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March 6, 2013

REDACTED

HAND DELIVERED

RECEIVED-FPSC  
13 MAR -6 PM 3:02  
COMMISSION  
CLERK

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

claim of confidentiality  
 notice of intent  
 request for confidentiality  
 filed by OPC

For DN 01205-13, which  
is in locked storage. You must be  
authorized to view this DN.-CLK

Re: Fuel and Purchased Power Cost Recovery Clause with Generating  
Performance Incentive Factor; FPSC Docket No. 130001-EI

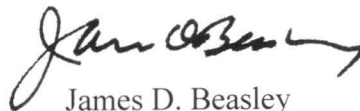
Dear Ms. Cole:

Enclosed for filing in the above docket are the original and seven (7) copies of Tampa  
Electric Company's Request for Confidential Classification and Motion for Temporary  
Protective Order regarding portions of its answers to the Florida Public Service Commission  
Staff's Second Set of Interrogatories Nos. 13 and 23.

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: All parties of record (w/enc.)

COM  
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DOCUMENT NUMBER-DATE  
01204 MAR-6 02  
FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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

DOCKET NO. 130001-EI

FILED: March 6, 2013

**TAMPA ELECTRIC COMPANY'S  
REQUEST FOR CONFIDENTIAL CLASSIFICATION  
AND MOTION FOR TEMPORARY PROTECTIVE ORDER**

Tampa Electric Company ("Tampa Electric" or "the company"), pursuant to Section 366.093, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, hereby request confidential classification of the yellow highlighted information contained in the following described document(s) ("the Document(s)") stamped "CONFIDENTIAL" and all information that is or may be printed on yellow paper stock stamped "CONFIDENTIAL" within the Document(s), all of said confidential information being hereinafter referred to as "Confidential Information."

**Description of the Document(s)**

Tampa Electric's answers to the Florida Public Service Commission Staff's Second Set of Interrogatories (Nos. 13 and 16), a single copy of which is being simultaneously filed with the Commission on a confidential basis under a separate transmittal letter. Bates Stamp pages 1-3, and 6-10 contain certain information ("Confidential Information") highlighted in yellow. In support of this request, the company states:

1. Subsection 366.093(1), Florida Statutes, provides that any records "found by the Commission to be propriety confidential business information shall be kept confidential and shall be exempt from s. 119.07(1), Florida Statutes [requiring disclosure under the Public Records

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

Act].” Proprietary confidential business information includes, but is not limited to “[i]nformation concerning . . . contractual data, the disclosure of which would impair the efforts of the public utility or its affiliates to contract for goods or services on favorable terms.” Subsection 366.093(3)(d), Florida Statutes. Proprietary confidential business information also includes “[i]nformation relating to competitive interests, the disclosure of which would impair the competitive business of the provider of the information.” Section 366.093(3)(e), Florida Statutes. The Confidential Information that is the subject of this request and motion falls within the statutory categories and, thus, constitutes proprietary confidential business information entitled to protection under Section 366.093, Florida Statutes, and Rule 25-22.006, Florida Administrative Code.

2. Attached hereto as Exhibit "A" is a justification for confidential treatment of the Confidential Information contained in the Document(s).

3. Attached hereto as Exhibit "B" are two public versions of the Document(s) with the Confidential Information redacted, unless previously filed as indicated.

4. The Confidential Information contained in the Document(s) is intended to be and is treated by Tampa Electric as private and has not been publicly disclosed.

5. For the same reasons set forth herein in support of its request for confidential classification, Tampa Electric also moves the Commission for entry of a temporary protective order pursuant to Rule 25-22.006(6)(c), Florida Administrative Code, protecting the Confidential Information from public disclosure.

#### **Requested Duration of Confidential Classification**

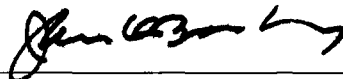
6. Tampa Electric requests that the Confidential Information be treated by the Commission as confidential proprietary business information for at least the 18 month period

prescribed in Rule 25-22.006(9)(a), Florida Administrative Code. If, and to the extent that the company is in need of confidential classification of the Confidential Information beyond the 18 month period set forth in the Commission rule, the justification and grounds for such extended confidential treatment are set forth in Exhibit "C" to this request and motion.

