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October 9, 2000

HAND DELIVERED

ORIGINAL

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:

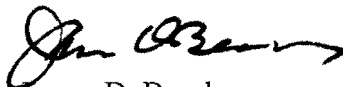
Enclosed for filing in the above docket are the original and fifteen (15) copies of each of the following:

1. Tampa Electric Company's Objections in Response to Allied/CFI's Second Set of Interrogatories (Nos. 12-20).
2. Tampa Electric Company's Motion to Compel Responses to Interrogatories.
3. Tampa Electric Company's Motion to Compel Production of Documents.

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

APP
CAF
CMP
COM
CTR
ECR
LEG
OPC
PAI
RGO
SEC
SER
OTH

JDB/pp
Enclosures

cc:

All Parties of Record (w/enclos)

12861 OCT-98

FPSC-RECORDS/REPORTING

RECEIVED & FILED

FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE

12862 OCT-98

FPSC-RECORDS/REPORTING

DOCUMENT NUMBER-DATE

12863 OCT-98

FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

ORIGINAL

In re: Complaint of Allied Universal Corporation and Chemical Formulators, Inc. against Tampa Electric Company for violation of Sections 366.03, 366.06(2) and 366.07, Florida Statutes, with respect to rates offered under Commercial/Industrial Service Rider tariff; Petition to examine and inspect confidential information; and request for expedited relief.

DOCKET NO. 000061-EI

FILED: October 9, 2000

TAMPA ELECTRIC COMPANY’S OBJECTIONS IN RESPONSE TO ALLIED/CFI’S SECOND SET OF INTERROGATORIES (NOS.12-20)

Pursuant to Rule 1.340, Florida Rules of Civil Procedure and Rule 28-106.206, Florida Administrative Code, Tampa Electric Company (“Tampa Electric” or “Company”), by and through its undersigned counsel, hereby files its objections to the Second Set of Interrogatories (Nos. 12-20) served by Allied Universal Corporation and Chemical Formulators, Inc. (“Allied/CFI) on Tampa Electric and says:

General Objections

1. Tampa Electric objects to each and every interrogatory to the extent that such request calls for information that is exempt from discovery by virtue of the attorney/client privilege, work product privilege, or other applicable privilege or protection provided by law, whether such privilege or protection appears at the time response is first made to these interrogatories or is later determined to be applicable based on the discovery of documents, investigation, or analysis.

DOCUMENT NUMBER-DATE

12861 OCT-98

FPSC-RECORDS/REPORTING

2. Tampa Electric objects to each and every interrogatory insofar as the request is vague, ambiguous, overly broad, and imprecise or uses terms that are subject to multiple interpretations but are not properly defined or explained.

3. Tampa Electric objects to each interrogatory to the extent that the information sought is already in the public record before this Commission or elsewhere, and is available to Allied/CFI through normal procedures.

4. Tampa Electric objects to any interrogatory that calls for confidential proprietary business information and/or the compilation of information that is considered confidential proprietary business information, including "trade secrets" which are privileged pursuant to Section 90.506, Florida Statutes.

5. Tampa Electric objects to any interrogatory that calls for the creation of information as opposed to the reporting of presently existing information or that purport to expand Tampa Electric's obligations under the Florida Rules of Civil Procedure or Florida Law.

6. Tampa Electric objects to the provision of any confidential information except as provided in Order No. PSC-00-1171-CFO-EI, issued in this proceeding on June 27, 2000, as it may be supplemented or modified, and pursuant to the non-disclosure agreement approved by the Commission for use in this proceeding.

Specific Objections

1. Tampa Electric will respond to Interrogatory No. 12 under the non-disclosure agreement approved by the Commission for use in this proceeding for those meetings that occurred prior to the execution of the Contract Service Arrangement ("CSA") between Tampa Electric and Odyssey Manufacturing Company ("Odyssey") in September of 1999. Tampa Electric objects to Interrogatory No. 12 to the extent that the interrogatory requests information that pertains to the

period subsequent to the execution of the Odyssey CSA. In Order No. PSC-00-1171-CFO-EI, issued in this proceeding on June 27, 2000, the Prehearing Officer ruled that documents and information exchanged by Tampa Electric and Odyssey after the date of execution of the Odyssey CSA are not discoverable. To the extent that Interrogatory No. 12 requests information concerning meetings other than those related to Commercial Industrial Service Rider ("CISR") negotiations, Tampa Electric objects to such request on the grounds that it is unnecessarily broad, vague, burdensome and not calculated to lead to the discovery of relevant information.

2. Tampa Electric objects to Interrogatory No. 13 on the grounds that Allied/CFI already has the information requested in that it knows or should know when its representatives met with Tampa Electric for purposes of discussing a CSA. In addition, months ago, Tampa Electric supplied Allied/CFI with a copy of all of the non-proprietary documents in its possession related to Tampa Electric's CISR negotiations with Allied/CFI. The response to Interrogatory No. 13 can also be gleaned from these documents. To the extent that Interrogatory No. 13 requests information concerning meetings other than those related to CISR negotiations, Tampa Electric objects to such request on the grounds that it is unnecessarily broad, vague, burdensome and not calculated to lead to the discovery of relevant information.
3. Tampa Electric objects to Interrogatory No. 14 on the grounds that the Prehearing Officer has already ruled in Order No. PSC-00-1171-CFO-EI that information concerning Tampa Electric's incremental cost calculation is not discoverable by Allied/CFI. Allied/CFI did not file an application for rehearing regarding the Prehearing Officer's determination on this point and cannot now do so. Tampa Electric will continue to provide the Staff and the Commission any information necessary to the Commission's deliberations with regard to Tampa Electric's incremental cost analysis in this proceeding.
4. Tampa Electric will respond to Interrogatory No. 15 under the non-disclosure agreement approved by the Commission for use in this proceeding.
5. Tampa Electric will respond to Interrogatory No. 16 under the non-disclosure agreement approved by the Commission for use in this proceeding.
6. Tampa Electric will respond to Interrogatory No. 17 under the non-disclosure agreement approved by the Commission for use in this proceeding.
7. Tampa Electric objects to Interrogatory Nos. 18, 19 and 20 on the grounds that they are unnecessarily broad, vague, and burdensome and are not calculated to lead to the discovery of relevant information.

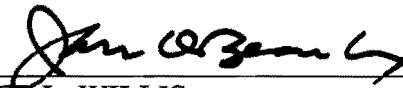
WHEREFORE, Tampa Electric submits the foregoing objections to the Second Set of Interrogatories (Nos. 12-20) served by Allied/CFI in this proceeding.

DATED this 9th day of October, 2000.

Respectfully Submitted

HARRY W. LONG, JR.
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and



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ATTORNEYS FOR TAMPA ELECTRIC COMPANY

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing Objections in Response to Allied/CFI's Second Set of Interrogatories (Nos. 12-20), filed on behalf of Tampa Electric Company, has been furnished by hand delivery (*) or U. S. Mail this 9th day of October, 2000 to the following:

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ATTORNEY