

# AUSLEY & McMULLEN

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01 MAY -1 PM 4:18  
RECORDS AND  
REPORTING

May 1, 2001

HAND DELIVERED

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

Re: Complaint of Allied Universal Corporation and Chemical Formulators, Inc.  
against Tampa Electric Company; FPSC Docket No. 000061-EI

Dear Ms. Bayo:

Enclosed for filing in the above docket are the original and fifteen (15) copies of Tampa Electric Company's Request for Confidential Classification.

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  
Enclosures

cc: All Parties of Record

DOCUMENT NUMBER-DATE

05469 MAY-15

FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Complaint of Allied Universal )  
Corporation and Chemical Formulators, )  
Inc. against Tampa Electric Company. )  
\_\_\_\_\_)

DOCKET NO. 000061-EI  
FILED: May 1, 2001

**TAMPA ELECTRIC COMPANY'S  
REQUEST FOR CONFIDENTIAL CLASSIFICATION**

Tampa Electric Company ("Tampa Electric" or "the company"), pursuant to Section 366.093, Florida Statutes, Rule 25-22.006, Florida Administrative Code, Order No. PSC-01-1003-AS-EI and Order No. PSC-01-1030-PCO-EI, hereby requests the Commission to afford confidential treatment to portions of the depositions and, as applicable, deposition exhibits of the following Tampa Electric witnesses submitted in the above-styled proceeding:

William R. Ashburn	(deposition transcript and Late Filed Depositions Exhibits 7 and 8)
Lawrence A. Rodriguez	(deposition transcript)
C. David Sweat	(deposition transcript)
Victoria Westra	(deposition transcript)

In support thereof, the company says:

1. In Order No. 01-1003 the Commission approved a settlement agreement submitted by and between Allied Universal Corporation and Chemical Formulators, Inc. ("Allied") and Tampa Electric. The order provided that all prefiled testimony and exhibits filed in this docket, all depositions and associated exhibits taken in this docket, and all discovery responses provided by Tampa Electric Company be admitted into evidence. The order also afforded the parties opportunities to seek confidential classification of material in the evidentiary

record no later than April 24, 2001. That due date was extended by Order No. 01-1030 granting an extension of time to Tampa Electric and Allied through and including May 1, 2001.

2. All matters regarding the confidential treatment of prefiled testimony and exhibits have already been addressed. The only remaining requests for confidentiality pertain to the deposition transcripts and exhibits including, for Tampa Electric, those listed above.

3. The contents of a number of the deposition exhibits of Tampa Electric's deponents has already been ruled confidential by the Prehearing Officer. Tampa Electric requests that those rulings be adhered to and that the affected deposition exhibits be protected from public disclosure. Tampa Electric will review the deposition exhibits and clarify for the Division of Records and Reporting which portions have already been ruled confidential.

4. Tampa Electric is simultaneously filing under a separate transmittal letter on a confidential basis copies of the above-listed deposition transcripts and exhibits with the confidential information highlighted in yellow. Attached hereto as Exhibit "A" are written justifications for the confidential classification of the highlighted portions of the deposition transcripts and exhibits. As is explained in greater detail in Tampa Electric's written justifications, the highlighted information is entitled to protection against public disclosure pursuant to Section 366.093, Florida Statutes, and the Commission's implementing Rule 25-22.006, Florida Administrative Code.

5. This will confirm that the material for which confidential classification is sought is intended to be and is treated by Tampa Electric as private and has not been disclosed.

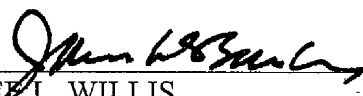
6. Order No. 01-1003 states that, consistent with Rule 25-22.006, Florida Administrative Code, all parties will be afforded an opportunity to respond to or supplement any request for confidential treatment. Tampa Electric has prepared redacted public versions of the

deposition transcripts and exhibits with the information that is the subject of this confidentiality request redacted. Tampa Electric does not want to file the public version of the deposition transcripts or exhibits before determining whether Allied or Odyssey wishes to supplement Tampa Electric's confidentiality requests. The company is furnishing copies of the public versions to counsel for Allied and Odyssey to review. In order for the parties to have a meaningful opportunity to determine whether they wish to supplement the requests Tampa Electric is making, Tampa Electric is temporarily withholding the Commission's redacted public copies of the deposition transcripts and will file them after the later of (a) the expiration of the 14-day review period set forth in Rule 25-22.006, Florida Administrative Code or (b), if any supplemental requests are forthcoming, the final disposition of such supplemental requests.

WHEREFORE, Tampa Electric requests confidential classification of the highlighted portions of the deposition transcripts and exhibits listed above.

DATED this 15<sup>th</sup> day of May 2001.

Respectfully submitted,

  
\_\_\_\_\_  
LEE L. WILLIS  
JAMES D. BEASLEY  
Ausley & McMullen  
Post Office Box 391  
Tallahassee, FL 32302  
(850) 224-9115

ATTORNEYS FOR TAMPA ELECTRIC COMPANY

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing Request for Confidential Classification, filed on behalf of Tampa Electric Company, has been furnished by U. S. Mail or hand delivery (\*) on this 15<sup>th</sup> day of May 2001 to the following:

Mr. Robert V. Elias\*  
Staff Counsel  
Division of Legal Services  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

Ms. Marlene K. Stern\*  
Staff Counsel  
Division of Legal Services  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

Mr. John Ellis\*  
Mr. Kenneth Hoffman  
Ecenia, Underwood, Purnell & Hoffman  
Post Office Box 551  
Tallahassee, FL 32302

Mr. Wayne L. Schiefelbein\*  
Mr. John L. Wharton  
Rose, Sundstrom & Bentley, LLP  
2548 Blairstone Pines Drive  
Tallahassee, FL 32301

Mr. Patrick K. Wiggins  
Katz, Kutter, Haigler, Alderman,  
Bryant & Yon  
108 East College Avenue – 12th Floor  
Tallahassee, FL 32301

  
\_\_\_\_\_  
ATTORNEY

**Justification for Confidentiality of Portions of the Deposition Transcript  
and, as Applicable, Deposition Exhibits of Witness William Ashburn:**

