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March 11, 2005

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: Fuel and Purchased Power Cost Recovery Clause with Generating  
Performance Incentive Factor; FPSC Docket No. 050001-EI


Dear Ms. Bayo:

Enclosed for filing in the above docket are the original and ten (10) copies of Tampa Electric Company's Request for Confidential Classification.

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  
02442 MAR 11 03  
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. 050001-EI  
FILED: March 11, 2005

**TAMPA ELECTRIC COMPANY'S  
REQUEST FOR CONFIDENTIAL CLASSIFICATION**

Tampa Electric Company ("Tampa Electric" or "the company"), pursuant to Section 366.093, Florida Statutes, and Rule 25-22.006, Florida Administrative Code, hereby requests confidential classification of certain highlighted information contained in Schedule A12, Page 2 of 2 (Bates Stamp page 213) for the period January 2004 – December 2004. In support thereof, the company says:

1. A single copy of Schedule A12 (Tampa Electric Company Capacity Costs Actual Purchases and Sales for the Period January 2004 through December 2004) is being simultaneously filed with the Commission on a confidential basis. Page 2 of 2 (Bates Stamp page 213) of that filing contains certain information ("Confidential Information") highlighted in yellow.

2. Subsection 366.093(1), Florida Statutes, provides that any records "found by the Commission to be proprietary confidential business information shall be kept confidential and shall be exempt from s.119.07(1) [requiring disclosure under the Public Records Act]." The proprietary confidential business information includes, but is not limited to:

(d) Information concerning bids or other 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. (Section 366.093(3)(d), Florida Statutes)

DOCUMENT NUMBER-DATE

02442 MAR 11 03

FPSC-COMMISSION CLERK

3. Proprietary confidential business information also includes:

(e) Information 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)

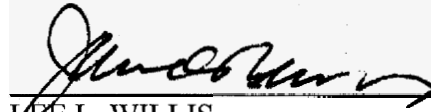
4. The Confidential Information falls within the above statutory categories and, thus, constitutes proprietary confidential business information entitled to protection under Section 366.093 and Rule 25-22.006. The Confidential Information shows actual purchase amounts pursuant to confidential contracts negotiated by and between Tampa Electric Company and certain energy providers. As such, the information in question is information concerning bids or other contractual data the disclosure of which would impair the efforts of Tampa Electric to contract for goods and services on favorable terms. It is also information relating to competitive interests the disclosure of which would impair the competitive business of Tampa Electric.

5. Tampa Electric treats the Confidential Information as such and has not disclosed it publicly.

WHEREFORE, Tampa Electric Company respectfully requests that the highlighted Confidential Information contained in Schedule A12, page 2 of 2 (Bates stamp page 213), for the period January 2004 through December 2004 be afforded confidential classification for the reasons set forth above.

DATED this 11<sup>th</sup> day of March 2005.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Lee L. Willis", is written over a horizontal line.

LEE L. WILLIS  
JAMES D. BEASLEY  
Ausley & McMullen  
Post Office Box 391  
Tallahassee, FL 32302  
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ATTORNEYS FOR TAMPA ELECTRIC COMPANY

## **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing Request for Confidential Classification has been furnished by U. S. Mail or hand delivery (\*) on this 11 day of March 2005 to the following:

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Ms. Jennifer Rodan  
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