

# AUSLEY & McMULLEN

ATTORNEYS AND COUNSELORS AT LAW

227 SOUTH CALHOUN STREET  
P.O. BOX 391 (ZIP 32302)  
TALLAHASSEE, FLORIDA 32301  
(850) 224-9115 FAX (850) 222-7560

RECEIVED-FPSC  
01 MAY -4 PM 4:06  
RECORDS AND REPORTING

May 4, 2001

ORIGINAL

Ms. Blanca S. Bayo, Director  
Division of Records and Reporting  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

**HAND DELIVERY**

Re: Complaint of Allied Universal Corporation and Chemical Formulators,  
Inc. against Tampa Electric Company; Docket No. 000061-EI

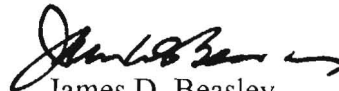
Dear Ms. Bayo:

Enclosed for filing in the above docket are the original and fifteen (15) copies of Tampa Electric Company's Supplemental Request for Confidential Classification of Deposition Transcripts and Exhibits.

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/bjd

Enclosures

cc: All Parties of Record (w/encls.)

RECEIVED & FILED

*Man*

FPSC-BUREAU OF RECORDS DOCUMENT NUMBER-DATE

05692 MAY-4 01

FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Complaint of Allied Universal )  
Corporation and Chemical Formulators, )  
Inc. against Tampa Electric Company. )  
\_\_\_\_\_ )

DOCKET NO. 000061-EI  
FILED: May 4, 2001

**TAMPA ELECTRIC COMPANY'S SUPPLEMENTAL  
REQUEST FOR CONFIDENTIAL CLASSIFICATION  
OF DEPOSITION TRANSCRIPTS AND EXHIBITS**

Tampa Electric Company ("Tampa Electric" or the "company") pursuant to Order No. PSC-01-1003-AS-EI ("Order No. 01-1003") issued in this proceeding on April 24, 2001, submits the following Supplemental Request for Confidential Classification of portions of the deposition transcripts and exhibits of witnesses Stephen W. Sidelko and Patrick H. Allman in this proceeding and as grounds therefore says:

1. Order No. 01-1003 approved the settlement agreed to by and between Tampa Electric and Allied Universal Corporation and Chemical Formulators, Inc. ("Allied"). That order called for the parties to submit confidentiality requests with respect to the testimony and exhibits of their respective witnesses, after which each party would have an opportunity to respond and to supplement any request for confidential classification.

2. Odyssey Manufacturing Company and Sentry Industries, Inc. ("Odyssey") have not requested confidential classification of any portion of the deposition transcripts and exhibits of witnesses Stephen W. Sidelko and Patrick H. Allman. Tampa Electric has reviewed the deposition transcripts and exhibits of these two witnesses and has determined that portions of them are in need of confidential classification and exemption from public disclosure in order to

protect the interests of Tampa Electric and its customers and in order to avoid disclosure confidential contract service arrangement (“CSA”) related information.

3. Tampa Electric has simultaneously filed under a separate transmittal letter on a confidential basis copies of the deposition transcripts of witnesses Sidelko and Allman with the confidential information highlighted in yellow. Attached hereto as Exhibit “A” are written justifications for the confidential classification of the highlighted portions of the deposition transcripts of these two witnesses. As is explained in greater detail in Tampa Electric’s written justifications, the highlighted information is entitled to protection against public disclosure pursuant to § 366.093, F.S. and the Commission’s implementing Rule 25-22.006, Fla. Admin. Code.

4. The contents of a number of the deposition exhibits of witnesses Sidelko and Allman has already been ruled confidential by the Prehearing Officer. Tampa Electric requests that those rulings be adhered to and that the affected deposition exhibits be protected from public disclosure. Attached hereto as Exhibit “B” is a schedule which identifies these exhibits of witnesses Sidelko and Allman that have been ruled confidential and provides a reference to the order in which the confidential ruling is contained.

5. This will confirm that the material for which confidential classification is sought is intended to be and is treated by Tampa Electric as private and has not been disclosed publicly.

