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August 13, 2001

HAND DELIVERED

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

Re: Calculation of gains and appropriate regulatory treatment for non-separated
wholesale energy sales by investor-owned electric utilities;
FPSC Docket No. 010283-EI

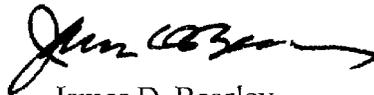
Dear Ms. Bayo:

Enclosed for filing in the above docket are the original and fifteen (15) copies of Tampa
Electric Company's Motion for a Protective Order.

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 (w/enc.)

DOCUMENT NUMBER-DATE

09867 AUG 13 2001

FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Calculation of gains and appropriate)
regulatory treatment for non-separated)
wholesale energy sales by investor-owned)
electric utilities)
_____)

DOCKET NO. 010283-EI
FILED: August 13, 2001

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

Tampa Electric Company ("Tampa Electric" or "the company"), pursuant to Rule 25-22.006(6), Florida Administrative Code, hereby moves the Commission for entry of a protective order treating as proprietary confidential business information certain information supplied in response in to Public Counsel's Interrogatory No. 4 in this proceeding and, as grounds therefor, says:

1. Public Counsel's Interrogatory No. 4 filed in this proceeding on July 13, 2001 seeks certain detailed market and cost related information regarding each non-separated wholesale sale made by Tampa Electric during calendar year 2000. Tampa Electric has prepared a response to Public Counsel's Interrogatory No. 4 setting forth the requested information in a chart form.

2. Tampa Electric is submitting to the Division of Records and Reporting under a separate cover letter a copy of its answer to Public Counsel's Interrogatory No. 4 with the confidential information that is the subject of this Motion highlighted in yellow. The company is also submitting two edited copies of its answer to Public Counsel's Interrogatory No. 4 with the confidential information redacted. Tampa Electric is providing Public Counsel a highlighted, confidential version of its answer to Interrogatory No. 4 with the understanding that the

confidential data is protected against public disclosure under Rule 25-22.006(6)(b), Florida Administrative Code.

3. The last five columns (designated Price, Gain or Loss, Incremental Cost, Marginal Generating Cost and Purchased Power Cost at Time of Sale) of the chart submitted on pages 2 through 16 of Tampa Electric's response to Public Counsel's Interrogatory No. 4 contain market information that Tampa Electric's competitors in the wholesale electric power market would readily use to their advantage and to Tampa Electric's disadvantage in competing for the opportunity to make wholesale electric power sales. Since sales and purchased power prices are not published in Florida, revealing Tampa Electric's prices and cost information without knowing what other market participants bought or sold would place Tampa Electric at a distinct disadvantage and would provide a competitive advantage to Tampa Electric's competitors in the wholesale electric power market.

4. The information set forth in the five highlighted columns on pages 2 through 16 of Tampa Electric's response to Public Counsel's Interrogatory No. 4 is information relating to competitive interests, the disclosure of which would impair the competitive business of Tampa Electric, the provider of the information. As such, this information fits squarely within the definition of proprietary confidential business information set forth in Section 366.093(3)(e), Florida Statutes.

5. Tampa Electric respectfully requests that an order be entered pursuant to Rule 25-22.006(6)(a), Florida Administrative Code, confirming that the information set forth in the five highlighted columns on pages 2 through 16 of the chart submitted by Tampa Electric in response to Public Counsel's Interrogatory No. 4 is confidential proprietary business information and is exempt from Section 119.07(1), Florida Statutes. Further, as contemplated in Rule 25-

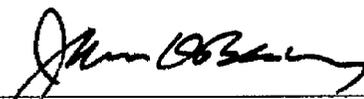
22.006(6)(b), while this request for a protective order is pending, the information asserted to be confidential shall also be exempt from Section 119.07(1), Florida Statutes, whether the information is in the possession of the Office of Public Counsel.

6. 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.

WHEREFORE, Tampa Electric submits the foregoing in support of its motion for a protective order determining that the highlighted information supplied by the company in response to Public Counsel's Interrogatory No. 4 in this proceeding is proprietary confidential business information and exempt from public disclosure under Section 119.07(1), Florida Statutes.

DATED this 13th day of August 2001.

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, filed on behalf of Tampa Electric Company, has been furnished by hand delivery (*) or U. S. Mail on this 13th day of August 2001 to the following:

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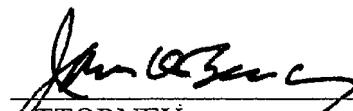
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