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June 22, 2000

Ms. Blanca S. Bayo, Director
Division of Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Boulevard
Betty Easley Conference Center, Room 110
Tallahassee, Florida 32399-0850

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RECORDS AND REPORTING

Re: Docket No. 000061-EI

Dear Ms. Bayo:

Enclosed herewith for filing in the above-referenced docket on behalf of Allied Universal Corporation ("Allied") and Chemical Formulators, Inc. ("CFI") are the original and fifteen copies of Allied/CFI's Response to Odyssey Manufacturing Company's Motion for Protective Order.

Please acknowledge receipt of these documents by stamping the extra copy of this letter "filed" and returning the copy to me.

Thank you for your assistance with this filing.

Sincerely,

John R. Ellis

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DOCUMENT NUMBER-DATE

07619 JUN 22 8

FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Complaint of Allied Universal Corporation and Chemical Formulators, Inc. against Tampa Electric Company for violation of Sections 366.03, 366.06(2) and 366.07, Florida Statutes, with respect to rates offered under Commercial/Industrial Service Rider tariff; petition to examine and inspect confidential information; and request for expedited relief.

Docket No. 000061-EI

Filed: June 22, 2000

ALLIED/CFI'S RESPONSE TO ODYSSEY MANUFACTURING COMPANY'S MOTION FOR PROTECTIVE ORDER

Allied Universal Corporation ("Allied") and Chemical Formulators, Inc. ("CFI"), hereinafter referred to collectively as "Allied/CFI," by and through their undersigned counsel, and pursuant to Rules 28-106.204, Florida Administrative Code, submit their response to Odyssey Manufacturing Company's ("Odyssey") Motion for Protective Order, and state:

1. Odyssey's motion requests a protective order excluding four documents and parts of a fifth document from disclosure in this proceeding to Allied/CFI representatives, out of a group of 60 documents provided by Odyssey to Tampa Electric Company ("TECO") in connection with Odyssey's 1998 request for rates under TECO's Commercial/Industrial Service Rider ("CISR") tariff. Odyssey's motion admits that Allied/CFI does not seek disclosure in this proceeding of the documents and information which are the subject of the motion.

2. On June 14, 2000, Allied/CFI provided a draft stipulation to Odyssey in a good faith effort to resolve the issues presented by Odyssey's motion, prior to the filing of the motion on June 15. The draft stipulation invites Odyssey to "fill in the blanks" with the identification numbers of

DOCUMENT NUMBER-DATE


07619 JUN 22 8

those of the 60 documents which Odyssey seeks to withhold from disclosure to Allied/CFI in this proceeding, not only as to the five documents which are the subject of Odyssey's motion but also as to an additional category of documents which counsel for Odyssey has advised the parties (at the Issues Identification Conference on June 7, 2000) that Odyssey will seek to withhold from disclosure. A copy of the draft stipulation is attached to this response as Exhibit A.

3. Allied/CFI does not object to the relief sought in Odyssey's motion. Allied/CFI does object to Odyssey's delay in simply identifying at this time all of the documents among the group of 60 documents which Odyssey seeks to withhold from disclosure to Allied/CFI in this proceeding.

WHEREFORE, Allied/CFI requests that the Prehearing Officer issue an Order directing Odyssey to, within three days: (1) identify to Allied/CFI all of the documents and information, among the group of 60 documents, which Odyssey seeks to withhold from disclosure to Allied/CFI in this proceeding; and, either (2) file a stipulation between Odyssey and Allied/CFI proposing appropriate terms of a protective order concerning nondisclosure to Allied/CFI of such documents in this proceeding; or, alternatively (3) file a response identifying the facts and reasons why Odyssey believes that it cannot enter into such a stipulation with Allied/CFI.

Respectfully submitted,



Kenneth A. Hoffman, Esq.

John R. Ellis, Esq.

Rutledge, Ecenia, Purnell & Hoffman, P.A.

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Attorneys for Allied Universal Corporation and
Chemical Formulators, Inc.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing Allied/CFI's Response to Odyssey Manufacturing Company's Motion for Protective Order was furnished by facsimile telecopier(*) and mail to the following this 22nd day of June, 2000:

L. Lee Willis, Esq.
James D. Beasley, Esq.
Ausley & McMullen
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Tallahassee, Florida 32301

Robert V. Elias, Esq.
Marlene Stern, Esq.
Division of Legal Services
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2540 Shumard Oak Boulevard
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Patrick K. Wiggins, Esq.
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Tallahassee, FL 32302

Harry W. Long, Jr., Esq.
TECO Energy, Inc.
Legal Department
P. O. Box 111
Tampa, FL 33601



JOHN R. ELLIS

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Complaint of Allied Universal Corporation and Chemical Formulators, Inc. against Tampa Electric Company for violation of Sections 366.03, 366.06(2) and 366.07, Florida Statutes, with respect to rates offered under Commercial/Industrial Service Rider tariff; petition to examine and inspect confidential information; and request for expedited relief.