6. Order No. 01-1003 states that, consistent with Rule 25-22.006, Fla. Admin. Code, all parties will be afforded an opportunity to respond to or supplement any request for confidential treatment. Tampa Electric has prepared redacted public versions of the deposition transcripts with the information that is subject to this confidentiality request redacted. Tampa Electric does not want to file the public version of the deposition transcripts before determining whether Allied wishes to provide any supplemental requests pertaining to the deposition

transcripts of witnesses Sidelko and Allman. The company is furnishing copies of its Supplemental Request for Confidential Classification to counsel for Allied and Odyssey to review. In order to determine whether Allied seeks to file a supplemental request pertaining to witnesses Sidelko and Allman's deposition transcripts, Tampa Electric is temporarily withholding the Commission's redacted public copies of these transcripts and will file them after the later of (a) the May 15, 2001 expiration of the fourteen day review period as set forth in Rule 25-22.006, Fla. Admin. Code or (b) if any supplemental requests from Allied is forthcoming, the final disposition of such supplemental requests.

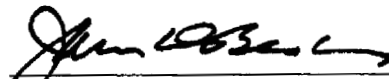
WHEREFORE, Tampa Electric requests confidential classification of the highlighted portions of the deposition transcripts and of the exhibits listed in Exhibit "B".

DATED this 4th day of May 2001.

Respectfully Submitted

HARRY W. LONG, JR.  
Assistant General Counsel  
Tampa Electric Company  
Post Office Box 111  
Tampa, Florida 33601  
(813) 228-1702

and



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 Supplemental Request for Confidential Classification of Deposition Transcripts and Exhibits, filed on behalf of Tampa Electric Company, has been furnished by U. S. Mail or hand delivery (\*) on this 4th day of May 2001 to the following:

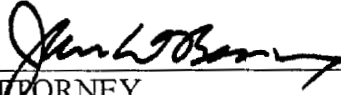
Mr. Robert V. Elias\*  
Staff Counsel  
Division of Legal Services  
Florida Public Service Commission  
2540 Shumard Oaks Boulevard  
Tallahassee, FL 32399-0850

Ms. Marlene K. Stern\*  
Staff Counsel  
Division of Legal Services  
Florida Public Service Commission  
2540 Shumard Oaks Boulevard  
Tallahassee, FL 32399-0850

Mr. John Ellis\*  
Mr. Kenneth Hoffman  
Ecenia, Underwood, Purnell & Hoffman  
Post Office Box 551  
Tallahassee, FL 32302

Mr. John L. Wharton  
Rose, Sundstrom & Bentley, LLP  
2548 Blirstone Pines Drive  
Tallahassee, FL 32301

Mr. Patrick K. Wiggins  
Katz, Kutter, Haigler, Alderman,  
Bryant & Yon  
108 East College Avenue – 12<sup>th</sup> Floor  
Tallahassee, FL 32301.

  
\_\_\_\_\_  
ATTORNEY

h:\data\jdb\tec\000061 supp req for cc-depo tr and exhibits.doc

Mr. Wayne L. Schiefelbein\*

**Justification for Confidentiality of Portions of the Deposition Transcript  
and, as Applicable, Deposition Exhibits of Stephen W. Sidelko .**

<u>PAGE</u>	<u>LINE(S)</u>	<u>DESCRIPTION</u>	<u>RATIONALE</u>
16	16	Numeric value	(1)
17	3	Numeric value	(1)
17	8	Numeric value	(1)
17	18	Numeric value	(1)
19	3	Numeric value	(1)
19	5	Numeric value	(1)
19	13	Numeric value	(1)
22	20	Numeric value	(1)
22	21	Numeric value and references	(1)
37	4	Numeric value	(1)
37	7	Numeric value	(1)
37	24	All text following "be"	(1)
37	25	All text preceding "and"	(1), (4)
38	3	Numeric value	(1)
38	10	Numeric value	(1)
43	8	Numeric value	(1)
43	12	Numeric value	(1)
44	9-10	All	(1), (4)
45	3	All text following "discuss"	(1), (4)
45	4-5	All	(1), (4)
67	4-8	All	(1), (4)
68	22	Numeric value	(1)
69	3	Numeric value	(1)
70	12	All text following "that"	(1), (4)
70	13	All text preceding "and"	(1), (4)

---

**Rationale for Confidentiality:**

- (1) This type of information would disclose negotiated terms and conditions of either the Odyssey CSA or the Allied CSA. As provided in Tampa Electric's Commission approved Original Tariff Sheet No. 6.720, CSAs shall be considered confidential documents. As the Commission stated in its Order No. PSC-00-1530-PCO-EI issued in this proceeding on August 23 2000, the CISR tariff imposes an affirmative obligation on Tampa Electric not to disclose the information in the CSA other than to the Commission or the Commission's Staff. Public disclosure of this information would harm the interests of Tampa Electric and its general body of ratepayers in future CISR negotiations and would impose a definite chilling effect on the willingness of other at-risk customers to supply information of a business nature in CISR negotiations. As such, this information is entitled to protection against public disclosure under Section 366.093(3)(d) and (e), Florida Statutes.