<u>PAGE</u>	<u>LINE(S)</u>	<u>DESCRIPTION</u>	<u>RATIONALE</u>
6	6-12	All	(2)
6	22-23	All	(2)
7	1-7	All	(1), (2)
8	3-6	All	(2)
8	12-14	All	(2)
8	17-18	All	(2)
10	19	Numeric value	(2)
10	23	Numeric value	(2)
11	1-10	All	(1), (2)
11	12-25	All	(1), (2)
12	1-11	All	(2), (4)
12	15-22	All	(1), (2), (4)
14	13	Numeric value	(2)
15	3	Numeric values	(2)
15	11	Numeric value	(2)
16	1-3	All	(1)
16	6	Numeric values	(1)
16	12	Numeric values	(1)
16	13	Numeric values	(1)
16	15-21	All	(1)
16	23-25	All	(1)
17	1-3	All	(1)
17	9	Numeric value	(1)
17	10-15	All	(1)
17	17-18	All	(1)
19	22-23	All	(2)
20	1	Entire line	(2)
20	23-25	All	(2)
21	1-4	All	(2)
21	13-19	All	(2)
23	24-25	All	(2)
24	22-23	All	(2)
25	17	Numeric value	(2)
26	3	Numeric value	(2)
26	4	Numeric value	(2)
26	7	Numeric value	(2)
27	2	Numeric values	(1)
27	17	Numeric value	(1)
27	20	Numeric value	(1),(3)
27	21-25	All	(2)
28	3	Numeric value	(1),(3)
28	15-16	All	(2)
28	17	All text preceding ". You"	(2)
28	22-24	All	(2)

<u>PAGE</u>	<u>LINE(S)</u>	<u>DESCRIPTION</u>	<u>RATIONALE</u>
30	6	All text following "purposes,"	(3)
30	7-8	All	(3)
30	23	Numeric value	(2)
30	24	Numeric value	(2)
33	3	Text between "3," and "Investment"	(1), (4)
33	5	All text following "says"	(2)
33	6-9	All	(2)
33	8	Numeric values	(2)
33	13	Numeric value	(2)
33	14	Numeric value	(2)
33	16	Numeric value	(2)
33	20	Numeric values	(2)
33	22	Numeric value	(2)
33	23	Text between "of" and "investments"	(1), (2), (4)
33	23	Numeric value	(2)
33	24	Numeric value	(2)
34	18	Entire line	(1), (4)
34	20	Numeric value	(2)
34	24	Text between "the" and "annual"	(1), (2), (4)
35	7	Text between "the" and "benefit"	(1), (4)
35	9	Numeric value	(2)
35	12	First word in line	(1), (4)
35	14	Numeric value	(2)
35	23-24	All	(2)
36	3-7	All	(2)
36	9-13	All	(2)
36	21-22	All	(2)
37	6	Numeric reference	(2)
37	9	All Numeric references	(2)
37	10	Numeric value	(2)
37	11	Numeric value	(2)
37	12	Numeric value	(2)
37	19	Numeric value	(2)
40	18	All text between "5," and "the"	(2)
40	21-25	All	(1), (2)
41	6	All text following "change,"	(1)
41	7	Entire line	(1)
41	9	All text following "insistent,"	(1)
41	10-14	All	(1)
41	17	All text following "date,"	(1)
41	18-24	All	(1), (2)
42	5-9	All	(2)
42	11	Entire line	(2)
42	14	Numeric value	(2)
42	15	Numeric value	(2)
43	16	Numeric value	(2)
43	19	Numeric value	(2)

<u>PAGE</u>	<u>LINE(S)</u>	<u>DESCRIPTION</u>	<u>RATIONALE</u>
43	21	Entire line	(2)
44	9	Numeric value	(2)
44	10	Numeric value	(2)
44	15	Numeric value	(1)
44	22-25	All	(1), (2)
45	3	Numeric value	(2)
46	9-10	All	(2), (3), (4)
46	12	Last two words on line	(2), (3), (4)
46	13	Entire line	(2), (3), (4)
46	16	All text preceding "which"	(2), (3), (4)
46	21-25	All	(2), (3), (4)
47	3-4	All	(3)
47	6-25	All	(1), (3), (4)
48	7	Text between "6," and "O&M"	(4)
48	10-11	All	(4)
48	13	Last word in line	(4)
48	14	First word in line	(4)
49	11-25	All	(1), (2), (3)
50	1-2	All	(1), (4)
62	1	All	(2), (3)
62	8-10	All	(2), (3)
62	15-16	All	(3)
62	20	All	(3)
63	7	All text following "forecast"	(2), (3)
63	8	Entire line	(2), (3)
73	2-3	All	(1), (2)
73	4	All text preceding "I'm"	(1), (2)
73	12	All text following "cost."	(1), (2)
73	13-18	All	(1), (2)
73	23	Entire line	(1), (2)
74	3	Text between "the" and "or"	(1), (2)
74	11	Last two words on line	(1), (2)
74	23	Entire line	(1), (2)
74	24	All text preceding "Hang"	(1), (2)
74	25	All text following "basically,"	(1), (2)
75	1-4	All	(1), (2)
75	12	Entire line	(1), (2)
79	11	All text following " the"	(1), (4)
79	12	First word in line	(1), (4)
79	22	Text between "is" and "per"	(1)
80	6-14	All	(1)
80	16	All text preceding "that"	(1)
81	11-14	All	(1), (3)
81	16-19	All	(2)
82	7	Numeric value	(1), (3)
83	18-20	All	(1)
84	9-11	All	(1)



<u>PAGE</u>	<u>LINE(S)</u>	<u>DESCRIPTION</u>	<u>RATIONALE</u>
84	14-18	All	(1)
84	21-24	All	(1)
85	4-7	All	(1)
85	9-12	All	(1)
85	17-19	All	(1)
85	23-25	All	(1)
86	3-5	All	(1)
86	10-17	All	(1)
86	21-25	All	(1)
87	2	Entire line	(1)
87	3	First word in line	(1)
87	8-10	All	(1)
87	12	Entire line	(1)
87	14	All text preceding "Is"	(1)
88	1-6	All	(1)
88	9	All text following "calculate"	(1)
88	10-11	All	(1)
88	12	First word in line	(1)
88	14-20	All	(1)
89	3-12	All	(1)
89	14-17	All	(1)
89	25	Text between "like," and "or"	(1)
90	8-16	all	(1)
90	21	Last word in line	(1)
90	22-23	All	(1)
91	4	Last three words in line	(1)
91	5-10	All	(1)
91	11	All text following "Allied"	(1)
91	14	All text preceding " that's"	(1)
92	15	all text following "reads,"	(1)
92	16-19	All	(1)
94	16	Numeric value	(1)
94	17-20	All	(1)
94	25	Numeric value	(1)
95	4	Numeric values	(1)
95	6	Numeric value	(1)
95	9	Numeric value	(1)
95	10	Numeric value	(1)
95	11	Numeric value	(1)
95	12	Numeric value	(1)
95	13	Numeric value	(1)
95	16	Numeric value	(1)
95	18-25	All	(1)
96	2	Numeric value	(1)
96	20	Numeric value	(1)
97	1	Numeric value	(1)
97	2	Numeric value	(1)

