# AUSLEY & MCMULLEN

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December 7, 2009

### HAND DELIVERED

Ms. Ann Cole, Director Division of Commission Clerk Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0850

RECEIVED-FPSC DEC -7 PH 1:4

Re: Fuel and Purchased Power Cost Recovery Clause with Generating Performance Incentive Factor; FPSC Docket No. 090001-EI

Dear Ms. Cole:

Enclosed for filing in the above docket are the original and fifteen (15) copies of Tampa Electric Company's Partial Withdrawal of Request for Confidential Classification and Motion for Temporary Protective Order of witness Joann T. Wehle's page 1 of 1 of Exhibit No. \_\_\_(JTW-1).

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

cc: Lisa Bennett (w/enc.) All parties of record (w/enc.)

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DOCUMENT NUMBER-CATE

FPSC-COMMISSION CLEDE

# BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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

DOCKET NO. 090001-EI

FILED: December 7, 2009

## TAMPA ELECTRIC COMPANY'S PARTIAL WITHDRAWAL OF REQUEST FOR CONFIDENTIAL CLASSIFICATION AND MOTION FOR TEMPORARY PROTECTIVE ORDER

Tampa Electric Company ("Tampa Electric" or "the company") files this its partial withdrawal of Request for Confidential Classification and Motion for Temporary Protective Order and, says:

1. On November 2, 2009 Tampa Electric filed its Request for Confidential Classification and Motion for Temporary Protective Order of certain information contained in Tampa Electric witness Joann T. Wehle's page 1 of 1 of Exhibit \_\_\_\_ (JTW-1). The document in question was assigned Commission Document No. 11050-09.

2. Tampa Electric hereby withdraws its request for confidential treatment of the highlighted information set forth in the two lines showing values for "Coal" and "Petcoke from Texas" under columns (A), (B), and (D) of the above-referenced document.

3. With the exception of the highlighted information in the above-described two lines of Exhibit \_\_ (JTW-1), Tampa Electric reaffirms its Request for Confidential Classification and Motion for Temporary Protective Order as to all other highlighted information contained in the company's November 2, 2009 filing.

EDOCUMENT NUMBER DATE

WHEREFORE, Tampa Electric submits the foregoing Partial Withdrawal of Request for Confidential Classification and Motion for Temporary Protective Order relative to the above-

described information contained in Commission Document No. 11050-09.

DATED this  $\underline{7^{+}}$  day of December 2009.

Respectfully submitted,

Bosan Las

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

ATTORNEYS FOR TAMPA ELECTRIC COMPANY

### **<u>CERTIFICATE OF SERVICE</u>**

I HEREBY CERTIFY that a true and correct copy of the foregoing Partial Withdrawal of Request for Confidential Classification and Motion for Temporary Protective Order, filed on behalf of Tampa Electric Company, has been served by hand delivery (\*) or U. S. Mail on this  $2^{+L}$  day of December 2009 to the following:

Ms. Lisa C. Bennett\* Staff Attorney Office of the General Counsel Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0850

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