

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Review of Tampa Electric Company's  
2004-2008 waterborne transportation contract  
with TECo Transport and associated benchmark.

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Docket No.: 031033-EI  
Filed: June 1, 2004

**JOINT RESPONSE IN OPPOSITION TO TAMPA ELECTRIC COMPANY'S  
REQUEST FOR CONFIDENTIAL CLASSIFICATION FOR PORTIONS OF THE  
DEPOSITION TRANSCRIPT OF MICHAEL J. MAJOROS, JR.**

The Citizens of the State of Florida (Public Counsel) and the Florida Industrial Power Users Group (FIPUG), pursuant to rules 25-22.006 and 28-106.204, Florida Administrative Code, respond in opposition to Tampa Electric Company's (TECo) Request for Confidential Classification filed May 24, 2004. Public Counsel and FIPUG request that the Commission deny TECo's motion to shield from public review the information listed below. As grounds therefore, Public Counsel and FIPUG state:

1. In Order No. PSC-04-0545-CFO-EI, the Commission denied confidential classification for certain information in Mr. Majoros' prefiled testimony and exhibits. Most of the deposition information for which TECo seeks confidential treatment is identical to the information in the prefiled testimony and exhibits of Public Counsel/FIPUG witnesses Majoros that the Commission found not to be confidential in Order No. PSC-04-0545-CFO-EI. Therefore, Public Counsel and FIPUG incorporate their prior pleadings addressing this same information and request that the Commission deny TECo's request for confidential classification as to the information in the Majoros deposition transcript which the Commission has already found should be made public:

**Majoros Deposition**

1. Page 12, lines 13 and 18;
2. Page 13, lines 1 and 10 (the second figures);
3. Page 54, lines 4, 7, 18, 21 (the third and fourth figures) and 24;
4. Page 55, lines 4 and 23;
5. Page 56, line 2;
6. Page 63, line 6;

7. Page 67, line 22;
8. Page 79, lines 9, 10, 11, 21 and 23;
9. Page 81, line 7;
10. Late Filed Deposition Exhibit No. \_\_\_(MJM-1), Page 1 of 5, under the heading "Comparison of Rates," line 2, (the Snavelly King Recommended rate);
11. Late Filed Deposition Exhibit No. \_\_\_(MJM-1), Page 1 of 5, under the heading "Source by Row," line 6, the second figure (the Snavelly King rate);
12. Late Filed Deposition Exhibit No. \_\_\_(MJM-1), Page 2 of 5, all nonconfidential titles, column headings and text;
13. Late Filed Deposition Exhibit No. \_\_\_(MJM-1), Page 3 of 5, all nonconfidential titles, column headings and text;
14. Late Filed Deposition Exhibit No. \_\_\_(MJM-1), Page 4 of 5, all nonconfidential titles, column headings and text; and
15. Late Filed Deposition Exhibit No. \_\_\_(MJM-1), Page 5 of 5, the rate that appears on the bottom row, last column on the right, as well as all nonconfidential titles, column headings and text.

2. In addition, the information appearing at page 86, lines 6-8, should not be granted confidentiality: the same information appears unredacted elsewhere in the deposition transcript.

**WHEREFORE**, Public Counsel and FIPUG request that the Commission deny TECo's Request for Confidential Classification as described above.

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**CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that a true and correct copy of the foregoing Joint Response in Opposition to Tampa Electric Company's Request for Confidential Classification for Portions of the Deposition Transcript of Michael J. Majoros, Jr. has been furnished by (\*) e-mail and U.S. Mail this 1st day of June 2004 to the following:

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