**Exhibit "A"**

- (2) This information reflects Tampa Electric Company's highly competitive cost information, such as the inputs to and results of all CISR-related Ratepayer Impact Measure (RIM) analyses. Public disclosure of this information could harm Tampa Electric in two ways. It could hamper Tampa Electric in future CISR negotiations by supplying the customer with knowledge of the rate floor it could demand of Tampa Electric. In addition, disclosure of this information would significantly harm Tampa Electric's negotiating position relative to off-system sales and purchases. This would impair the ability of Tampa Electric to negotiate for goods and services on favorable terms. As such, the information is entitled to protection from public disclosure under Section 366.093(3)(d) and (e), Florida Statutes.
- (3) This information if made public would disclose operational characteristics of Odyssey or Allied, such as the projected electrical usage, amount of bleach product to be produced, etc. This is information that could be useful to a competitor of either Odyssey or Allied. As such, it is information relating to competitive interest, the disclosure of which would impair the competitive business of Odyssey or Allied. Public disclosure of this information would also have a significant chilling effect on Tampa Electric's future negotiations with other at-risk customers because they would be concerned that their operational characteristics and production data might be made available to their competitor. As such, this information is entitled to protection under Section 366.093(3)(d) and (e), Florida Statutes.
- (4) This information discloses the construction of facilities or other actions considered, taken or agreed to be performed by and between Tampa Electric and either Odyssey or Allied as part of their CISR negotiations. As such, this information discloses consideration for the CISR business relationship between Tampa Electric and either Odyssey or Allied. Public disclosure of this information would adversely affect Tampa Electric in future CISR negotiations by disclosing to prospective at-risk customers details of what Tampa Electric had agreed to in prior CISR negotiations. As a result, the information is entitled to confidential treatment under Section 366.093(3)(d), Florida Statutes.
- (5) This information consists of evaluations, observations and other communications made internally by and between Tampa Electric personnel relative to either the Allied or Odyssey CISR negotiations, the public disclosure of which would place in the public domain proprietary business strategy considerations, CISR negotiation strategies and other proprietary business information. This could adversely affect Tampa Electric in future CISR negotiations as well as in other non-CISR negotiations where this proprietary knowledge is useful to the party or parties with whom Tampa Electric is negotiating. As such, this information is entitled to confidential treatment under Section 366.093(3)(d) and (e), Florida Statutes.
- (5) This is proprietary strategic or planning oriented business information, unrelated to the Allied/CFI or Odyssey CSA, the public disclosure of which would adversely affect Tampa Electric from a competitive business standpoint. This information would be useful to those with whom Tampa Electric negotiates to provide goods and services or to acquire goods and services to the detriment of Tampa Electric in those negotiations. As such, the information is entitled to confidential protection pursuant to Section 366.093(3)(d) and (e), Florida Statutes, in that disclosure of the information would impair the efforts of Tampa Electric to contract for goods or services on favorable terms and would impair the competitive business interests of Tampa Electric.
- (6) This is proprietary strategic or planning oriented business information, unrelated to the Allied/CFI or Odyssey CSA, the public disclosure of which would adversely affect Tampa Electric from a competitive business standpoint. This information would be useful to those with whom Tampa Electric negotiates to provide goods and services or to acquire goods and services to the detriment of Tampa Electric in those negotiations. As such, the information is entitled to confidential protection pursuant to Section 366.093(3)(d) and (e), Florida Statutes, in that disclosure of the information would impair the efforts of Tampa Electric to contract for goods or services on favorable terms and would impair the competitive business interests of Tampa Electric.

