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12 MAY -7 PM 12:14

COMMISSION
CLERK

May 7, 2012

HAND DELIVERED

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

For DN 02893-12, which
is in locked storage. You must be
authorized to view this DN.-CLK

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

REDACTED

Re: Fuel and Purchased Power Cost Recovery Clause with Generating
Performance Incentive Factor; FPSC Docket No. 120001-EI

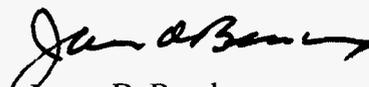
Dear Ms. Cole:

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 responses to Florida Industrial Power Users Group's First Request for Production of Documents (Nos. 4 and 5), propounded and served by electronic and U. S. Mail on April 5, 2012.

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

COM _____
APA 1 ee: All Parties of Record (w/enc.)
ECR 3
GCL 1
RAD 1
SRC _____
ADM _____
OPC _____
CLK 1

DOCUMENT NUMBER-DATE

02892 MAY-7 12

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. 120001-EI

FILED: May 7, 2012

**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)

Certain information contained in Tampa Electric Company's response to FIPUG's First Request for Production of Documents (Nos. 4 and 5) at Bates stamp pages 78, 79 and 86. 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 Act]." Proprietary confidential business information includes, but is not limited to "[i]nformation concerning . . . employee personnel information unrelated to compensation,

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duties, qualifications, or responsibilities.” Subsection 366.093(3)(f), Florida Statutes. The Confidential Information that is the subject of this request and motion falls within the statutory categories and, thus, constitutes propriety 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 7th day of May 2012.

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 U. S. Mail on this 7th day of May 2012 to the following:

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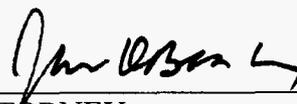
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ATTORNEY

**JUSTIFICATION FOR CONFIDENTIAL TREATMENT OF HIGHLIGHTED
PORTIONS OF TAMPA ELECTRIC'S RESPONSES TO
FIPUG'S FIRST PRODUCTION OF DOCUMENTS (FILED MAY 7, 2012)**

<u>Document No.</u>	<u>Bates Stamp Page No.</u>	<u>Detail Description</u>	<u>Rationale</u>
POD No. 4	78 and 79	All yellow highlighted information	(1)
POD No. 5	86	All yellow highlighted information	(2)

-
- (1) The information discloses, in great detail, Tampa Electric Company's transportation rates, by contract on a projected basis going out a number of years into the future. Public disclosure of this information would provide in minute detail the company's projected rates for all of the detail components of the company's projected fuel and fuel transportation costs. As such, this information is entitled to confidential protection pursuant to Section 366.093, Florida Statutes, and Rule 25-22.006, Florida Administrative Code. These types of rates on a commodity and segmented transportation basis have been recognized by the Commission on numerous occasions to constitute proprietary confidential business information the disclosure of which would be harmful to Tampa Electric's ability to contract for goods and services on favorable terms and, likewise, harmful to the competitive interests of Tampa Electric. 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.

 - (2) The information contained on the listed pages contains information about the company's operating costs as well as the contract terms and prices paid for contract service agreements at Tampa Electric. This information is competitive or contractual information, the disclosure of which would be harmful to the position of Tampa Electric and vendors in negotiating future contracts with other clients. Disclosing this information would also harm Tampa Electric's position in negotiating pricing for future combustion and steam turbine contracts since the providers bid responses might be influenced if they had knowledge of the previous or current contract prices and provisions. The disclosure of this information would therefore be harmful to these vendors' competitive interests and to the ability of Tampa Electric to contract for goods and services on favorable terms and, as such, the information is entitled to confidential treatment pursuant to Section 366.093(d) and (e), Florida Statutes.