<u>PAGE</u>	<u>LINE(S)</u>	<u>DESCRIPTION</u>	<u>RATIONALE</u>
97	10-21	All	(1)
98	1-5	All	(1), (2)
98	7-25	All	(1)
99	18	Numeric values	(1)
99	21	Numeric values	(1)
99	22	Numeric values	(1)
100	2-9	All	(1)
100	24-25	All	(1)
101	7	Numeric value	(1)
101	8	Numeric value	(1)
101	9	Numeric value	(1)
101	13-14	All	(1)
102	9	All text following "1999"	(1)
102	10-18	All	(1)
102	22-24	All	(1)
102	25	Last two words in line	(1)
103	1	All text preceding "of the"	(1)
103	4	First two words in line	(1)
103	7	Text between "heading" and "at"	(1)
103	10	Last word in line	(1)
103	16	Entire line	(1)
103	19-20	All	(1)
104	3-6	All	(4)
104	8	Entire line	(1), (4)
104	13-14	All	(1), (2), (4)
104	16-17	All	(1), (4)
105	1-4	All	(2), (4)
105	6-25	All	(1), (2), (4)
106	4-5	All	(1), (2)
106	10	Numeric value	(2)
106	11-12	All	(2), (4)
106	18-25	All	(2)
107	1-9	All	(1), (2), (4)
107	10	First three words in line	(1), (2)
107	15-17	All	(2), (4)
108	9	Entire line	(2)
108	13	All text following "right."	(2)
108	14	Entire line	(2)
108	18	Entire line	(2)
108	19	All text preceding "but"	(2)
109	4-5	All	(2)
109	11	Numeric value	(2)
110	1-7	All	(1), (2)
110	11	All text following "group."	(1), (2)
110	12	Entire line	(1), (2)
111	8	Numeric value	(2)
111	11	Numeric value	(2)

<u>PAGE</u>	<u>LINE(S)</u>	<u>DESCRIPTION</u>	<u>RATIONALE</u>
111	13	Numeric value	(2)
111	22-25	All	(2)
112	10-12	All	(4)
112	17-19	All	(4), (2)
113	1-3	All	(1), (2)
113	10	Last two words in line	(1), (2)
114	13-14	All	(2)
114	16	All	(4)
115	14	Entire line	(2), (4)
115	15	First word in line	(4)
115	19	Entire line	(2), (4)
115	21	Entire line	(2), (4)
115	24	Entire line	(2), (4)
115	25	All text preceding " how"	(2), (4)
116	8	Text between "of" and "for"	(2)
117	8	Last word in line	(4)
117	14-19	All	(2), (4)
118	4-7	All	(2)
118	10-13	All	(2), (4)
118	17	All text following "you"	(2), (4)
118	18	Numeric value	(2), (4)
118	21	Numeric value	(2)
119	2-7	All	(2)
119	14-19	All	(2), (4)
119	22-25	All	(3)
122	2	Last two words in line	(1), (3)
122	7-11	All	(1), (3)
122	16-23	All	(1), (3)
123	7	Numeric value	(1)
123	19-20	All	(4)
123	21	First word in line	(1)
125	17-24	All	(2)
126	4-14	All	(2)
126	18-25	All	(2)
130	9	Text between "using "and "if"	(2), (4)
131	18-22	All	(2)
131	23	All text preceding "And"	(2)
132	2-25	All	(1), (2)
133	1-20	All	(2)
136	21	Numeric value	(1)
137	13	Last two words in line	(1)
137	14-16	All	(1)
137	17	All text preceding "What"	(1)
139	19-25	All	(2)
140	1-12	All	(2)
143	11-18	All	(2), (3)
143	24-25	All	(2), (3)

<u>PAGE</u>	<u>LINE(S)</u>	<u>DESCRIPTION</u>	<u>RATIONALE</u>
144	2-24	All	(1), (2)
145	7-13	All	(1), (2)
145	16-23	All	(2)
146	5	Entire line	(2)
146	11-19	All	(1), (2)
146	22	All	(2)
146	24-25	All	(1), (2)
147	1-9	All	(1), (2)
147	12-16	All	(2)
147	20-25	All	(2)
148	4-5	All	(2)
149	3-12	All	(1), (2)
149	19-25	All	(2)
150	8	All	(2)
150	17	All	(2)
151	2-25	All	(1), (2)
152	1-5	All	(1), (2)
152	21-25	All	(2)
153	1-2	All	(2)
154	1-4	All	(2)
155	9-17	All	(1), (2)
156	1	Numeric value	(2)
158	9-14	All	(1), (2)
158	22-25	All	(2)
159	4-6	All	(1)
159	9-15	All	(1)
171	21-24	All	(1)
172	1	All text following "reads:"	(1)
172	2-14	All	(1), (2)
172	16	All text following " answer,"	(1)
172	17-19	All	(1)
177	11	Last two words in line	(3)
177	12	Entire line	(3)
179	7	Last two words in line	(3)
179	8-18	All	(3)
179	23	All text following "is"	(3)
180	1	First two words in line	(3)
180	7	Numeric value	(3)
180	8	Entire line	(3)
180	9	Text between " be" and "and"	(3)
180	11	All text following "running"	(3)
180	12	First three words in line	(3)
180	16	Numeric value	(3)
180	18	All text preceding "in our"	(3)
181	11	All text following "cases;"	(2), (5)
181	12-14	All	(2), (5), (3)
181	15	All text preceding "Do"	(3)

<u>PAGE</u>	<u>LINE(S)</u>	<u>DESCRIPTION</u>	<u>RATIONALE</u>
183	19-24	All	(2)
184	1	All text following "3,"	(1)
184	2	Entire line	(1)
184	4	Last two words in line	(1)
184	5-6	All	(1)
184	8	All text following "if"	(1)
184	9	All text preceding "but"	(1)
184	11	All text following "for"	(1), (4)
184	12	All text preceding "correct"	(1), (2), (4)
184	15-16	All	(1), (2), (4)
184	18	All text following "Odyssey"	(1), (2), (4)
184	19	First two words in line	(1), (2), (4)
184	21	All text following "In fact,"	(2)
184	22	Entire line	(2)
184	23	First word in line	(2)
184	24	Last word in line	(2)
185	1-7	All	(2)
188	23	Numeric value	(1)
188	24	Numeric value	(1)
189	11	Numeric value	(1)
189	20	Numeric value	(1)
189	24	Numeric value	(1)
190	2	Numeric value	(1)
190	10	Numeric value	(1)
190	14	Numeric value	(1)
190	16	Entire line	(1)
190	17	First word in line	(1)
190	18-19	All	(1)
190	20	All text following " RIM"	(1)
190	21	Entire line	(1)
190	24-25	All	(2)
191	3	Numeric value	(1)
191	17	Numeric values	(1)
191	20	Numeric value	(1)
192	4	Numeric value	(1)
192	5	Numeric value	(1)
192	13	Numeric values	(1)
195	5	Numeric values	(1), (3)
197	1-3	All	(1)
200	5	Entire line	(1)
200	6	Numeric values	(1)
200	8	Numeric value	(1)
200	10	Numeric value	(1)
200	14	Numeric value	(1)
200	17	Numeric value	(1)
200	20	Numeric value	(1)
200	22	All text following "Continues,"	(1)