**Justification for Confidentiality of Portions of the Deposition Transcript  
and, as Applicable, Deposition Exhibits of Witness Patrick H. Allman**

<u>PAGE</u>	<u>LINE(S)</u>	<u>DESCRIPTION</u>	<u>RATIONALE</u>
21	22	Numeric value	(1)
28	23	All text following " load."	(6)
28	24-25	All	(6)
29	14-21	All	(6)
30	11	Text between "Certainly" and "I"	(6)
30	20	First three words in line	(6)
31	4	All text preceding "in Dade"	(6)
31	13	Entire line	(6)
32	2	Fifth and last word on line	(6)
32	19	Text between "was" and "a"	(6)
32	23	Text between " is" and "facility"	(6)
40	18	Numeric value	(1)
40	25	All text following " see."	(6)
41	1	All	(6)
41	3	First two words in line	(6)
42	23	Entire line	(1), (4)
43	24	Text preceding "What's"	(1), (4)
44	6	Text between "form" and "on"	(4)
44	14	All text following "sentence"	(5)
44	15-16	All	(5)
44	18	All text following "had"	(3), (5)
44	24	All text following "put"	(1)
44	25	Entire line	(1)
45	14	Entire line	(6)
53	11	Entire line	(1)
53	13	All text following "to"	(4)
53	14	All text following "to"	(4)
53	15	All text preceding "which"	(4)
58	7	Numeric value	(1)
58	9	Numeric values	(1)
58	14	Numeric values	(1)
58	18	Numeric value	(1)
58	21	Numeric value	(1)
58	22	Numeric value	(1)
59	8	Numeric values	(1)
59	11	Numeric values	(1)
59	23	Numeric values	(1)
60	1	Numeric value	(1)
60	3	Numeric value	(1)
60	4	Numeric value	(1)
60	17	All text following "reads"	(4)
60	18-20	All	(4)
60	21	All text following "continues"	(4)
60	22-25	All	(4)
61	2-5	All	(4)
64	21	First two words in line	(6)



<u>PAGE</u>	<u>LINE(S)</u>	<u>DESCRIPTION</u>	<u>RATIONALE</u>
64	22	First three words in line	(6)
80	4	All text following " factor"	(1)
82	10	Numeric values	(1)
82	15	Numeric value	(1)
83	22-25	All	(6)
84	1-4	All	(6)
93	13-16	All	(4)
93	20-25	All	(4)
94	1-3	All	(4)
94	8-12	All	(4)
95	2	All text following "point"	(4), (5)
95	3	All	(4), (5)
95	4	All text excluding "The fourth"	(4), (5)
95	5-7	All	(4), (5)
95	9	Entire line	(4)
95	12	Last two words in line	(4)
95	13	All text preceding "was"	(4)
95	18	Entire line	(4), (2)
95	21	All text following "of the"	(4)
95	22	First two words in line	(4)
95	23	All text following "that the"	(4), (2)
95	24	All text preceding " It'	(4), (2)
95	25	Numeric value	(4), (2)
95	25	Text between "a" and "cost"	(4), (2)
96	1	Last word in line	(4)
96	3	All text following "been"	(2)
96	12	All text following " as"	(4)
96	13	All	(4)
96	14	All text following "and"	(4)
96	24	Text between "pay" and "that"	(2)
98	13	All text following "paper"	(4), (2)
98	14	First word in line	(4)
98	23	Numeric value	(2)
99	3	All text following " two,"	(1)
99	4	All text preceding " Do"	(1), (5)
99	8	Numeric value	(5)
101	5	Numeric value	(1)
102	25	All text preceding "He"	(1)
103	1	All text preceding " and"	(1)
103	11	Last two words in line	(1), (4)
103	12	Last two words in line	(1), (4)
103	16	Last word in line	(1), (4)
103	17	First word in line	(1), (4)
103	17	Text between "sorry" and "that"	(1), (4)
103	18	Entire line	(1), (4)
103	19	Numeric value	(2)
103	21	Numeric value	(2)
103	25	Entire line	(4)
104	8	Last three words in line	(4)