WHEREFORE, Tampa Electric Company respectfully requests that the Confidential Information that is the subject of this request and motion be accorded confidential classification for the reasons set forth herein and for a minimum period of 18 months, subject to any request for a longer period of confidential classification as may be set forth in Exhibit "C" to this request and motion. The company further moves for the entry of a temporary protective order pursuant to Rule 25-22.006(6)(c), Florida Administrative Code, protecting the Confidential Information from public disclosure.

DATED this 6<sup>th</sup> day of March 2013.

Respectfully submitted,



---

JAMES D. BEASLEY  
J. JEFFRY WAHLEN  
Ausley & McMullen  
Post Office Box 391  
Tallahassee, Florida 32302  
(850) 224-9115

ATTORNEYS FOR TAMPA ELECTRIC COMPANY

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing Request for Confidential Classification and Motion for Temporary Protective Order, filed on behalf of Tampa Electric Company, has been served by hand delivery (\*) or electronic mail on this 6<sup>th</sup> day of March 2013, to the following:

Ms. Martha F. Barrera\*  
Senior Attorney  
Office of the General Counsel  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

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Post Office Box 14042  
St. Petersburg, FL 33733

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Vice President, Regulatory Relations  
Florida Power & Light Company  
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Mr. Robert L. McGee, Jr.  
Regulatory and Pricing Manager  
Gulf Power Company  
One Energy Place  
Pensacola, FL 32520-0780

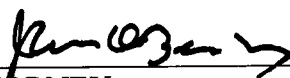
Mr. Jeffrey A. Stone  
Mr. Russell A. Badders  
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Beggs & Lane  
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Bowden, Bush, Dee, LaVia & Wright, P.A.  
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White Springs Agricultural Chemicals, Inc.  
Post Office Box 300  
White Springs, FL 32096

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Senior Assistant Attorney General  
Office of the Attorney General  
The Capitol – PL01  
Tallahassee, FL 32399-1050

Mr. James W. Brew  
Mr. F. Alvin Taylor  
Brickfield, Burchette, Ritts & Stone, P.C.  
1025 Thomas Jefferson Street, NW  
Eighth Floor, West Tower  
Washington, D.C. 20007-5201

  
\_\_\_\_\_  
ATTORNEY

**JUSTIFICATION FOR CONFIDENTIAL TREATMENT OF  
HIGHLIGHTED PORTIONS OF TAMPA ELECTRIC'S RESPONSES TO  
STAFF'S SECOND SET OF INTERROGATORIES (FILED MARCH 6, 2013)**

<b><u>Bates Stamp</u></b> <b><u>Page No.</u></b>	<b><u>Interrogatories</u></b> <b><u>No.</u></b>	<b><u>Detailed Description</u></b>	<b><u>Rationale</u></b>
1-3	13	All Yellow Highlighted Information	(1),(2)
6-10	16	All Yellow Highlighted Information	(2),(3)

- 
- (1) The information listed in the interrogatory responses contains bid information provided in response to Tampa Electric's Request for Proposals as well as contract rates paid for coal. The disclosure of this information would be harmful to competitive interests, and as such, the information is entitled to confidential treatment pursuant to Section 366.093(d) and (e), Florida Statutes and Rule 25-22.006, Florida Administrative Code.
  - (2) The highlighted information includes Tampa Electric's bid evaluations and contains agreed upon commodity rates. 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. 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.
  - (3) The information listed in the interrogatory responses contains bid information provided in response to Tampa Electric's Request for Proposals for natural gas. The disclosure of this information would be harmful to competitive interests, and as such, the information is entitled to confidential treatment pursuant to Section 366.093(d) and (e), Florida Statutes and Rule 25-22.006, Florida Administrative Code.

**PUBLIC VERSION(S) OF THE DOCUMENT(S)**

Attached hereto (unless previously filed as may be noted below) are two public versions of the Document(s) with the Confidential Information redacted.