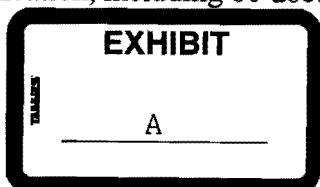
Docket No. 000061-EI

Filed: June __, 2000

STIPULATION REGARDING ODYSSEY DOCUMENTS

Allied Universal Corporation ("Allied") and Chemical Formulators, Inc. ("CFI"), collectively referred to as "Allied/CFI," and Odyssey Manufacturing Company ("Odyssey"), by and through their undersigned counsel, enter into the following stipulation regarding Odyssey's request for non-disclosure by Tampa Electric Company ("TECO") to Allied/CFI of certain information provided by Odyssey to TECO in 1998 in connection with Odyssey's request for rates under TECO's Commercial/Industrial Service Rider ("CISR") tariff, in response to Allied/CFI's discovery requests to TECO in this proceeding.

- 1. Whereas, in 1998 Odyssey provided certain documents to TECO in connection with Odyssey's request for rates under TECO's CISR tariff;
2. Whereas, Allied/CFI has requested that TECO produce copies of all such documents for inspection by representatives of Allied/CFI in this proceeding, subject to a protective agreement providing procedures for confidential treatment of such information and documents;
3. Whereas, on March 10, 2000, TECO filed certain documents in this proceeding with a request for confidential classification, including 60 documents represented by TECO to constitute



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all documents supplied to it by Odyssey in connection with Odyssey's request for rates under TECO's CISR tariff (hereinafter referred to as "the Odyssey documents");

4. Whereas, Odyssey and Allied/CFI seek to amicably resolve the matter of Odyssey's request for non-disclosure to Allied/CFI of certain information contained in the Odyssey documents, which Odyssey contends is entitled to protection against disclosure to Allied/CFI in this proceeding as trade secrets and/or proprietary confidential business information, or is otherwise not required to be disclosed to Allied/CFI in this proceeding;

5. Whereas, Odyssey and its undersigned counsel have received from TECO a set of copies of the Odyssey documents, and have reviewed and have added identification numbers to those documents;

6. Whereas, Odyssey represents that the following Odyssey documents contain information concerning the sources, amounts, terms and conditions of Odyssey's debt and equity financing, and Allied/CFI stipulates that it does not seek disclosure of such information in this proceeding:

Odyssey Identification Number

TECO Identification Number

7. Whereas, Odyssey represents that the following Odyssey documents contain information concerning sales and revenue data for Odyssey and its affiliates, and Allied/CFI stipulates that it does not seek disclosure of such information in this proceeding:

Odyssey Identification Number

TECO Identification Number

D E M O

8. Whereas, Odyssey represents that the following Odyssey documents contain information concerning manufacturing plant capacity, MVA and KVA ratings, data regarding plant capacity, expandability, and plans relative to expandability, other plant engineering data, capacity of electrical equipment, projected kWh and MW usage at the manufacturing plant, voltage tap settings, and plant process, and Allied/CFI stipulates that only to the extent that such information is pertinent to understanding the terms of Odyssey's Contract Service Agreement with TECO does Allied/CFI contend that disclosure of such information is required in this proceeding:

Odyssey Identification Number

TECO Identification Number

9. Whereas, Odyssey reasonably believes and represents that only the following Odyssey documents among those listed in paragraph 8 above contain information pertinent to understanding the terms of Odyssey's Contract Service Agreement with TECO:

Odyssey Identification Number

TECO Identification Number

10. Whereas, Odyssey represents that the following Odyssey document contains biographical data concerning Odyssey's officers and also contains information concerning Odyssey's sales and revenues, and Odyssey requests non-disclosure of the entire document, and Allied/CFI stipulates that it does not seek disclosure of the information concerning sales and revenue data but contends that disclosure should be made to it of the document with the sales and revenue data redacted:

Odyssey Identification Number

TECO Identification Number

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NOW, THEREFORE, IT IS AGREED:

11. That production of the Odyssey documents to Allied/CFI in this proceeding in response to Allied/CFI's motion to compel production of documents by TECO shall be made pursuant to an appropriate protective agreement and subject to withholding and non-disclosure of those documents listed in paragraphs 6, 7 and 8 above; and

12. That Allied/CFI will move for *in camera* inspection by the Prehearing Officer and production to Allied/CFI in this proceeding of those Odyssey documents listed in paragraphs 9 and 10 above; and

13. That Allied/CFI may move for *in camera* inspection of those Odyssey documents listed in paragraphs 6, 7 and 8 above to verify Odyssey's representations concerning the information contained in those documents, and may thereafter move for production of certain of those documents as may be appropriate.

Date: _____

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Attorneys for Allied Universal Corporation and
Chemical Formulators, Inc.

Date: _____

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