

# AUSLEY & McMULLEN

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March 3, 2004

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

Re: Review of Tampa Electric Company's waterborne transportation contract with  
TECO Transport and associated benchmark; FPSC Docket No. 031033-EI

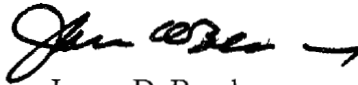
Dear Ms. Bayo:

Enclosed for filing in the above docket are the original and fifteen (15) copies of Tampa Electric Company's Notice of Intent to Seek Confidential Classification of Information of certain information the company is supplying in response to Staff's First Request for Production of Documents (Nos. 1-15).

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.)

DOCUMENT NUMBER-DATE

03136 MAR-3 8

FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Review of Tampa Electric Company's	)	
Waterborne transportation contract with	)	DOCKET NO. 031033-EI
TECO Transport and associated benchmark.	)	FILED: March 3, 2004
_____	)	

**TAMPA ELECTRIC COMPANY'S NOTICE OF INTENT  
TO SEEK CONFIDENTIAL CLASSIFICATION OF INFORMATION**

Tampa Electric Company ("Tampa Electric" or "company"), pursuant to Section 366.093, Florida Statutes, and Rule 25-22.006(3)(a) and (6), Florida Administrative Code, hereby serves Notice of its intent to seek confidential classification treatment of certain information the company is supplying in response to Staff's First Request for Production of Documents (Nos. 1-15) and, says:

1. In its Document Request Nos. 1-15 Staff has asked Tampa Electric to produce certain documents that contain confidential proprietary business information the disclosure of which would be very harmful to Tampa Electric Company.

2. Tampa Electric is submitting under separate cover letter on a confidential basis its response to Staff's Document Request Nos. 1-15 consisting of Bates stamp pages 19-24, 26-29 and 32-47, of such response. The pages in question are copied on yellow paper and stamped "CONFIDENTIAL" in red to underscore the confidential nature of the information therein contained.

3. Tampa Electric requests that the Staff review and return the confidential version of its response to Staff Production of Document Nos. 1-15 prior to the expiration of the 21-day period commencing with the date hereof. In the absence of such return, Tampa Electric will

follow up this Notice with a detailed justification for confidential treatment of the company's response to Staff Request Nos. 1-15.

4. This Notice of Intent and Tampa Electric's subsequent written justification for confidential treatment are intended to serve as Tampa Electric's motion for temporary and permanent protective order, respectively, pursuant to Rule 25-22.006(6), Florida Administrative Code.

DATED this 3<sup>rd</sup> day of March 2004.

Respectfully submitted,



LEE L. WILLIS  
JAMES D. BEASLEY  
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 copy of the foregoing Notice of Intent, filed on behalf of Tampa Electric Company, has been furnished by U. S. Mail or hand delivery (\*) on this 3<sup>rd</sup> day of March 2004 to the following:

Mr. Wm. Cochran Keating, IV\*  
Senior Attorney  
Division of Legal Services  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0863

Ms. Vicki Gordon Kaufman  
Mr. Timothy J. Perry  
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Davidson, Kaufman & Arnold, P.A.  
117 S. Gadsden Street  
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Mr. Robert Vandiver  
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ATTORNEY

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