<u>PAGE</u>	<u>LINE(S)</u>	<u>DESCRIPTION</u>	<u>RATIONALE</u>
201	1	Numeric value	(1)
201	2	All text following "be"	(1)
201	5	All text following " reads,"	(5)
201	6-7	All	(5)
201	10	Entire line	(5)
201	13-20	All	(4)
201	22-24	All	(2), (4)
202	1-4	All	(2)
202	9-11	All	(4)
202	12	All text following "agreed"	(4)
202	13-21	All	(1), (2), (4)
202	24	All	(2)
203	3-5	All	(2)
203	8	All text following " fact,"	(2)
203	9-25	All	(1), (2)
204	1-2	All	(1), (2), (4)
204	6-10	All	(1), (2)
204	12	All text following "help."	(2)
204	13-19	All	(2)
204	24-25	All	(2), (4)
205	1	Entire line	(1)
205	4	Entire line	(2), (4)
205	7	Last word in line	(1)
205	8-11	All	(1), (2), (4)
205	14-17	All	(2), (4)
205	22-24	All	(1), (2)
206	8	Last three words in line	(1), (4)
206	9-12	All	(1), (2), (4)
206	18	All text following " agreement"	(1), (4)
206	20	Text between "Yes" and "correct."	(2)
206	21-23	All	(1), (2), (4)
206	25	All text between " Well" and "whatever"	(2)
207	1-5	All	(2)
210	10	All text following "reads"	(5)
210	11-13	All	(5)
210	18-19	All	(5)
211	25	Entire line	(5)
212	4-5	All	(2), (5)
212	6	Numeric value	(2)
222	7-13	All	(5)
223	7-18	All	(5)
223	25	Entire line	(5)
224	1	Entire line	(1)
224	3	All text preceding " per"	(5)
224	5-11	All	(5)
224	15	Entire line	(1), (6)
224	18	Entire line	(1), (6)

<u>PAGE</u>	<u>LINE(S)</u>	<u>DESCRIPTION</u>	<u>RATIONALE</u>
224	21	Entire line	(1)
224	22	Entire line	(1)
224	25	Entire line	(6)
225	1-2	All	(1), (6)
225	3	All text preceding "Do"	(1), (6)
225	6	Entire line	(1), (6)
225	7-8	All	(1), (6)
225	10	Entire line	(1), (6)
225	13	All text following "oranges."	(1)
225	15	Text between "disclose" and "customer"	(1), (6)
226	24	Entire line	(1), (6)
230	13	All text following " example,"	(4)
230	14	Entire line	(4)
230	16-17	All	(2)
230	19-20	All	(4)
230	21	Text between "about" and " You"	(4)
230	22	Entire line	(4)
230	23	Text between "about" and " yes"	(4)
230	25	Text following "Electric"	(4)
231	1-4	All	(4)
231	5	Last three words in line	(4)
231	6-7	All	(4), (6)
231	10-13	All	(4)
231	14	First word in line	(4)
231	16-20	All	(4), (6)
231	21	All text preceding "Is"	(4), (6)
231	24	Last two words in line	(4)
233	20	Entire line	(5)
233	22-23	All	(2)
233	25	Entire line	(3)
234	1-3	All	(3)
235	15-16	All	(6)
235	18-19	All	(4)
235	21-25	All	(4), (6)
236	1	Entire line	(6)
242	3	All text preceding " provided"	(1)
245	2	Numeric value	(1)
245	5	All text between " Allied" and "is"	(1)
245	9	Numeric value	(1)
245	11	Numeric value	(1)
245	21	Numeric values	(1)
245	22	All text following " that"	(1)
246	1	Numeric value	(1)
246	2	All text following "this."	(1)
246	3-12	All	(1), (2)
246	14-15	All	(1)
246	17	Entire line	(1)

<u>PAGE</u>	<u>LINE(S)</u>	<u>DESCRIPTION</u>	<u>RATIONALE</u>
246	22-25	All	(1)
247	3-8	All	(1)
247	10-11	All	(1)
247	22	All text following " 5"	(1)
247	23-24	All	(1)
248	1	All text following "the"	(1)
248	12	Last two words in line	(1)
248	13	Entire line	(1)
248	16	All text preceding "and probably"	(1)
248	17	All text following "the"	(1)
248	18	Text between "is" and "I'm"	(1)
248	20	All text preceding "I'm"	(1)
248	23	Entire line	(1)
248	25	Entire line	(1)
249	2	All text following "So,"	(1)
249	3	Entire line	(1)
249	6	First two words in line	(1)
249	7	All text following "says"	(1)
249	8	Entire line	(1)
249	12-17	All	(1)
249	19	All text following "Allied"	(1)
249	20-23	All	(1)
251	6-7	All	(2), (3)
251	8	All text preceding "Does"	(2), (3)
252	6	Numeric value	(3)
252	13	All text following "So,"	(3), (5)
252	14-17	All	(2), (3), (5)
254	20	Entire line	(1)
254	24	All text following "example"	(1)
254	25	Entire line	(1)
255	4	Text between "be" and "meaning"	(1)
255	8-15	All	(1)
257	2	Last two words in line	(3)
257	3	Text between "think" and "is"	(3)
257	16-23	All	(4)
262	22	Numeric value	(2)
262	23	Numeric value	(2)
269	25	Entire line	(3)
270	2	All text following "was"	(3)
270	3-4	All	(1), (3)
270	5	Numeric value	(1)
270	9	Numeric value	(3)
270	10	Numeric value	(3)
270	11	All text following "after"	(3)
270	12-13	All	(3)
270	15-17	All	(3)
270	19-23	All	(3)