Public Version(s) of the Document(s) attached   x  

Public Version(s) of the Document(s) previously filed on \_\_\_\_\_



REDACTED

TAMPA ELECTRIC COMPANY  
DOCKET NO. 130001-EI  
STAFF'S SECOND SET OF  
INTERROGATORIES  
INTERROGATORY NO. 13  
PAGE 1 OF 3  
FILED: MARCH 6, 2013

REDACTED

13. For each Request for Proposal (RFP) for coal issued in 2012 by Tampa Electric Company (TECO), list the bids received. For each bid, include the supplier, tonnage bid, coal quality, and delivered price information, as well as the method and route of delivery.
- A. Tampa Electric issued three RFP's for solid fuel in 2012. Please see the tables below for the list of bids received.

GEN 2013-01

Supplier	Tonnage Bid	Btu/lb	Coal Quality				Delivered Price		Delivery Method	Delivery Route	Awarded
			Ash %	Sulfur %	Moisture %	Chlorine %	\$/Ton	Cents per MMBtu			
Armstrong Coal									River Barge, Ocean Vessel	Mississippi River / Gulf Delivery	
Armstrong Coal									Railcar	PAL Rail / CSX Rail	
Knight Hawk Coal									River Barge, Ocean Vessel	Mississippi River / Gulf Delivery	
Partiot Coal Sales									River Barge, Ocean Vessel	Mississippi River / Gulf Delivery	Yes
Foresight Coal Sales									River Barge, Ocean Vessel	Mississippi River / Gulf Delivery	
Foresight Coal Sales									River Barge, Ocean Vessel	Mississippi River / Gulf Delivery	
Foresight Coal Sales									Railcar	CSX Rail	
Alliance Coal, LLC									River Barge, Ocean Vessel	Mississippi River / Gulf Delivery	
Alliance Coal, LLC									River Barge, Ocean Vessel	Mississippi River / Gulf Delivery	
Alliance Coal, LLC									River Barge, Ocean Vessel	Mississippi River / Gulf Delivery	
Alliance Coal, LLC									Railcar	CSX Rail	
The American Coal Company									River Barge, Ocean Vessel	Mississippi River / Gulf Delivery	
Traxys North America									River Barge, Ocean Vessel	Mississippi River / Gulf Delivery	
Peabody COALSALLES,									River Barge, Ocean Vessel	Mississippi River / Gulf Delivery	

COM \_\_\_\_\_  
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 ECO \_\_\_\_\_  
 ENG \_\_\_\_\_  
 GCL \_\_\_\_\_  
 IDM \_\_\_\_\_  
 TEL \_\_\_\_\_  
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DOCUMENT NUMBER-DATE

01204 MAR-6 2013

**REDACTED**

**TAMPA ELECTRIC COMPANY  
DOCKET NO. 130001-EI  
STAFF'S SECOND SET OF  
INTERROGATORIES  
INTERROGATORY NO. 13  
PAGE 2 OF 3  
FILED: MARCH 6, 2013**

Supplier	Tonnage Bid	Coal Quality					Delivered Price		Delivery Method	Delivery Route	Awarded
		Btu/lb	Ash %	Sulfur %	Moisture %	Chlorine %	\$/Ton	Cents per MMBtu			
LLC									Vessel	Delivery	
Peabody COALSALES, LLC									Railcar	INRD / CSX Rail	Yes
Peabody COALSALES, LLC									River Barge, Ocean Vessel	Mississippi River / Gulf Delivery	
Lafayette Energy Co.									Railcar	CSX Rail	
White Oak Resources									Railcar	EVWR / CSX Rail	
Sunrise Coal, LLC									Railcar	CSX Rail	
Solar Sources									Railcar	CSX Rail	
Consol Energy									Railcar	CSX Rail	