<u>PAGE</u>	<u>LINE(S)</u>	<u>DESCRIPTION</u>	<u>RATIONALE</u>
109	13	All text following " were"	(4)
109	14-15	All	(4)
109	16	All text preceding "and"	(4)
111	4	All text following "bottom"	(2)
111	5	All text preceding "is"	(2)
111	7-8	All	(4)
111	13	Entire line	(4)
111	14	All text preceding "Excuse"	(4)
111	17	All text preceding "Correct"	(4)
111	20	All text following "cost"	(4)
111	22	All text preceding " because"	(4)
112	1-3	All	(4)
112	4	All text following "originally"	(4)
112	5	Last word in line	(4)
112	6	First word in line	(4)
112	8	Last two words in line	(4)
112	14	All text following "been"	(4)
112	15-16	All	(4)
112	24	First three words in line	(4)
113	1	Text between "for" and "or"	(4)
113	6	First word in line	(4)
113	9	Text between " words" and "The"	(1), (4)
113	10	All text following "is"	(1), (4)
113	11-12	All	(1), (4)
113	13	First three words in line	(1), (4)
113	14	All text following "reads"	(1)
113	15	All text preceding "The"	(1)
113	16	Entire line	(1)
113	17	All text following "not"	(1)
113	18	Entire line	(1)
113	23	Last three words in line	(1)
113	24	All text preceding "What"	(1)
114	1	All text following " us"	(1)
114	2-12	All	(1)
114	14	Second word in line	(4)
115	10	All text following "to be"	(4)
115	11	All text preceding "Correct"	(4)
117	6	Text between "with the" and "The"	(1), (4)
117	7	Last two words in line	(4)
117	8	Last two words in line	(4)
117	9	Last word in line	(4)
117	10	First, fourth, and fifth word in line	(4)
118	6	Numeric references	(2)
118	8	All text following "was"	(1)
118	9-10	All	(1)
118	12	Text between "the" and "and"	(1)
118	13	All Text following "was the"	(1)
118	14-16	All	(1)
118	18	Entire line	(1)

<u>PAGE</u>	<u>LINE(S)</u>	<u>DESCRIPTION</u>	<u>RATIONALE</u>
119	9	Numeric value	(6)
120	19	Text between "update" and "issues"	(1)
120	20	Last word in line	(1)
120	21	Entire line	(1)
120	22	First word in line	(1)
120	23	Last three words in line	(1)
120	24	Entire line	(1)
120	25	First two words in line	(1), (4)
121	1	Entire line	(4)
121	5	Text between " on" and "to"	(4)
121	18	Text between "and the" and "So"	(4)
124	15	Text between " because" and "and"	(4)
124	16	Entire line	(4)
124	19-22	All	(4)
126	23	Last three words in line	(2), (4)
126	25	All text following "Company"	(6)
127	1-16	All	(4), (6)
127	17	All text preceding " Correct"	(4), (6)
127	18-24	All	(4), (6)
128	1	Last three words in line	(4), (6)
128	5-9	All	(4), (6)
128	11	Last three words in line	(4), (6)
128	12	Entire line	(4), (6)
128	13	First two words in line	(4), (6)
128	18	Numeric value	(1)
128	24	Numeric value	(1)
135	1-3	All	(6)
136	18	Numeric value	(1)
136	24	Numeric value	(1)
137	1	Last two words in line	(6)
137	2-3	All	(6)
137	4	Last two words in line	(6)
137	7	Text between " the and "project"	(6)
137	21	Text between " the and "project"	(6)
137	23	Text between "certain" and "project"	(6)
137	24	Numeric value	(1)
139	5	Text between " for the" and " potential"	(6)
139	18	Numeric reference	(1)
139	19	Numeric reference	(1)
139	23	Numeric reference	(1)
139	25	Numeric reference	(1)
140	4	Numeric references	(1)
140	7	Numeric references	(1)
140	8	Numeric values	(1)
140	21-22	All	(4)
140	23	All text following "the"	(4)
140	24	Entire line	(4)
141	2-3	All	(4)
141	7	Entire line	(4)