<u>PAGE</u>	<u>LINE(S)</u>	<u>DESCRIPTION</u>	<u>RATIONALE</u>
271	1-5	All	(3), (5)
271	7-14	All	(3)
271	15	All text following "okay,"	(4)
271	16-17	All	(4)
271	20	Entire line	(4)
271	22-23	All	(4)
272	2-4	All	(4)
272	8-25	All	(2), (3), (4), (6)
273	4-8	All	(3)
273	10	All text following "again."	(3)
273	11-13	All	(3)
273	15-21	All	(3)
275	18-19	All	(5)
275	20	All text preceding "At the"	(5)
275	24-25	All	(5)
276	1-5	All	(5)
277	1	All text following "specifically"	(5)
277	2	First word in line	(5)
277	4-19	All	(5)
277	21	Entire line	(5)
277	24-25	All	(5)
278	4	All text following "anything"	(5)
278	5-23	All	(3), (4), (5)
Late-Filed Exhibit 7		All	(2), (3)
Late-Filed Exhibit 8		All	(2), (3)

#### **Rationale for Confidentiality:**

- (1) This type of information would disclose negotiated terms and conditions of either the Odyssey CSA or the Allied CSA. As provided in Tampa Electric's Commission approved Original Tariff Sheet No. 6.720, CSAs shall be considered confidential documents. As the Commission stated in its Order No. PSC-00-1530-PCO-EI issued in this proceeding on August 23 2000, the CISR tariff imposes an affirmative obligation on Tampa Electric not to disclose the information in the CSA other than to the Commission or the Commission's Staff. Public disclosure of this information would harm the interests of Tampa Electric and its general body of ratepayers in future CISR negotiations and would impose a definite chilling effect on the willingness of other at-risk customers to supply information of a business nature in CISR negotiations. As such, this information is entitled to protection against public disclosure under Section 366.093(3)(d) and (e), Florida Statutes.
- (2) This information reflects Tampa Electric Company's highly competitive cost information, such as the inputs to and results of all CISR-related Ratepayer Impact Measure (RIM) analyses. Public disclosure of this information could harm Tampa Electric in two ways. It could hamper Tampa Electric in future CISR negotiations by supplying the customer with knowledge of the rate floor it could demand of Tampa Electric. In addition, disclosure of this information would significantly harm Tampa Electric's negotiating position relative to off-system sales and purchases. This would impair the ability of Tampa Electric to negotiate for goods and services on favorable terms. As such, the information is entitled to protection from public disclosure under Section 366.093(3)(d) and (e), Florida Statutes.

<u>PAGE</u>	<u>LINE(S)</u>	<u>DESCRIPTION</u>	<u>RATIONALE</u>
	(3)	This information if made public would disclose operational characteristics of Odyssey or Allied, such as the projected electrical usage, amount of bleach product to be produced, etc. This is information that could be useful to a competitor of either Odyssey or Allied. As such, it is information relating to competitive interest, the disclosure of which would impair the competitive business of Odyssey or Allied. Public disclosure of this information would also have a significant chilling effect on Tampa Electric's future negotiations with other at-risk customers because they would be concerned that their operational characteristics and production data might be made available to their competitor. As such, this information is entitled to protection under Section 366.093(3)(d) and (e), Florida Statutes.	
	(4)	This information discloses the construction of facilities or other actions considered, taken or agreed to be performed by and between Tampa Electric and either Odyssey or Allied as part of their CISR negotiations. As such, this information discloses consideration for the CISR business relationship between Tampa Electric and either Odyssey or Allied. Public disclosure of this information would adversely affect Tampa Electric in future CISR negotiations by disclosing to prospective at-risk customers details of what Tampa Electric had agreed to in prior CISR negotiations. As a result, the information is entitled to confidential treatment under Section 366.093(3)(d), Florida Statutes.	
	(5)	This information consists of evaluations, observations and other communications made internally by and between Tampa Electric personnel relative to either the Allied or Odyssey CISR negotiations, the public disclosure of which would place in the public domain proprietary business strategy considerations, CISR negotiation strategies and other proprietary business information. This could adversely affect Tampa Electric in future CISR negotiations as well as in other non-CISR negotiations where this proprietary knowledge is useful to the party or parties with whom Tampa Electric is negotiating. As such, this information is entitled to confidential treatment under Section 366.093(3)(d) and (e), Florida Statutes.	
	(6)	This is proprietary strategic or planning oriented business information, unrelated to the Allied/CFI or Odyssey CSA, the public disclosure of which would adversely affect Tampa Electric from a competitive business standpoint. This information would be useful to those with whom Tampa Electric negotiates to provide goods and services or to acquire goods and services to the detriment of Tampa Electric in those negotiations. As such, the information is entitled to confidential protection pursuant to Section 366.093(3)(d) and (e), Florida Statutes, in that disclosure of the information would impair the efforts of Tampa Electric to contract for goods or services on favorable terms and would impair the competitive business interests of Tampa Electric.	

**Justification for Confidentiality of Portions of the Deposition Transcript  
and, as Applicable, Deposition Exhibits of Witness Lawrence Rodriguez:**

<u>PAGE</u>	<u>LINE(S)</u>	<u>DESCRIPTION</u>	<u>RATIONALE</u>
35	8	Numeric values	(1), (3)
35	17	Entire line	(1), (2)
35	19	Entire line	(1), (2)
36	12	Numeric values	(1), (3)
37	16	Entire line	(1)
37	19	Numeric values	(1)
38	6	Numeric value	(1)
39	20-25	All	(1), (2), (3)
40	3	Numeric values	(1), (3)
43	1	Numeric value	(1)
43	6	Numeric value	(1)
43	10	Numeric values	(1)
43	11	Numeric values	(1)
43	16	Numeric values	(1)
43	18	Numeric value	(1)
43	20	Numeric value	(1)
44	2	Numeric value	(1)
50	15	Numeric value	(1)
50	17	Numeric value	(1)
50	18	Numeric value	(1)
51	2	Numeric value	(1)
52	16	Numeric value	(1)
63	3	All text following "like"	(1)
63	4	All text preceding "and those"	(1)
79	13	Last three words in line	(1)
79	14	All text preceding "in"	(1)
79	15-16	All	(1)
79	18	Last three words in line	(1)
79	19-21	All	(1)
80	4	All text following "is"	(1)
80	5	First word in line	(1)
80	6-9	All	(1)
80	11	Last two words in line	(1)
80	12	First word in line	(1)
80	14	Entire line	(1)
80	15	All text preceding "is"	(1)
80	16	Last two words in line	(1)
80	17	First word in line	(1)
80	25	All text following "this clause,"	(1)
81	1	Entire line	(1)
81	4	All text following "meaning of"	(1)
81	5-6	All	(1)
81	7	All text following "be"	(1)
81	8	Entire line	(1)