**Polk LS 2013-01**

Supplier	Tonnage Bid	Coal Quality					Delivered Price		Delivery Method	Delivery Route	Awarded
		Btu/lb	Ash %	Sulfur %	Moisture %	Chlorine %	\$/Ton	Cents per MMBtu			
Peabody COALTRADE									Ocean Vessel	Texas - Florida	
Peabody COALSALES									River Barge, Ocean Vessel	Mississippi River / Gulf Delivery	
Oxbow Mining									Rail , Ocean Vessel	Colorado - Texas - Florida,	
Arch									Railcar	CSX Rail	
Glencore									Ocean Vessel	Columbia SA - Florida	Yes

REDACTED

TAMPA ELECTRIC COMPANY  
DOCKET NO. 130001-EI  
STAFF'S SECOND SET OF  
INTERROGATORIES  
INTERROGATORY NO. 13  
PAGE 3 OF 3  
FILED: MARCH 6, 2013

Polk PC 2013-01

Supplier	Tonnage Bid	Pet Coke Quality					Delivered Price		Delivery Method	Delivery Route	Awarded
		Btu/lb	Ash %	Sulfur %	Moisture %	Chlorine %	\$/Ton	Cents per MMBtu			
KOCH Carbon									River Barge, Ocean Vessel	Mississippi River / Gulf Delivery	
Maceachem Energy									Ocean Vessel	Delaware - Florida,	
TCP Petcoke									River Barge, Ocean Vessel	Mississippi River / Gulf Delivery	
Oxbow Carbon									Ocean Vessel	Alabama - Florida	
Valero Marketing									Ocean Vessel	Louisiana - Florida	Yes

**REDACTED**

**TAMPA ELECTRIC COMPANY  
DOCKET NO. 130001-EI  
STAFF'S SECOND SET OF  
INTERROGATORIES  
INTERROGATORY NO. 16  
PAGE 1 OF 5  
FILED: MARCH 6, 2013**

- 16.** For each RFP for natural gas issued in 2012 by TECO, list the bids received. For each bid, include the supplier, volume bid, and delivered price information, as well as the primary pipeline delivered by.
- A.** Please see the table below for all bids received in response to Tampa Electric's RFP.

Supplier	Volume/day	Nymex Offer	Index Offer	Gas Daily	Pipeline
[REDACTED]					

**REDACTED**

**TAMPA ELECTRIC COMPANY  
DOCKET NO. 130001-EI  
STAFF'S SECOND SET OF  
INTERROGATORIES  
INTERROGATORY NO. 16  
PAGE 2 OF 5  
FILED: MARCH 6, 2013**

Supplier	Volume/day	Nymex Offer	Index Offer	Gas Daily	Pipeline
[REDACTED]					

**REDACTED**

**TAMPA ELECTRIC COMPANY  
DOCKET NO. 130001-EI  
STAFF'S SECOND SET OF  
INTERROGATORIES  
INTERROGATORY NO. 16  
PAGE 3 OF 5  
FILED: MARCH 6, 2013**

Supplier	Volume/day	Nymex Offer	Index Offer	Gas Daily	Pipeline
[REDACTED]					

**REDACTED**

**TAMPA ELECTRIC COMPANY  
DOCKET NO. 130001-EI  
STAFF'S SECOND SET OF  
INTERROGATORIES  
INTERROGATORY NO. 16  
PAGE 4 OF 5  
FILED: MARCH 6, 2013**

Supplier	Volume/day	Nymex Offer	Index Offer	Gas Daily	Pipeline
[REDACTED]					

**REDACTED**

**TAMPA ELECTRIC COMPANY  
DOCKET NO. 130001-EI  
STAFF'S SECOND SET OF  
INTERROGATORIES  
INTERROGATORY NO. 16  
PAGE 5 OF 5  
FILED: MARCH 6, 2013**

Supplier	Volume/day	Nymex Offer	Index Offer	Gas Daily	Pipeline
[REDACTED]					



**REQUESTED DURATION OF CONFIDENTIAL CLASSIFICATION**

Tampa Electric requests that the Confidential Information that is the subject of this request be treated as proprietary confidential business information exempt from the Public Records Law for a minimum of 18 months from the date of the order granting such classification. To the extent the company needs confidential protection of the Confidential Information for a period longer than 18 months, the company's justification therefor is set forth below:

n/a