<u>PAGE</u>	<u>LINE(S)</u>	<u>DESCRIPTION</u>	<u>RATIONALE</u>
141	8	First word in line	(4)
141	11	All text following "at"	(4)
141	12-13	All	(4), (6)
142	2-3	All	(4)
142	4	All text preceding "And"	(4)
142	10	All text following "the"	(4)
142	11	Entire line	(4)
142	25	All text following "reads"	(4)
143	1-4	All	(2), (4)
143	14	First three words in line	(1), (4)
143	19	All text following "reflects a"	(1), (4)
143	20	Entire line	(1), (4)
143	21	Numeric value	(2)
143	25	All text following "is the"	(1), (4)
144	1	Entire line	(1)
144	2	All text preceding " Correct"	(4)
144	5	All text preceding " Correct"	(1)
144	7	Numeric value	(2)
144	11-13	All	(1), (2)
144	14	All text preceding "Is that"	(2)
144	16-17	All	(2)
144	18	Text between "for the" amd "of"	(1)
144	18	Numeric reference	(2)
144	23	Entire line	(1)
145	1	Last three words in line	(2)
145	2	First two words in line	(1)
145	9	All text following "was"	(1)
145	10	First two words in line	(1)
145	12	All text following " price of"	(1), (2)
145	13	All text preceding " Correct"	(1)
148	24	All text preceding "and"	(1)
148	25	Entire line	(1)
149	1	Entire line	(1)
149	2	All text preceding " What"	(1)
149	4	Entire line	(1)
149	6	All text following "rates"	(1)
149	7	Entire line	(1)
149	8	All text preceding "correct"	(1)
149	10	All text following "wished"	(1)
149	11	All	(1)
149	12	First word in line	(1)
149	14-18	All	(1)
149	20	All text following "Probably"	(1)
149	21	Entire line	(1)
149	23	All text following " been"	(1)
149	24-25	All	(1)
150	7-11	All	(1)
150	12	Last three words in line	(1)
150	13	Entire line	(1)

<u>PAGE</u>	<u>LINE(S)</u>	<u>DESCRIPTION</u>	<u>RATIONALE</u>
150	21-22	All	(1)
150	23	Last three words in line	(1)
150	24	All text preceding "I would"	(1)
150	25	All text following " Company'	(1)
151	3-7	All	(1)
151	10-11	All	(1)
151	13-14	All	(1)
151	23	All	(1)
152	6	Numeric value	(1)
152	8	All text following "No"	(1)
152	9	All text following " there"	(1)
152	10	Entire line	(1)
152	11	Numeric references	(1)
152	21	Last word in line	(1)
152	22-25	All	(1)
153	3	First two words in line	(1)
153	4	Last three words in line	(1)
153	5	Entire line	(1)
153	9-10	All	(1)
160	14	Numeric value	(1)
160	25	All	(1)
161	16	Entire line	(1)
161	17	First three words in line	(1)
161	23	Last two words in line	(1)
161	24	Entire line	(1)
161	25	All text preceding " NPV"	(1)
162	3	All text following "continues"	(1)
162	4-5	All	(1)
162	6	All text preceding "Had"	(1)
162	7	Last two words in line	(1)
162	10	All text following " go"	(1)
162	11	Text between "didn't" and "percent"	(1)
162	12	Text between "negotiate" and "percent"	(1)
162	16	Numeric value	(1)
172	12	All text following " is"	(4)
181	15	Numeric values	(1)
181	16	Last three words in line	(1)
181	17	Numeric value	(1)
185	15	Text between " is" and "for"	(1)
185	19	All text following "issue of"	(1)
185	20-22	All	(1)
186	1-8	All	(1)
186	17-20	All	(1)
193	25	All text following "the"	(1)
194	1	All text preceding " when"	(1)
194	5	Entire line	(1)
194	9	Text between "that" and "per"	(1)
194	12	All text following "view"	(1)
194	13-15	All	(1)

<u>PAGE</u>	<u>LINE(S)</u>	<u>DESCRIPTION</u>	<u>RATIONALE</u>
195	2	All text following "numbers"	(1)
195	3	Entire line	(1)
195	8	Entire line	(1)
195	9	First two words in line	(1)