<u>PAGE</u>	<u>LINE(S)</u>	<u>DESCRIPTION</u>	<u>RATIONALE</u>
81	11	All text following "means,"	(1)
81	12	All text preceding "in that"	(1)
81	14	All text following "paragraph"	(1)
81	15-17	All	(1)
82	7	Entire line	(1)
82	21	All text following "of"	(1)
82	22	All text preceding "at"	(1)
82	24	Text between "know" and "until"	(1)
83	5	All text following "Odyssey"	(1)
83	6	Entire line	(1)
83	7	All text preceding ", which"	(1)
83	9	All text following "about"	(1)
83	10	All text preceding "in"	(1)
83	11	All text following "about"	(1)
83	12	Entire line	(1)
89	6	Text between "a" and "per"	(1)
94	13	Last word in line	(1), (2), (5)
94	14-15	All	(1), (2), (5)
95	24-25	All	(1), (2), (5)
96	18	Numeric values	(1), (2)
96	19	Numeric value	(1), (2)
97	24	Last two words in line	(1), (4), (5)
97	25	Entire line	(1), (4), (5)
98	1	Entire line	(1), (4), (5)
98	3	Text between "as" and "things"	(1)
98	5	Numeric value	(1)
98	10	Numeric value	(1)
98	19	Numeric value	(1)
99	6	Text between "the" and ", in"	(1), (4), (5)
99	7	Last three words in line	(1), (4), (5)
99	8	Entire line	(1), (4), (5)
99	9	All text preceding "And"	(1), (4), (5)
100	6	Numeric values	(1)
100	14	Text between "for" and "and"	(1), (4), (5)
100	15	Numeric value	(1), (4), (5)
100	16	Text between "are" and "that"	(1), (4), (5)
100	17	All text following "him"	(1), (4), (5)
100	18-22	All	(1), (4), (5)
100	25	Numeric value	(1)
101	1	All text preceding "?"	(1), (4)
101	3-12	All	(1), (4)
101	15-20	All	(1), (4)
101	24	Numeric value	(1)
102	14	Numeric value	(1)
102	17	Text between "to" and "of"	(1)
102	18	Last two words in line	(1), (4), (5)
102	19	Entire line	(1), (4), (5)
103	18	Entire line	(1), (4), (5)

<u>PAGE</u>	<u>LINE(S)</u>	<u>DESCRIPTION</u>	<u>RATIONALE</u>
103	19	First word in line	(1), (4), (5)
105	9-13	All	(1)
105	15-21	All	(1)
105	24-25	All	(1)
106	6	Last two words in line	(1)
106	7-25	All	(1)
107	1	Entire line	(1)
107	3-9	All	(1)
107	12-16	All	(1)
107	22	Entire line	(1)
108	9	All text following "that is"	(1)
108	10-11	All	(1)
108	13	Last word in line	(1)
108	14	Entire line	(1)
108	16	Text between "or" and "So"	(1)
108	21	All text following "it"	(1)
109	8-9	All	(1)
109	13-15	All	(1)
109	17	All	(1)
109	23-25	All	(1)
110	1	Entire line	(1)
110	2	All text preceding "Do"	(1)
110	8-12	All	(1)
110	24-25	All	(1)
111	5	Last three words in line	(1)
111	7	First three words in line	(1)
111	8	Last three words in line	(1)
111	9	All text preceding "such"	(1)
111	11-16	All	(1)
111	19	Entire line	(3)
111	21	Numeric value	(1), (2)
112	6-9	All	(1), (4)
112	12-19	All	(1), (4)
112	21-22	All	(1), (2), (4)
114	12	Text between "and" and "is"	(4)
115	8	All text following "and"	(4), (5)
115	9	Entire line	(4), (5)
121	21	All text following "reads,"	(5)
121	22	All text preceding "with"	(5)
122	13	All text preceding "; what"	(5)
122	16-25	all	(5)
123	1-3	all	(5)
123	11	Entire line	(5)
123	14	All text preceding "So,"	(5)
123	24-25	All	(3)
124	1-2	All	(3)
124	4-5	All	(3)
124	8	Entire line	(3)

<u>PAGE</u>	<u>LINE(S)</u>	<u>DESCRIPTION</u>	<u>RATIONALE</u>
124	14	Entire line	(3)
127	21	Entire line	(3)
127	24	Entire line	(3)
128	3-6	all	(3)
128	8	All text following "around"	(3)
128	9-10	All	(3)
128	15	Entire line	(5)
129	5	Entire line	(5)
129	8	Entire line	(5)
129	13-15	All	(5)
129	16	All text preceding "So"	(5)
129	23	Text between "Allied" and "I"	(5)
130	9-10	All	(5)
131	6	All text preceding "It's"	(5)
132	21	Entire line	(5)
140	3-12	All	(1), (4), (5)
140	13	Numeric value	(5)
162	13	All text following "says,"	(3)
162	14	Entire line	(3)
164	1	All numeric values	(1), (3)
177	5	Numeric value	(1), (3)
177	11	Numeric value	(1), (3)
177	16	Numeric value	(1), (3)
178	3	Numeric value	(1), (3)
185	9	All numeric values	(1), (3)
185	14	Numeric value	(1), (3)
186	5-6	All	(3)
191	18	Text between "like" and ", for"	(1)
192	1-3	All	(1), (5)
193	1	Numeric value	(1)
193	4	Numeric value	(1)
193	6	Numeric value	(1)
193	7	Numeric value	(1)
193	13	Numeric value	(1)
194	11	Numeric value	(1)
195	3	Numeric value	(1)
195	16	Numeric value	(1)
200	9	Numeric value	(1)
208	21-24	All	(1)
209	1-9	All	(1)
209	11	All numeric values	(1)
209	22	Numeric value	(1)
209	23	Numeric value	(1)
210	8	Text preceding "I know"	(1), (4), (5)

**Rationale for Confidentiality:**

<u>PAGE</u>	<u>LINE(S)</u>	<u>DESCRIPTION</u>	<u>RATIONALE</u>
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	(5)	This information consists of evaluations, observations and other communications made internally by and between Tampa Electric personnel relative to either the Allied or Odyssey CISR negotiations, the public disclosure of which would place in the public domain proprietary business strategy considerations, CISR negotiation strategies and other proprietary business information. This could adversely affect Tampa Electric in future CISR negotiations as well as in other non-CISR negotiations where this proprietary knowledge is useful to the party or parties with whom Tampa Electric is negotiating. As such, this information is entitled to confidential treatment under Section 366.093(3)(d) and (e), Florida Statutes.	

