

Dorothy Menasco

From: DAVIS.PHYLLIS [DAVIS.PHYLLIS@leg.state.fl.us]
Sent: Monday, September 22, 2008 3:52 PM
To: Filings@psc.state.fl.us
Cc: James Beasley; Jean Hartman; Jennifer Brubaker; Keino Young; Lee Willis; Martha Brown; Mike Twomey; Paula Brown; Schef Wright; Vicki K.
Attachments: objection to confidentiality for officers 9-22-08.docx.pdf

Electronic Filing

a. Person responsible for this electronic filing:

Patricia A. Christensen, Associate Public Counsel
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b. Docket No. 080317-EI

In Re: Petition for rate increase by Tampa Electric Company

c. Document being filed on behalf of Office of Public Counsel

d. There are a total of 3 pages.

e. The document attached for electronic filing is Citizens' Objection to Tampa Electric's Request for Confidential Classification and Response to Motion for Temporary Protective Order

DOCUMENT NUMBER-DATE

08904 SEP 22 8

9/22/2008

FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for rate increase by Tampa
Electric Company.

DOCKET NO. 080317-EI

DATED: September 22, 2008

**CITIZENS' OBJECTION TO TAMPA ELECTRIC'S
REQUEST FOR CONFIDENTIAL CLASSIFICATION AND
RESPONSE TO MOTION FOR TEMPORARY PROTECTIVE ORDER**

The Citizens of the State of Florida (Citizens) hereby file their Objection to Tampa Electric Company's (Tampa Electric) Request for Confidential Classification and Response to Motion for Temporary Protective Order, and as grounds state the following:

1. On September 15, 2008, Tampa Electric filed its response to Staff's First Set of Interrogatories Nos. 1 and 2 which sought the compensation information for Tampa Electric's officers. In its response, Tampa Electric blocked out the officer's name as well as the position descriptions for 12 of the officers.

2. Tampa Electric claims that this information should be granted confidential treatment because it is proprietary confidential, employee personnel information unrelated to compensation, duties, qualifications, or responsibilities. However, Tampa Electric has not put forth any arguments to supports how the requested information is not specifically related to the officer's compensation and duties.

3. On September 19, 2008, Florida Industrial Power Users Group's (FIPUG) filed its Objection to Tampa Electric's Request for Confidential Classification and Response to Motion for Temporary Protective Order. Citizens adopt the arguments set forth in FIPUG's Objection and Response. Specifically, Citizens note that Section 366.093(f), Florida Statutes, excludes

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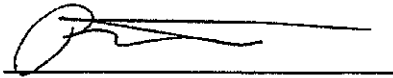
FPSC-COMMISSION CLERK

compensation and duty related information from confidential treatment which is the type of information Tampa Electric request be granted confidential treatment.

WHEREFORE, the Citizens hereby request that the Commission deny Tampa Electric's Motion for Temporary Protective Order regarding Tampa Electric's answers to Staff's First Set of Interrogatories Nos. 1 and 2.

Respectfully Submitted,

J.R. Kelly
Public Counsel



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CERTIFICATE OF SERVICE

I, **HEREBY CERTIFY** that a true and correct copy of the Office of Public Counsel Objection to Tampa Electric Company's (Tampa Electric) Request for Confidential Classification and Response to Motion for Temporary Protective Order had been furnished by electronic mail and U.S. Mail on this 22nd day of September, 2008, to the following:

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Regulatory Department
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