---

**Rationale for Confidentiality:**

- (1) This type of information would disclose negotiated terms and conditions of either the Odyssey CSA or the Allied CSA. As provided in Tampa Electric's Commission approved Original Tariff Sheet No. 6.720, CSAs shall be considered confidential documents. As the Commission stated in its Order No. PSC-00-1530-PCO-EI issued in this proceeding on August 23 2000, the CISR tariff imposes an affirmative obligation on Tampa Electric not to disclose the information in the CSA other than to the Commission or the Commission's Staff. Public disclosure of this information would harm the interests of Tampa Electric and its general body of ratepayers in future CISR negotiations and would impose a definite chilling effect on the willingness of other at-risk customers to supply information of a business nature in CISR negotiations. As such, this information is entitled to protection against public disclosure under Section 366.093(3)(d) and (e), Florida Statutes.
- (2) This information reflects Tampa Electric Company's highly competitive cost information, such as the inputs to and results of all CISR-related Ratepayer Impact Measure (RIM) analyses . Public disclosure of this information could harm Tampa Electric in two ways. It could hamper Tampa Electric in future CISR negotiations by supplying the customer with knowledge of the rate floor it could demand of Tampa Electric. In addition, disclosure of this information would significantly harm Tampa Electric's negotiating position relative to off-system sales and purchases. This would impair the ability of Tampa Electric to negotiate for goods and services on favorable terms. As such, the information is entitled to protection from public disclosure under Section 366.093(3)(d) and (e), Florida Statutes.
- (3) This information if made public would disclose operational characteristics of Odyssey or Allied, such as the projected electrical usage, amount of bleach product to be produced, etc. This is information that could be useful to a competitor of either Odyssey or Allied. As such, it is information relating to competitive interest, the disclosure of which would impair the competitive business of Odyssey or Allied. Public disclosure of this information would also have a significant chilling effect on Tampa Electric's future negotiations with other at-risk customers because they would be concerned that their operational characteristics and production data might be made available to their competitor. As such, this information is entitled to protection under Section 366.093(3)(d) and (e), Florida Statutes.
- (4) This information discloses the construction of facilities or other actions considered, taken or agreed to be performed by and between Tampa Electric and either Odyssey or Allied as part of their CISR negotiations. As such, this information discloses consideration for the CISR business relationship between Tampa Electric and either Odyssey or Allied. Public disclosure of this information would adversely affect Tampa Electric in future CISR negotiations by disclosing to prospective at-risk customers details of what Tampa Electric had agreed to in prior CISR negotiations. As a result, the information is entitled to confidential treatment under Section 366.093(3)(d), Florida Statutes.

- (5) This information consists of evaluations, observations and other communications made internally by and between Tampa Electric personnel relative to either the Allied or Odyssey CISR negotiations, the public disclosure of which would place in the public domain proprietary business strategy considerations, CISR negotiation strategies and other proprietary business information. This could adversely affect Tampa Electric in future CISR negotiations as well as in other non-CISR negotiations where this proprietary knowledge is useful to the party or parties with whom Tampa Electric is negotiating. As such, this information is entitled to confidential treatment under Section 366.093(3)(d) and (e), Florida Statutes.
  
- (5) This is proprietary strategic or planning oriented business information, unrelated to the Allied/CFI or Odyssey CSA, the public disclosure of which would adversely affect Tampa Electric from a competitive business standpoint. This information would be useful to those with whom Tampa Electric negotiates to provide goods and services or to acquire goods and services to the detriment of Tampa Electric in those negotiations. As such, the information is entitled to confidential protection pursuant to Section 366.093(3)(d) and (e), Florida Statutes, in that disclosure of the information would impair the efforts of Tampa Electric to contract for goods or services on favorable terms and would impair the competitive business interests of Tampa Electric.
  
- (6) This is proprietary strategic or planning oriented business information, unrelated to the Allied/CFI or Odyssey CSA, the public disclosure of which would adversely affect Tampa Electric from a competitive business standpoint. This information would be useful to those with whom Tampa Electric negotiates to provide goods and services or to acquire goods and services to the detriment of Tampa Electric in those negotiations. As such, the information is entitled to confidential protection pursuant to Section 366.093(3)(d) and (e), Florida Statutes, in that disclosure of the information would impair the efforts of Tampa Electric to contract for goods or services on favorable terms and would impair the competitive business interests of Tampa Electric.

**Justification for Confidentiality of the Deposition Exhibits of Stephen W. Sidelko**

<u>EXHIBIT</u>	<u>BATES STAMP NO(S)</u>	<u>DESCRIPTION</u>	<u>ORDER GRANTING CONFIDENTIAL TREATMENT</u>
Allied No.1	36 ,43, 350-356, 781, 880-883, 956	Tampa Electric's response to Allied's Production of Documents Request No. 2	PSC-OO-1886-CFO-EI

Exhibit "g"



