.
31 Bates Stamped Pages 3250-3844	8	1999 A schedules from the Fuel and Purchased Power Cost Recovery Clause Filing.

