

# AUSLEY & McMULLEN

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October 2, 2007

HAND DELIVERED

RECEIVED-FPSC  
07 OCT -2 PM 2:17  
COMMISSION  
CLERK

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

Re: Petition to determine need for Polk Unit 6 electrical power plant by Tampa Electric Company; FPSC Docket No. 070467-EI

Dear Ms. Cole:

Enclosed for filing in the above docket are the original and seven (7) copies of Tampa Electric Company's Notice of Intent to Seek Confidential Classification of Portions of Answers to Fifth Set of Interrogatories (Nos. 102-118) of the Florida Public Service Commission Staff.

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

CMP \_\_\_\_\_

COM \_\_\_\_\_

CTR \_\_\_\_\_

ECR \_\_\_\_\_ JDB/pp  
Enclosure

GCL 2 \_\_\_\_\_

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

OPC \_\_\_\_\_

RCA \_\_\_\_\_

SCR \_\_\_\_\_

SGA \_\_\_\_\_

SEC \_\_\_\_\_

OTH 1 conf records

This docketed notice of intent was filed with Confidential Document No. 09037-07 The document has been placed in confidential storage pending timely receipt of a request for confidentiality.

DOCUMENT NUMBER-DATE

09036 OCT-2 07

FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition to determine need )  
for Polk Unit 6 electrical power plant )  
by Tampa Electric Company. )  
\_\_\_\_\_ )

DOCKET NO. 070467-EI

FILED: October 2, 2007

**TAMPA ELECTRIC COMPANY'S NOTICE OF INTENT  
TO SEEK CONFIDENTIAL CLASSIFICATION OF PORTIONS OF  
ANSWERS TO FIFTH SET OF INTERROGATORIES (NOS. 102-118)  
OF THE FLORIDA PUBLIC SERVICE COMMISSION STAFF**

Tampa Electric Company ("Tampa Electric" or "the company"), pursuant to Rule 25-22.006(3)(a)(1), Florida Administrative Code, hereby serves Notice of its Intent to Seek Confidential Classification of portions of Tampa Electric Company's answer to Staff's Fifth Set of Interrogatories (Nos. 102-118) and, as grounds therefor, says:

1. Rule 25-22.006(3)(a) provides in material part "prior to the Staff obtaining any material, a utility or other person may receive temporary exemption from Section 119.07(1), Florida Statutes, by filing a notice of intent to request confidential classification." Rule 25-22.006(3)(d) provides in material part, "All material that . . . is subject to a notice of intent to request confidential classification . . . shall be exempt from Section 119.07(1), Florida Statutes, and will be accorded stringent internal procedural safeguards against public disclosure."

2. Tampa Electric is this date submitting under a separate cover letter a single confidential highlighted version of the company's answers to Staff's Fifth Set of Interrogatories (Nos. 108 and 109, Bates stamp pages 9 and 11). The highlighted information is confidential proprietary business information, the disclosure of which would be harmful to Tampa Electric and its customers.

DOCUMENT NUMBER--DATE

09036 OCT-25

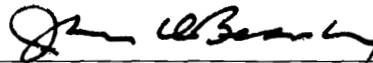
FPSC-COMMISSION CLERK

3. Tampa Electric seeks confidential treatment of the highlighted information contained in the single confidential version of its answer to Staff's Fifth Set of Interrogatories (Nos. 108 and 109) and will follow up within 21 days with a formal request and justification for such confidential treatment.

WHEREFORE, Tampa Electric submits the foregoing as its Notice of Intent to Seek Confidential Classification of Information.

DATED this 2<sup>nd</sup> day of October 2007.

Respectfully submitted,



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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 2<sup>nd</sup> day of October 2007 to the following:

Ms. Jennifer S. Brubaker\*  
Staff Counsel  
Office of General Counsel  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

George Cavros, Esq.  
120 E. Oakland Park Blvd., Ste. 105  
Fort Lauderdale, FL 33334

  
\_\_\_\_\_  
ATTORNEY

STATE OF FLORIDA

COMMISSIONERS:  
LISA POLAK EDGAR, CHAIRMAN  
MATTHEW M. CARTER II  
KATRINA J. MCMURRIAN  
NANCY ARGENZIANO  
NATHAN A. SKOP



OFFICE OF COMMISSION CLERK  
ANN COLE  
COMMISSION CLERK  
(850) 413-6770

**CONFIDENTIAL**

**Public Service Commission**

**ACKNOWLEDGEMENT**

DATE: 10/2/07

TO: J. Beasley/Ausley Law Firm

FROM: Ruth Nettles, Office of Commission Clerk

RE: Acknowledgement of Receipt of Confidential Filing

This will acknowledge receipt of a **CONFIDENTIAL DOCUMENT** filed in Docket Number 070467 or, if filed in an undocketed matter, concerning staff's 5<sup>th</sup> set of Interrogatories Nos. 102-118, and filed on behalf of TECO. The document will be maintained in locked storage.

If you have any questions regarding this document, please contact Marguerite Lockard, Deputy Clerk, at (850) 413-6770.

DOCUMENT NUMBER - DATE  
09037 OCT-2 07  
FPSC - COMMISSION CLERK

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