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May 18, 2006

HAND DELIVERED

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

Fuel and Purchased Power Cost Recovery Clause with Generating Re: Performance Incentive Factor; FPSC Docket No. 060001-EI

Dear Ms. Bayo:

a.

Enclosed for filing in the above docket are the original and fifteen (15) copies of Tampa Electric Company's Request for Specified Confidential Treatment of certain Commission Staff Audit Workpapers provided by Staff on April 27, 2006.

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 Enclosure

All Parties of Record (w/enc.) cc:

> BOCUMENT NUMBER-CATE 04366 MAY 188

> FPSC-COMMISSION CLEFT

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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

DOCKET NO. 060001-EI FILED: May 18, 2006

TAMPA ELECTRIC COMPANY'S REQUEST FOR SPECIFIED CONFIDENTIAL TREATMENT

Pursuant to §366.093, Fla. Stat., Tampa Electric Company ("Tampa Electric" or "the company") hereby requests specified confidential treatment of certain Staff workpapers prepared in connection with a pending Staff Audit in the above proceeding and, as grounds therefor, says:

1. Tampa Electric has reviewed certain Commission Staff Audit workpapers copies of which were provided to Tampa Electric by the Staff Auditors on April 27, 2006. We are submitting under separate cover one confidential set of the referenced workpapers with the confidential information highlighted in yellow.

2. Attached hereto as Exhibit "A" is a detailed justification for the requested confidential treatment of the highlighted portions of the Staff's workpapers. Attached hereto as Exhibit "B" are two redacted versions of the Staff's workpapers.

Duration of Requested Confidential Treatment

3. Tampa Electric requests that the information for which the company seeks confidential classification not be declassified for 24 months from the date of confidential classification. Much of the confidential information contained in the Staff Audit workpapers pertains to the cost of doing business of Tampa Electric's unregulated affiliates, such as TECO Transport and Trade. Other confidential information in the workpapers pertains to Tampa

Electric's fuel and fuel transportation costs. The need for two or more years of confidentiality is vital not only to Tampa Electric and its ratepayers, but to Tampa Electric's non-regulated competitive affiliate TECO Transport, as well. Disclosure of this sensitive cost information prior to the expiration of the requested 24 month period could adversely affect Tampa Electric's ability to negotiate similar contracts with other providers. Such disclosure would also adversely affect the non-regulated affiliate's ability to negotiate contracts with parties other than Tampa Electric. This has been recognized on numerous occasions. See, for example, Order No. PSC-98-1312-CFO-EI, issued October 9, 1998 in Docket No. 980001-EI granting a two year period of confidentiality with regard to various cost information pertaining to Tampa Electric Company's non-regulated affiliates.

3. The material for which confidential classification is sought is intended to be and is treated by Tampa Electric and its affiliate as private and has not been disclosed.

WHEREFORE, Tampa Electric submits the foregoing as its Request for Specified Confidential Treatment of the information identified in Exhibit "A" as confidential proprietary business information.

DATED this <u>18</u> day of May 2006.

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 Specified Confidential

Treatment, filed on behalf of Tampa Electric Company**, has been furnished by U. S. Mail or hand delivery (*) on this <u>18</u> day of May 2006 to the following:

Ms. Jennifer A. Rodan* Staff Attorney Office of the General Counsel Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0850

Mr. John T. Burnett Associate General Counsel Progress Energy Service Co., LLC Post Office Box 14042 St. Petersburg, FL 33733-4042

Mr. Paul Lewis, Jr. 106 East College Avenue Suite 800 Tallahassee, FL 32301-7740

Mr. Timothy J. Perry McWhirter, Reeves & Davidson, P.A. 117 S. Gadsden Street Tallahassee, FL 32301

Mr. John W. McWhirter, Jr. McWhirter, Reeves & Davidson, P.A. 400 North Tampa Street, Suite 2450 Tampa, FL 33601-5126

Ms. Patricia A. Christensen Associate Public Counsel Office of Public Counsel 111 West Madison Street – Room 812 Tallahassee, FL 32399-1400

Mr. Norman Horton Messer Caparello & Self Post Office Box 1876 Tallahassee, FL 32302 Ms. Cheryl Martin Florida Public Utilities Company P. O. Box 3395 West Palm Beach, FL 33402-3395

Mr. John T. Butler Squire, Sanders & Dempsey, L.L.P. 200 South Biscayne Boulevard, Suite 4000 Miami, FL 33131-2398

Mr. William Walker, III Florida Power & Light Company 215 South Monroe Street, Suite 810 Tallahassee, FL 32301-1859

Mr. R. Wade Litchfield Associate General Counsel Florida Power & Light Company 700 Universe Blvd. Juno Beach, FL 33408-0420

Ms. Susan Ritenour Secretary and Treasurer Gulf Power Company One Energy Place Pensacola, FL 32520-0780