<u>PAGE</u>	<u>LINE(S)</u>	<u>DESCRIPTION</u>	<u>RATIONALE</u>
(6)		This is proprietary strategic or planning oriented business information, unrelated to the Allied/CFI or Odyssey CSA, the public disclosure of which would adversely affect Tampa Electric from a competitive business standpoint. This information would be useful to those with whom Tampa Electric negotiates to provide goods and services or to acquire goods and services to the detriment of Tampa Electric in those negotiations. As such, the information is entitled to confidential protection pursuant to Section 366.093(3)(d) and (e), Florida Statutes, in that disclosure of the information would impair the efforts of Tampa Electric to contract for goods or services on favorable terms and would impair the competitive business interests of Tampa Electric.	



**Justification for Confidentiality of Portions of the Deposition Transcript  
and, as Applicable, Deposition Exhibits of Witness C. David Sweat:**

<u>PAGE</u>	<u>LINE(S)</u>	<u>DESCRIPTION</u>	<u>RATIONALE</u>
9	12	Entire line	(4)
13	4	Entire line	(4)
13	23	Entire line	(1), (4)
15	7	First two words in line	(4)
15	8-25	All	(4)
16	1-2	All	(4)
16	6-9	All	(4)
16	15-25	All	(4)
17	3	Entire line	(4)
17	7	Entire line	(4)
17	13-14	All	(4)
17	16-17	All	(4)
17	19-20	All	(4)
17	22-23	All	(4)
17	25	All	(4)
18	2-16	All	(2), (4)
18	25	Entire line	(4)
19	1-2	All	(2)
19	7-10	All	(2), (5)
19	17	All text following " customer"	(2), (4), (5)
19	18-24	All	(2), (4), (5)
20	4	Numeric value	(2)
20	8	Numeric value	(2)
20	9	First word in line	(4)
20	13	Entire line	(4)
20	16-25	All	(2), (4), (5)
21	1-6	All	(2), (4)
21	11-20	All	(2), (4)
21	22-24	All	(4)
22	3-7	All	(4)
22	16-22	All	(4), (6)
23	1-16	All	(4), (6)
23	18-24	All	(6)
24	1-4	All	(4)
24	6	Entire line	(4)
24	15-25	All	(6)
25	4-13	All	(2), (6)
25	15-25	All	(2), (4), (6)
26	2-10	All	(2)
26	13-21	All	(1), (4), (6)
26	25	Entire line	(4)
27	1-2	All	(4)
27	5-25	All	(1), (4), (6)
28	1-18	All	(1), (2), (4), (6)
28	21-25	All	(1), (2), (6)

<u>PAGE</u>	<u>LINE(S)</u>	<u>DESCRIPTION</u>	<u>RATIONALE</u>
29	1	Numeric value	(1), (2)
29	2	All Text preceding "that"	(1)
29	11	Numeric value	(2)
29	13-15	All	(2)
29	19	Numeric value	(2)
29	22-24	All	(4)
30	9-10	All	(4)
30	15-20	Numeric value	(2)
30	24	Numeric value	(2)
31	3	Numeric value	(2)
31	5	Numeric value	(2)
31	14	Numeric value	(2)
31	17-22	All	(2), (4)
31	24-25	All	(2)
32	23	Numeric value	(2)
32	25	Entire line	(4)
33	1-3	All	(2), (4)
33	5-18	All	(2), (4), (5)
33	20-22	All	(2), (4)
33	25	Entire line	(4)
34	2-25	All	(2), (4), (6)
35	1-3	All	(4)
35	24	All text following " Especially"	(3)
36	19	Text between "for" and "values"	(1), (2)
36	20	Text between "the" and "value"	(1), (2)
36	24	Text between "in" and "value"	(1), (2)
37	3	Text between "The" and "value"	(1), (2)
37	5	Entire line	(1), (2)
37	7	Entire line	(1), (2)
37	9	Entire line	(1), (2)
37	10	second sentence	(1), (2)
37	11	First sentence	(2)
37	12	Numeric value	(2)
37	14	Numeric value	(2)
37	15	Numeric value	(2)
37	18	First two words in line	(1), (2)
37	19	Numeric value	(2)
38	5	Numeric value	(2)
38	24	Text between "the" and ", the"	(1), (2), (5)
38	25	Text between "the" and ", for"	(1), (2), (5)
39	1	Numeric value	(1), (5)
39	2-4	All	(1), (5)
39	6-11	All	(1), (5)
39	16-24	All	(1), (2), (5)
40	6	Entire line	(1), (2), (4)
40	7	Numeric value	(2)
40	14	Text between "item," and ", besides	(1), (4)
40	16	Last word in line	(1), (4)

<u>PAGE</u>	<u>LINE(S)</u>	<u>DESCRIPTION</u>	<u>RATIONALE</u>
40	17	First word in line	(1), (4)
40	18	Last two words in line	(1), (4)
40	19	Last word in line	(1), (4)
40	20	First word in line	(1)
40	21	All Text preceding "; we"	(4)
41	3	Entire line	(2), (5)
41	5-12	All	(2), (4), (5)
41	14	Entire line	(4)
41	16-17	All	(2), (4)
41	19-25	All	(2), (4), (5)
42	1-25	All	(4)
43	1-25	All	(2), (4)
44	1-16	All	(2), (4)
45	14-16	All	(1), (4), (5)
48	6	Numeric value	(2)
48	13	Numeric value	(2)
48	15	Numeric value	(2)
48	25	Entire line	(4)
49	3	Entire line	(4)
49	4	First two words in line	(4)
49	9	Numeric value	(2)
49	13	All Text following "the"	(4)
49	19	Entire line	(2), (4)
49	21	Last two words in line	(4), (5)
49	22	All Text preceding ", I"	(4), (5)
49	24	All Text following "That's"	(2), (5)
50	7-18	All	(2), (4), (5)
50	20-25	All	(2), (4), (5)
51	1	Entire line	(4)
51	2	Numeric value	(2)
51	3	Numeric value	(2)
51	4	Numeric values	(2)
51	6	Numeric value	(2)
51	18-22	All	(6)
51	25	Entire line	(6)
52	7-9	All	(6)
52	11-14	All	(6)
52	23-25	All	(6)
53	7-25	All	(6)
54	7	Entire line	(6)
54	10-11	All	(4)
54	23-25	All	(4)
55	1-5	All	(5)
55	9-13	All	(4)
55	22-25	All	(4)
56	10-13	All	(4), (5)
57	7-8	All	(4), (5)
57	10-13	All	(4)