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

Public Version(s) of the Document(s) previously filed on _____

Exhibit "B"

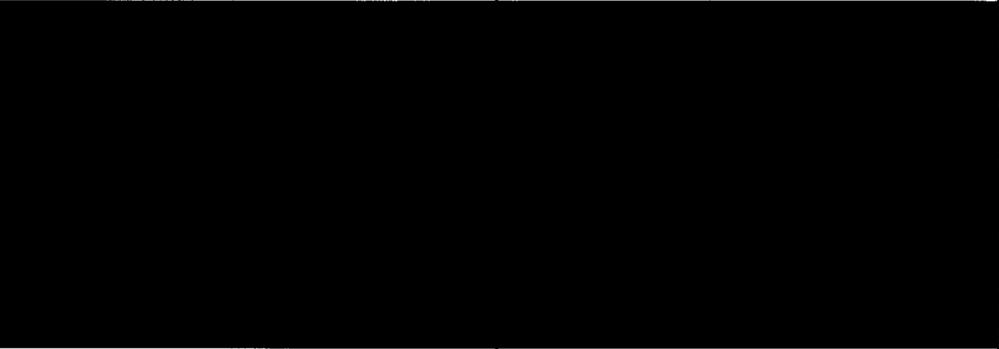
DOCUMENT NUMBER-DATE

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TAMPA ELECTRIC COMPANY
DOCKET NO.120001-EI
FIPUG'S FIRST REQUEST FOR PODS
FILED: MAY 7, 2012

Year	Residual (No. 6) Oil Prices, > 2.0% Avoidable		Distillate (No. 2) Fuel Oil Prices, <0.7% Avoidable	
	Total Transportation \$/bbl	Transportation \$/bbl	Total Transportation \$/bbl	Transportation \$/bbl
2012				
2013				
2014				
2015				
2016				
2017				
2018				
2019				
2020				
2021				

COM _____
APA _____
FCR _____
GCL _____
RAD _____
SRC _____
ADM _____
OPC _____
CLK _____

Year	High Sulfur Coal (>2.0%)		Low Sulfur Coal (<1.0%)	
	Total Transportation \$/ton	Avoidable Transportation \$/ton	Total Transportation \$/ton	Avoidable Transportation \$/ton
2012				
2013				
2014				
2015				
2016				
2017				
2018				
2019				
2020				
2021				

11500

11500

11800

11800

2012 Total Variable Costs using 2011 Actuals

	Consumable O&M	Annual O&M	Total			2011 Net Generation	Consumable Costs per MWh	Model inputs highlighted in yellow		
			NRF O&M	CSA & LTSA Costs	Recurring Capital Maintenance			Variable Costs \$/MWh	Startup Costs \$/start	Hourly Costs \$/hr
Bayside 1&2			\$ -			6,860,004				
Big Bend 1-4				\$ -	\$ -	9,418,308				
Polk 1						1,483,473				
Polk 2-5	\$ -		\$ -		\$ -	468,372	\$ -			
Aeros			\$ -	\$ -	\$ -	55,885	\$ -			

Notes:

Consumable Costs include only consumables such as lime, lime rock, ammonia, DBA, water, lubricants, and other chemicals

Variable Costs include incremental costs plus expenses associated with degradation of equipment that is directly related to the quantity of power generated (MWh) due to "wear and tear". These items include portions of the maintenance expense of coal field, NRF, fuel handling, boiler/HRSG, electrical, steam and FGD systems. Capital expenses associated with CSA/LTSA and some recurring capital projects that address wear and tear items are also included.

Start-up Costs include start-up fuel, start-up consumables and incremental maintenance related to start-up/thermal cycling. This includes Ignition Oil costs for BB1-4 and Propane and Oil Costs for Polk 1. The Bayside CSA is hours based without a start-up penalty, so fuel and water makeup most of the costs. The Polk 2-5 CSA is starts based at \$ start. The Aeros have a \$ startup cost for each engine.

Hourly Costs include CSA expenses for Bayside CT's and a forecasted CSA expense for the Aeros since maintenance intervals on these units is hours based.

All variable costs exclude TEC O&M labor, fringe and by-product revenues

All CSA costs exclude fixed components

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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 therefore is set forth below:

n/a

h:\jdb\tec\fuel adjustment\fuel adjustment 2012\req. conf. class fipug 1st pod 4&5.doc

Exhibit "C"

DOCUMENT NUMBER - DATE

02892 MAY -7 2012

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