Mr. Jeffrey A. Stone Mr. Russell A. Badders Beggs & Lane Post Office Box 12950 Pensacola, FL 32591-2950

Mr. Robert Scheffel Wright Mr. John T. LaVia, III Young van Assenderp, P.A. 225 South Adams Street, Suite 200 Tallahassee, FL 32301 Karen S. White, Lt Col, USAF Damund E. Williams, Capt., USAF AFLSA/JACL-ULT 139 Barnes Drive, Suite 1 Tyndall Air Force Base, FL 32403-5319

Mr. Mark Hoffman Legal Department CSX Transportation 500 Water Street, 14th Floor Jacksonville, FL 32202

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Mr. Michael B. Twomey Post Office Box 5256 Tallahassee, FL 32314-5256

lesser-ATT

** Due to their volume, the exhibits to this Request are not included with the service copies, but a copy of Exhibit B is available upon request.

JUSTIFICATION FOR CONFIDENTIAL TREATMENT OF HIGHLIGHTED PORTIONS OF TAMPA ELECTRIC'S RESPONSES TO 2005 FUEL AUDIT <u>REQUEST FOR PRODUCTION OF DOCUMENTS</u>

<u>Work Paper No.</u>	Pgs.	Detailed Description	Rationale
10-6/1-1	2-7	All Yellow Highlighted Information	(1)
10-6/1-2	2-9	All Yellow Highlighted Information	(1)
10-6/1-3	2-8	All Yellow Highlighted Information	(1)
10-6/1-4	2-8	All Yellow Highlighted Information	(1)
10-10/1	5	All Yellow Highlighted Information	(2)
10-10/2	5,6	All Yellow Highlighted Information	(2)
10-10/3	5	All Yellow Highlighted Information	(2)
10-10/9	5,6	All Yellow Highlighted Information	(2)
10-10/10	5	All Yellow Highlighted Information	(2)
10-10/11	5	All Yellow Highlighted Information	(2)
10-10/12	5	All Yellow Highlighted Information	(2)
10-17/1-1	2	All Yellow Highlighted Information	(2)
10-17/2-1	2	All Yellow Highlighted Information	(2)
10-17/3-1	2	All Yellow Highlighted Information	(2)
10-17/4-1	2	All Yellow Highlighted Information	(2)
10-17/5-1	2	All Yellow Highlighted Information	(2)
10-17/6-1	2	All Yellow Highlighted Information	(2)
10-17/7-1	2	All Yellow Highlighted Information	(2)
10-17/8-1	2 2 2	All Yellow Highlighted Information	(2)
10-17/9-1		All Yellow Highlighted Information	(2)
10-17/10-1	2	All Yellow Highlighted Information	(2)
10-17/11-1	2	All Yellow Highlighted Information	(2)
10-17/12-1	2	All Yellow Highlighted Information	(2)
10-20/1	1, 3-8	All Yellow Highlighted Information	(1), (2)
10-20/3	1, 3-11	All Yellow Highlighted Information	(1), (2)
10-20/4	1, 3-8	All Yellow Highlighted Information	(1), (2)
10-22/1	1	All Yellow Highlighted Information	(1)
10-23/1	3	All Yellow Highlighted Information	(2)
49-2/1	1	All Yellow Highlighted Information	(2)
49-2/3	1	All Yellow Highlighted Information	(2)
49-2/4	1	All Yellow Highlighted Information	(2)

(1) The information contained on the listed pages contains information about the contract terms and rates that are paid for transportation services under Tampa Electric's contract with TECO Transport that took effect January 1, 2004. This information is competitive contractual information, the disclosure of which would be harmful to the position of TECO Transport in negotiating future contracts with other clients. Disclosing this information would also harm Tampa Electric's position in determining rates for future transportation contracts since the providers bid responses might be influenced if they had knowledge of the previous or current contract rates. The disclosure of this information would therefore be harmful to TECO Transport's competitive interests and to the ability of Tampa Electric to contract for goods and services on favorable terms, and as such, the information is entitled to confidential treatment pursuant to Section 366.093(d) and (e), Florida Statutes.

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(2) The information discloses in great detail, Tampa Electric Company's fuel prices, by supplier. Public disclosure of this information would provide the company's fuel and fuel transportation costs. As such, this information is entitled to confidential protection pursuant to Section 366.093, Florida Statutes, and Rule 25-22.006, Florida Administrative Code. Commodity rates have been recognized by the Commission on numerous occasions to constitute proprietary confidential business information and the disclosure of which would be harmful to Tampa Electric's ability to contract for goods and services on favorable terms and, likewise, harmful to the competitive interests of Tampa Electric and its affiliate, TECO Transport Corporation. This is the specific type of information described in Section 366.093(3)(d) and (e) as being entitled to confidential protection and exemption from the Public Records Law.