<u>PAGE</u>	<u>LINE(S)</u>	<u>DESCRIPTION</u>	<u>RATIONALE</u>
57	22-23	All	(2)
58	3	Numeric value	(2)
58	4-5	All	(4)
58	8-15	All	(4)
58	18-20	All	(2), (4)
59	2	Numeric value	(2)
59	18	First three words in line	(1),(4)
59	22	Numeric values	(1), (2)
60	1-5	All	(1), (2), (4)
60	11	Last three words in line	(1), (4)
60	20	First three words in line	(1), (4)
61	7-21	All	(1), (4)
63	6-11	All	(4), (6)
63	13-16	All	(4), (6)
63	19-25	All	(6)
64	13-14	All	(3)
64	19	Last word in line	(3)
64	20	Entire line	(3)
65	9	Last two words in line	(3)
65	19	Text between "the" and "area"	(3)
65	22-23	All	(6)
67	8-10	All	(4)
67	12-16	All	(4)
68	9	All	(4)
68	11-15	All	(2), (4)
68	18	All Text following "102."	(4)
68	19-20	All	(2), (4)
68	22	Numeric value	(2)
68	24-25	All	(4)
69	1-3	All	(4)
69	5-6	All	(4)
69	23	Numeric value	(2)
70	7	Entire line	(4)
70	9	All Text following "102-0, the"	(2), (4)
70	10	Numeric value	(2)
70	11	Numeric references	(2)
70	12	Entire line	(2), (4)
70	14-20	All	(2), (4), (5)
71	2	Numeric value	(2)
71	5	Numeric units of measure	(3)
71	8	Numeric value	(2)
71	25	Text between "under" and ", "	(6)
72	1	All Text preceding "The"	(6)
72	8-19	All	(4), (5), (6)
72	24-25	All	(4), (6)
74	16	Numeric value	(2)
74	17	First three words in line	(4)
74	20	Numeric value	(2)

<u>PAGE</u>	<u>LINE(S)</u>	<u>DESCRIPTION</u>	<u>RATIONALE</u>
74	22	Numeric value	(2)
75	4	Last three words in line	(1), (4)
75	19	Numeric value	(2)
75	20	Entire line	(1), (4)

#### **Rationale for Confidentiality:**

- (1) This type of information would disclose negotiated terms and conditions of either the Odyssey CSA or the Allied CSA. As provided in Tampa Electric's Commission approved Original Tariff Sheet No. 6.720, CSAs shall be considered confidential documents. As the Commission stated in its Order No. PSC-00-1530-PCO-EI issued in this proceeding on August 23 2000, the CISR tariff imposes an affirmative obligation on Tampa Electric not to disclose the information in the CSA other than to the Commission or the Commission's Staff. Public disclosure of this information would harm the interests of Tampa Electric and its general body of ratepayers in future CISR negotiations and would impose a definite chilling effect on the willingness of other at-risk customers to supply information of a business nature in CISR negotiations. As such, this information is entitled to protection against public disclosure under Section 366.093(3)(d) and (e), Florida Statutes.
- (2) This information reflects Tampa Electric Company's highly competitive cost information, such as the inputs to and results of all CISR-related Ratepayer Impact Measure (RIM) analyses. Public disclosure of this information could harm Tampa Electric in two ways. It could hamper Tampa Electric in future CISR negotiations by supplying the customer with knowledge of the rate floor it could demand of Tampa Electric. In addition, disclosure of this information would significantly harm Tampa Electric's negotiating position relative to off-system sales and purchases. This would impair the ability of Tampa Electric to negotiate for goods and services on favorable terms. As such, the information is entitled to protection from public disclosure under Section 366.093(3)(d) and (e), Florida Statutes.
- (3) This information if made public would disclose operational characteristics of Odyssey or Allied, such as the projected electrical usage, amount of bleach product to be produced, etc. This is information that could be useful to a competitor of either Odyssey or Allied. As such, it is information relating to competitive interest, the disclosure of which would impair the competitive business of Odyssey or Allied. Public disclosure of this information would also have a significant chilling effect on Tampa Electric's future negotiations with other at-risk customers because they would be concerned that their operational characteristics and production data might be made available to their competitor. As such, this information is entitled to protection under Section 366.093(3)(d) and (e), Florida Statutes.
- (4) This information discloses the construction of facilities or other actions considered, taken or agreed to be performed by and between Tampa Electric and either Odyssey or Allied as part of their CISR negotiations. As such, this information discloses consideration for the CISR business relationship between Tampa Electric and either Odyssey or Allied. Public disclosure of this information would adversely affect Tampa Electric in future CISR negotiations by disclosing to prospective at-risk customers details of what Tampa Electric had agreed to in prior CISR negotiations. As a result, the information is entitled to confidential treatment under Section 366.093(3)(d), Florida Statutes.

<u>PAGE</u>	<u>LINE(S)</u>	<u>DESCRIPTION</u>	<u>RATIONALE</u>
	(5)	This information consists of evaluations, observations and other communications made internally by and between Tampa Electric personnel relative to either the Allied or Odyssey CISR negotiations, the public disclosure of which would place in the public domain proprietary business strategy considerations, CISR negotiation strategies and other proprietary business information. This could adversely affect Tampa Electric in future CISR negotiations as well as in other non-CISR negotiations where this proprietary knowledge is useful to the party or parties with whom Tampa Electric is negotiating. As such, this information is entitled to confidential treatment under Section 366.093(3)(d) and (e), Florida Statutes.	
	(6)	This is proprietary strategic or planning oriented business information, unrelated to the Allied/CFI or Odyssey CSA, the public disclosure of which would adversely affect Tampa Electric from a competitive business standpoint. This information would be useful to those with whom Tampa Electric negotiates to provide goods and services or to acquire goods and services to the detriment of Tampa Electric in those negotiations. As such, the information is entitled to confidential protection pursuant to Section 366.093(3)(d) and (e), Florida Statutes, in that disclosure of the information would impair the efforts of Tampa Electric to contract for goods or services on favorable terms and would impair the competitive business interests of Tampa Electric.	

**Justification for Confidentiality of Portions of the Deposition Transcript  
and, as Applicable, Deposition Exhibits of Witness Victoria Westra:**

<u>PAGE</u>	<u>LINE(S)</u>	<u>DESCRIPTION</u>	<u>RATIONALE</u>
8	16	Numeric value	(1)
10	22	Numeric value	(1)
11	8	Numeric value	(1)
13	5-7	All	(1)
13	9	First three words in line	(1)
13	15	Numeric value	(1)
13	17	Numeric value	(1)
13	18	Numeric value	(1)
13	19	Entire line	(1)
59	25	Numeric value	(1), (3)
60	1	Numeric value	(1), (3)
68	18	Numeric values	(1), (3)
77	10	last three words in line	(1)
77	11	Entire line	(1)
77	22	All text preceding "it"	(1)
88	2-5	All	(5)
88	6	Entire line	(5)
109	8	Numeric value	(1)
109	9	Numeric value	(1)
109	10	Numeric value	(1)

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**Rationale for Confidentiality:**

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