**Justification for Confidentiality of the Deposition Exhibits of Witness Patrick H. Allman**

<u>EXHIBIT NO.</u>	<u>BATES STAMP NO(S).</u>	<u>DESCRIPTION</u>	<u>ORDER GRANTING CONFIDENTIAL TREATMENT</u>
PHA-1	23	Customer contact note, 3/12/98	PSC-00-1886-CFO-EI
PHA-2	836-837	3/14/98 letter to Sidelko from Allman	PSC-00-1886-CFO-EI
PHA-3	1939	3/16/98 memo to E-mail addressees from Gem	PSC-00-1886-CFO-EI
PHA-4	35	Customer contact note, 3/17/98	PSC-00-1886-CFO-EI
PHA-5	1082, 880-803	Fax memo to Simmons from Allman with attachments	PSC-00-1886-CFO-EI
PHA-6	25-27	Customer contact note, 3/24/98 with attached 3/24/98 letter to Sideldo from Allman	PSC-00-1886-CFO-EI
PHA-7	1084	3/25/98 memo to Brown, Gem from Allman	PSC-00-1886-CFO-EI
PHA-8	351-356	4/3/98 letter to Sidelko from Allman, with attached tariff agreement	PSC-00-1886-CFO-EI
PHA-9	25-27	3/27/98 memo to Project Team from Allman	PSC-00-1886-CFO-EI
PHA-10	315-318	Memo potential new industrial customer bleach plant	PSC-00-1886-CFO-EI
PHA-11	33	Customer contact note, 4/1/98	PSC-00-1886-CFO-EI

<u>EXHIBIT NO.</u>	<u>BATES STAMP NO(S).</u>	<u>DESCRIPTION</u>	<u>ORDER GRANTING CONFIDENTIAL TREATMENT</u>
PHA-12	273-276	Agenda, Regulatory Coordination Meeting, 4/13/98	PSC-00-1886-CFO-EI
PHA-13	829-830	4/17/98 letter to Sidelko from Allman	PSC-00-1886-CFO-EI
PHA-14	1943	Electric Service Options document	PSC-00-1886-CFO-EI
PHA-15	171-173	Bleach Plant Economic Analysis	PSC-00-1886-CFO-EI
PHA-16	38	Customer contact note, 5/14/98	PSC-00-1886-CFO-EI
PHA-17	782-794	6/11/98 letter to Sidelko from Allman	PSC-00-1886-CFO-EI
PHA-18	776	Fax memo to Armstrong, Sidelko from from Allman	PSC-00-1886-CFO-EI
PHA-19	1497-1516	6/24/98 memo to Ashburn, Long from Allman, with attached proposed power agreement	PSC-00-1886-CFO-EI
PHA-20	2016	7/16/98 memo to E-370 Estimators from Gem	PSC-00-1886-CFO-EI
PHA-21	91	7/30/98 memo to Allman from Elbare	PSC-00-1886-CFO-EI
PHA-22	74	Customer contact note, 8/3/98	PSC-00-1886-CFO-EI
PHA-23	1519-1535	8/3/98 letter to Sidelko from Allman with attached proposed power supply agreement	PSC-00-1886-CFO-EI
PHA-24	1478, 1480	4/7/98 letter to Sidelko from Allman	PSC-00-1886-CFO-EI

<u>EXHIBIT NO.</u>	<u>BATES STAMP NO(S).</u>	<u>DESCRIPTION</u>	<u>ORDER GRANTING CONFIDENTIAL TREATMENT</u>
PHA-25	43	Affidavit of Stephen W. Sidelko	PSC-00-1886-CFO-EI
PHA-26	78	Customer contact note, 8/6/98	PSC-00-1886-CFO-EI
PHA-27	195-215	8/10/98 letter to Sidelko from Allman with attached proposed power supply agreement	PSC-00-1886-CFO-EI
PHA-28	1081	8/18/98 memo from Allman	PSC-00-1886-CFO-EI
PHA-29	80	Customer contact note, 9/8/98	PSC-00-1886-CFO-EI
PHA-30	83	Customer contact note, 9/10/98	PSC-00-1886-CFO-EI
PHA-31	20-21	CISR Project Review/Approval Checklist	PSC-00-1886-CFO-EI
PHA-32	8-10	Bleach Plant Executive Summary - Update	PSC-00-1886-CFO-EI
PHA-33	193-194	9/3/98 letter to Sidelko from Allman	PSC-00-1886-CFO-EI
PHA-34	189-192	9/4/98 letter to Sidelko from Allman with attached proposed power supply agreement	PSC-00-1886-CFO-EI
PHA-35	2036	1/17/99 letter to Gates from Allman	PSC-00-1886-CFO-EI